



Decree 370/2021, of 17-11-2021, of new exceptional measures due to the evolution of the health emergency situation caused by the SARS-CoV-2 coronavirus.

Government

Other provisions

Decree 370/2021, of November 17, 2021

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Statement of reasons

With the contagion indicators of the SARS-CoV-2 coronavirus on the rise again, prudence recommends strengthening precautions near the most vulnerable people.

Thus, in assisted social and health care homes, visitors or family members must prove that they have been vaccinated, have a diagnostic test with a negative result or prove that they have passed the disease in the terms indicated in article 17, in order to allow visits or departures. Similarly, the carrying out of activities in day centres, manor houses or old people's homes is subject to verification that the users meet any of the previous requirements, in accordance with the provisions of articles 18 and 19.

Otherwise, this Decree, which resumes the other measures, enters into force on November 18, 2021 and will be in force until November 24, 2021, although it may be extended or modified depending on the evolution of the pandemic.

For everything that has been presented, at the proposal of the Minister of Health, the Government, in the session of November 17, 2021, approves this Decree with the following content:

Article 1. Basic prevention measures

1. The use of masks is mandatory for all people aged eight or over in the terms established in this Decree.
2. The masks that can be used can be surgical, homemade or hygienic.
3. The use of the mask is mandatory in closed spaces for public use with the exception of establishments or events that carry out the access control provided for in article 2.
4. It is exempted from the obligation to use the mask on public roads and in open spaces, as long as there are no agglomerations of people that prevent maintaining the minimum interpersonal safety distance of 1.5 meters. In the case of the establishments or events

provided for in article 2, the use of the mask is exempt when the safety distance cannot be maintained if the access control provided for in the article has been carried out 2.

5. A safety distance of 1,5 meters between people who do not live together must be respected, unless it concerns activities that have health protocols and legally established hygiene and prevention measures or establishments or events that carry out the access control provided for in article 2.

6. Wherever possible, avoid crowds and intersections in any situation or activity.

7. Hand hygiene must be maintained before and after any activity.

8. In any activity, material must not be shared if it has not previously been cleaned and disinfected between uses.

9. Spaces, facilities and equipment must be cleaned and disinfected frequently.

10. In the interior spaces, air renewal must be guaranteed through natural or forced ventilation. If it is with natural ventilation, the facilities must be ventilated for fifteen minutes every hour, without the need to stop the activity.

11. A person who meets any of the following conditions is considered an immunized person:

a) She is vaccinated against COVID-19 and fourteen calendar days have passed since the date of administration of the last dose of the complete vaccine regimen.

b) The disease has passed in less than six months.

c) The illness has passed, she is vaccinated against COVID-19 with a dose of the vaccine and fourteen days have passed since it was administered.

Article 2. Access control with COVID-19 certificates

1. The use of the COVID-19 vaccination, diagnostic test or recovery certificates is established as mandatory for access to the establishments or events detailed below:

a) Cultural and sporting events from 1,000 people. In outdoor spaces, it is up to the Ministry of Health to determine, depending on the risk of the activity, whether the application of the measure is mandatory, after presentation of a specific protocol delivered to the Ministries of Health and Culture and Sports.

b) Establishments with disco activity, dance hall, pubs or similar where the dance activity is carried out.

2. The use of COVID-19 vaccination, diagnostic test or recovery certificates is established as optional for access to the establishments or events detailed below:

a) Cultural and sporting events in indoor spaces of less than 1,000 people.

b) Catering establishments (restaurants, bars, cafes and similar establishments), pubs or similar where the dance activity is not carried out, in interior spaces.

c) Thermal and spa activities.

d) Cultural and sports facilities (museums, cinemas, libraries, gymnasiums, among others).

e) Recreational games rooms, operating recreational machines and other activities related to games of chance.

f) Hairdressers and beauty centers.

3. The establishments or organizers of events provided for in section 2 that wish to apply access control may decide not to apply it every day, but when they apply it they must apply it in its entirety establishment and schedule.

4. The establishments provided for in section 2 must make public, in a visible place before access to the interior of the establishment, that they carry out access control using COVID-19 certificates. In the same way, event organizers must indicate this prior to the purchase of tickets or access to the event.

5. The establishments or events provided for in sections 1 and 2 in which access is controlled by means of COVID-19 certificates can avoid the restrictions currently in force in relation to capacities, distances and the use of the mask, with the exception of establishments with disco activity, pub activity, dance hall or similar, which are limited to a capacity of 80%.

6. The staff of these establishments or events provided for in sections 1 and 2 in contact with the public must continue to use the mask regardless of whether access control is carried out.

7. The staff of the establishments or the organizers of the events indicated in the first and second sections must verify through an access control that the attendees have a COVID-19 certificate certifying that they meet one of the following conditions:

a) Be vaccinated against COVID-19 and that fourteen calendar days have passed since the date of administration of the last dose of the complete vaccination schedule, or have the certificates attesting that the person has passed the disease and is vaccinated against COVID-19 with one dose of the vaccine and that fourteen (14) days have passed since it was administered.

b) Having passed the disease in less than six months.

c) Have a negative diagnostic test for SARS-CoV-2 infection (PCR or TMA done in the previous 72 hours or rapid antigen test done in the previous 12 hours).

8. Access control is carried out from the age of sixteen. People between eight and sixteen years of age must wear a mask, except in cases where compliance with any of the conditions established in section 7 can be proven. In this age group, apart from what is provided for in letter c of section 7, it is also accepted that they have submitted to the weekly school screening.

9. For access control, establishment staff or event organizers can accept certificates in paper or digital format. No copy of the certificates should be kept.

10. The Government regulates by regulation the requirements that must be met by the COVID certificates accepted in Andorra.

11. To verify the validity of the COVID-19 certificates, the competent authorities or the staff of the establishments authorized by the Government to apply certain access controls can carry out an identity check, to ensure that the people are the holders of the certificates .

Article 3. Services of the General Administration

The maximum capacity in the General Administration Procedures Service is limited to 50%.

Article 4. Physical activities in gymnasiums, sports centers and other similar spaces

1. Activities directed at gymnasiums, sports centers or other similar spaces must be carried out with groups limited to a maximum of ten people in indoor spaces and a maximum of twenty people in outdoor spaces. In the case of spaces with sufficient capacity, several groups can be made, with a separation of four meters between groups.
2. In the event that the establishment carries out the access control provided for in article 2, the limitation provided for in the previous section can be avoided, as well as the use of the mask and the maintenance of the distance from safety of 1.5 meters.

Article 5. Measures for sporting activities

1. Phase 0, regulated in the Federated Sports Practice Plan, remains in place in relation to the country's health situation.
2. It is allowed to remove the mask during the federated sports activity as long as it is trained within the same stable group, without interaction with other groups, and that the ventilation is adequate.
3. The presence of the public is allowed in sports competitions, stating the maximum capacity of the public in the protocol previously worked out by the sports organization and the body that manages the facilities.
4. For outdoor sports competitions, facilities cannot exceed 70% of capacity.
5. For indoor sports competitions, facilities cannot exceed 50% of capacity. Compliance with the minimum safety distance of 1.5 meters can be waived as long as there is a specific protocol delivered to the Ministries of Health and Culture and Sports.

The safety distance between the space where the competition takes place and the presence of the public cannot be less than four meters.

6. In the event that the establishment carries out the access control provided for in article 2, the capacity provided for in sections 4 and 5 can be increased up to a maximum of 100%, the safety distance can be avoided between the space where the competition takes place and the presence of the public and the use of the mask and the maintenance of the safety distance of 1.5 meters can be dispensed with.

Article 6. Measures for thermal activities and spas

1. The maximum capacity of thermal activities and spas is limited to 70%.
2. In the event that the establishment carries out the access control provided for in article 2, the capacity provided for in the previous section can be increased up to a maximum of 100% and the use of the mask, as well as the maintenance of the safety distance of 1.5 meters.

Article 7. Measures for workplaces

1. The telecommuting modality is prescribed as long as the type of activity does not require the physical presence of the professional and taking into account article 30.6 of Law 31/2018, of December 6, on labor relations.
2. Whenever possible, meetings by telematic means must be prioritized.

3. Face-to-face work meetings cannot exceed ten people, with the exception of those in which the attendees are immunized or have a negative diagnostic test for SARS-CoV-2 infection (PCR or TMA done within 72 previous hours or TRA done in the previous 12 hours).

Meetings that have an institutional, notarial and judicial nature, as well as those of the staff of health and socio-health centers, educational, training, staff selection tests currently open in the Public Administration that need to be taken, can also exceed ten people carried out in person and the meetings of the communities of owners, and those that have a specific protocol, always strictly preserving the prevention measures provided for in article 1 and the protocols established by the health authority.

4. Face-to-face work meetings must be carried out strictly preserving the basic prevention measures provided for in article 1. However, in face-to-face work meetings people who are immunized or have a negative diagnostic test for SARS-CoV-2 infection (PCR or TMA done in the previous 72 hours or TRA done in the previous 12 hours) when compliance with the safety distance can be guaranteed of 1.5 meters. In the event that the minimum interpersonal safety distance of 1.5 meters is not observed, all persons must wear a mask at all times.

5. In workplaces, people who are immunized or who have a negative diagnostic test for SARS-CoV-2 infection (PCR or TMA done within 72 hours) may be exempted from wearing a mask previous or TRA done in the previous 12 hours) when compliance with the safety distance of 1.5 meters can be guaranteed. In the event that the minimum interpersonal safety distance of 1.5 meters is not observed, all persons must wear a mask at all times. This measure can only be applied in workplaces without contact with the public.

Article 8. General hygiene and prevention measures in catering establishments (restaurants, bars, cafes and similar establishments)

1. The maximum number of people who can be grouped per table in indoor dining establishments is ten, unless it is a larger cohabiting group, understanding that the cohabiting group is made up of the parents and their children and that they live habitually and permanently in the same home. However, these maximums can be exceeded in meals of an institutional nature.

The number of people can be increased up to a maximum of twenty in the outdoor spaces.

2. The distance between tables, which must be measured taking into account the backs of the surrounding chairs, must be at least one and a half meters; the protective screens inside the premises are only a complementary measure.

3. The establishment must calculate the maximum capacity of customers inside to ensure that the distancing measures are respected, and this information must be stated, as a minimum, at the entrance of the establishment and in a place visible

4. The use of the mask by customers is mandatory for all people aged eight or over until the time they are served the food or drink, and they must put it back on in the travel and between services.

5. The buffet is allowed in the self-service modality as long as access to the area is controlled and a signalized unidirectional circuit is established in order to guarantee the

interpersonal safety distance, that there is availability of hydroalcoholic gel at several points of the circuit, that the self-service utensils are changed at most every 30 minutes, that the contact points of the vending machines are frequently disinfected and that there is constant supervision by the establishment to organize the customers.

6. In order to maintain a safety distance of 1.5 meters between people, customers cannot consume rights, only sitting.

7. The premises and dining rooms, as well as the outdoor spaces where meals are offered for celebrations such as baptisms, birthdays, communions, weddings and other social events, can accommodate a maximum number of attendees of 50 people in indoor spaces and 120 people in outdoor spaces.

8. The limitations provided for in the previous sections can be avoided if the establishment carries out the access control provided for in article 2.

Article 9. General hygiene and prevention measures in establishments with disco activity, dance hall, pub with dance activity or similar

The opening of these activities is allowed, subject to compliance with the access control provided for in article 2 with a maximum capacity of 80% and compliance with the schedules previously authorized in the health emergency situation caused by the COVID- 19.

Article 10. Recreational games rooms, operating recreational machines and other activities related to gambling

1. The rooms for recreational games, exploitation of recreational machines and other activities related to games of chance can open with a capacity limited to 50% of the space where the activity takes place.

2. In the event that the establishment carries out the access control provided for in article 2, the capacity provided for in the previous section can be increased up to a maximum of 100% and the use of the mask, as well as the maintenance of the safety distance of 1.5 meters.

Article 11. Maximum capacity of people in commercial establishments

The maximum capacity of commercial establishments with public participation is one person for every four square meters.

Article 12. Meetings of relatives and friends

1. In gatherings of family and friends, the maximum number of people who can gather is ten indoors and twenty in outdoor spaces, unless the number of people living together is greater.

2. Meetings are allowed at the funeral home and in the vigil rooms in groups that cannot exceed ten people. You cannot match more than one grouping at a time.

Article 13. Organization of cultural activities

1. Facilities hosting cultural events cannot exceed 70% of capacity. Compliance with the minimum safety distance of 1.5 meters can be waived as long as there is a specific protocol delivered to the Ministries of Health and Culture and Sports.

2. Guided tours must be carried out with groups limited to a maximum of ten people in indoor spaces and a maximum of twenty people in outdoor spaces. In the case of spaces with

sufficient capacity, several groups can be made, with a separation of four meters between groups.

3. In the event that the establishment carries out the access control provided for in article 2, the capacity provided for in paragraph 1 can be increased up to a maximum of 100%, the limitation established in section 2 and the use of the mask can be dispensed with, as well as the maintenance of the safety distance of 1.5 meters.

Article 14. Measures for schools, universities, higher education centers and extracurricular activities

1. In schools, universities and higher education centers, students can carry out activities inside the classrooms without a mask, unless the measure is necessary due to the epidemiological situation and so indicated by the Ministry of Health, or situations in which the tightness of the coexistence units is not maintained. Outdoor activities can be carried out without wearing a mask, as long as there are no crowds and the tightness of the coexistence units is maintained. The use of the mask is mandatory for students over the age of eight and for staff when traveling inside the centre.

2. The use of the mask in classrooms is not mandatory for the staff of schools, universities and higher education centers who are immunized, unless the measure is necessary due to the epidemiological situation and so indicated by the Ministry of Health. In kindergarten and first cycle or equivalent, with the aim of promoting interaction and communicative and emotional learning in children, if a mask is used in the classroom, the mask must be transparent.

For occasional outings or when it is necessary to use them temporarily due to the epidemiological situation of the classroom or the center or because the Ministry of Health so establishes, a cloth, hygienic or surgical

3. Extracurricular activities for children over the age of eight must be carried out with a mask. Extracurricular activities that are carried out outdoors can be done without a mask, as long as there are no crowds and the airtightness of the coexistence units is maintained.

4. It is mandatory to wear a mask on school transport for all age groups.

Article 15. Kindergartens

The use of the mask in the classrooms is not mandatory for the staff of the kindergartens who are immunized, unless the measure is necessary due to the epidemiological situation and so indicated by the Ministry of Health. With the aim of promoting interaction and communicative and emotional learning in children, if a mask is used in the classroom, the mask must be transparent.

Article 16. Indoor playgrounds

1. Indoor playgrounds can open between 7am and 9pm.

2. Children's equipment and facilities in indoor spaces must have a capacity limited to 50% of the total.

3. It is necessary to establish well-defined and separated groups in time or in different spaces of a maximum of ten children.

Article 17. Preventive measures aimed at the hospital, health centers and social and health assisted residences and residential homes for people with disabilities

1. Visits are authorized to patients who remain admitted to the hospital, always following the directions of the center's management.

2. The managements of assisted social and health residences must allow the visits of a family member or equivalent per resident and must verify through an access control that the visitors have a COVID-19 certificate certifying that they meet one of the following conditions:

a) Be vaccinated against COVID-19 and that fourteen calendar days have passed since the date of administration of the last dose of the complete vaccination schedule, or have the certificates attesting that the person has passed the disease and is vaccinated against COVID-19 with one dose of the vaccine and that fourteen (14) days have passed since it was administered.

b) Having passed the disease in less than six months.

c) Have a negative diagnostic test for SARS-CoV-2 infection (PCR or TMA done in the previous 72 hours or rapid antigen test done in the previous 12 hours).

Visitors to social and health assisted residences must sign the center's certificate of self-responsibility as long as they do not present symptoms of acute illness and are not subject to a home isolation measure.

3. The managements of the assisted residences can allow the departure of immunized residents or those under the age of sixteen, following the following requirements:

a) On the day of departure, the management of the assisted residences must verify that the family members or similar, who collect the user from the center, have a certificate certifying that they meet one of the following conditions:

i) Be vaccinated against COVID-19 and that fourteen calendar days have passed since the date of administration of the last dose of the complete vaccination schedule, or have the certificates attesting that the person has passed the disease and is vaccinated against COVID-19 with one dose of the vaccine and that fourteen (14) days have passed since it was administered.

ii) Having passed the illness in less than six months.

iii) Have a negative diagnostic test for SARS-CoV-2 infection (PCR or TMA done in the previous 72 hours or rapid antigen test done in the previous 12 hours).

b) In case of an overnight stay outside the centre, a TRA must be carried out on the same day of return to the centre. In the event of two or more overnight stays, the TRA must be completed at least 48 hours after arrival at the centre. This section is also applicable to residential homes for people with disabilities.

4. The managements of assisted social and health care homes and residential homes for people with disabilities can make the use of the mask more flexible among the users of the centers when these people are immunized.

5. Screenings must be carried out on the staff of socio-health centers for the elderly and people with disabilities when they join each shift at their place of work, except for people who

are immunized. In this case, the Ministry of Health establishes the frequency and type of screening. Screenings must also be carried out on the staff of the hospital center and health centers whose internal protocols so establish, given the risk of contagion and the vulnerability of the people they serve. In this case, the type and frequency of the screenings are those established by the internal regulations of each center.

In the same way, screenings must be carried out on residents of socio-health centers for the elderly and people with disabilities on a weekly basis, unless the people are immunized. In this case the Ministry of Health establishes the periodicity and type of screening.

6. The cost of the diagnostic tests for the screening of non-immunized personnel without justifiable cause indicated in section 5 is borne by the worker.

The control of the performance of these tests rests with the same center or service.

Article 18. Socio-health day centers

Social and health day centers must comply with the following health measures:

1. Indoor activities must be carried out in small groups of a maximum of ten people.
2. Users of the service must sign a self-responsibility certificate stating that they do not have symptoms of acute illness and are not subject to a home isolation measure.
3. Those responsible for these spaces must ensure that users who access the interior of the day centers have a certificate certifying that they meet one of the following conditions:
 - a) Be vaccinated against COVID-19 and that fourteen calendar days have passed since the date of administration of the last dose of the complete vaccination schedule, or have the certificates attesting that the person has passed the disease and is vaccinated against COVID-19 with one dose of the vaccine and that fourteen (14) days have passed since it was administered.
 - b) Having passed the disease in less than six months.
 - c) Have a negative diagnostic test for SARS-CoV-2 infection (PCR or TMA done in the previous 72 hours or rapid antigen test done in the previous 12 hours).
4. Day center management can make mask use more flexible among users.
5. Those in charge of these spaces must ensure that the staff who work there are screened when they join each shift at the workplace. The application of this measure to immunized persons can be avoided. In this case the Ministry of Health establishes the periodicity and type of screening.
6. The cost of the diagnostic tests of the screenings of the personnel who work there and who are not immunized without justifiable cause is borne by the worker. The control of the performance of these tests rests with the centers themselves.
7. The processing of personal data that is necessary for the application of this Decree must be carried out in accordance with the provisions of the data protection regulations.

Those in charge of the day centers must keep a record of the information on the screening carried out on the workers to meet the requirements set out in section 5 of this article.

Registration is the responsibility of the Ministry of Health, and the day centers act as service providers in order to contain the pandemic.

This record must be kept with security and confidentiality measures. The duration of conservation is up to one month after the validity of this Decree and, once completed, the record must be destroyed. This register must always be available to the members of the Police Force and the officials or workers of the General Administration with functions related to the control of the pandemic and authorized by the Ministry of Health.

Article 19. Manor houses and retirement homes

Manor houses and old people's homes must comply with the same health measures as day centers provided for in article 18 with the exception of section 4, and the use of a mask is mandatory according to current regulations.

Article 20. Petrol stations

The sale of alcoholic beverages at gas stations is prohibited from 10 p.m. until 7 a.m.

Article 21. Public transport

1. Public transport vehicles must be equipped with hydroalcoholic gel in the front and the back, at least.
2. It is necessary to promote that people travel sitting down.
3. Vehicles must be thoroughly cleaned and disinfected after each journey.
4. It is necessary to delimit, by means of markings on the ground, the zones for traveling upright.

Article 22. Measures addressed to the Immigration Service

The person from the age of sixteen who applies for an immigration authorization that involves a stay in the Superior Principality or equal to 30 consecutive days must prove, through the presentation of the corresponding certificates, the fulfillment of one of the cases provided for in article 1, section 11, for immunized persons.

Article 23. Duration of the measures

This Decree is valid until November 24, 2021 and may be extended depending on the evolution of the pandemic.

Article 24. Non-compliance and sanctioning regime

Any breach of these measures is sanctioned in accordance with the General Health Law or the applicable specific legislation.

Derogatory provision

With the entry into force of this Decree, the provisions of equal or lower rank that oppose it are repealed, and specifically [Decree 357/2021](#), of 10-11-2021, of new exceptional measures due to the evolution of the health emergency situation caused by the SARS-CoV-2 coronavirus.

Final provision

This Decree enters into force on November 18, 2021.

Which is made public for general knowledge.

Andorra la Vella, November 17, 2021

Xavier Espot Zamora

Head of Government
