



Decree 379/2021, of 24-11-2021, on new exceptional measures due to the evolution of the health emergency situation caused by the SARS-CoV-2 coronavirus.

Government

Other provisions

Decree 379/2021, of November 24, 2021

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Statement of reasons

Current data reveal that the number of infections caused by the SARS-CoV-2 coronavirus has increased considerably, a circumstance which means that the prevention measures currently in force must be strengthened to reduce contagions and minimize the health, social and economic repercussions of the COVID-19.

This is why it has been considered appropriate to generalize the use of the COVID-19 vaccination, diagnostic test or recovery certificates in those spaces, activities or events with a significant number of people, which involve more interaction or which can be considered more risky. In any case, this requirement must be communicated to customers and users, in a clear and accessible way, at the entrance to the establishment or, for services contracted in advance, before the contract is formalized.

Likewise, the current circumstances force the return of the mandatory use of masks and the reduction of certain capacities. In the case of health and socio-health centers, a reinforcement of visitor access control and user exits is foreseen.

Otherwise, this Decree, which resumes the other measures in force until now, enters into force from November 29, 2021, with the exception of article 8, relating to general hygiene and prevention measures in catering establishments, which will do so on Friday the 26th. The Decree will be in force until December 9th 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 24, 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 public spaces.
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.
5. A safety distance of 1.5 meters between people who do not live together must be respected, unless it is about activities 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 in outdoor spaces with 1,000 or more people in which the Ministry of Health determines, based on the risk of the activity, the need for the measure, after presentation of a specific protocol delivered to the Ministries of Health and of Culture and Sports.
 - b) Events, acts or groupings in indoor spaces of more than 100 people.
 - c) Establishments with disco activities, dance halls, pubs or similar.
 - d) Establishments with restaurant, bar, cafeteria and similar establishments, in interior spaces.
 - e) Thermal and spa activities.
 - f) Indoor cultural and sports facilities (museums, cinemas, libraries and gymnasiums, among others).
 - g) Recreational games rooms, operating recreational machines and other activities related to games of chance.
 - h) Hairdressers and beauty salons.

i) Tourist accommodation.

j) Socio-health assisted residences and residential homes in the terms provided for in article 17.

k) Day centers and manor houses in the terms provided for in articles 18 and 19 respectively.

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) Sports competitions for athletes, in the terms provided for in article 5, section 2.

b) Events, acts or groupings in indoor spaces of between 10 and 100 people.

3. The establishments provided for in sections 1 and 2 must make public, in a visible place before access to the interior of the establishment, that they carry out access control using COVID certificates. In the case of services contracted in advance, this requirement must be announced before the contract is formalized. In the same way, event organizers must indicate this prior to the purchase of tickets and access to the event.

4. The staff of the establishments or the organizers of the events indicated in sections 1 and 2 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 a dose of the vaccine and that fourteen 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).

5. Access control is carried out from the age of sixteen.

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

7. [Decree 356/2021](#) , of 10-11-2021, which approves the Regulation that regulates the creation of digital COVID-19 certificates issued by Andorra and the acceptance of COVID-19 certificates issued by third parties establishes the requirements which must comply with the COVID certificates accepted in Andorra.

8. To verify the validity of the COVID-19 certificates, the competent authorities or the staff of the establishments provided for in sections 1 and 2 to apply certain access controls can carry out an identity check, to ensure that the persons 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

Directed activities in 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.

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. For sports competitions in indoor spaces, athletes can avoid wearing a mask if they are subject to an access control with a COVID-19 certificate. In case the organizer decides not to apply this control, the athletes must use the mask.
3. For indoor sports competitions, facilities cannot exceed 70% of capacity. The safety distance between the space where the competition takes place and the presence of the public cannot be less than four meters.
4. For outdoor sports competitions, facilities may allow 100% capacity if mask is worn at all times.

Article 6. Measures for thermal activities and spas

The maximum capacity of thermal activities and spas is limited to 70%.

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. The use of a mask is mandatory in workplaces.
3. Whenever possible, meetings by telematic means must be prioritized.
4. Face-to-face work meetings cannot exceed ten people
5. The meetings that have an institutional, notarial and judicial nature, as well as those of the staff of health and socio-health centers, educational, training, personnel selection tests currently open in the public administration that are necessary, can exceed ten people to carry out face-to-face meetings of the communities of owners, as well as 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.
6. Face-to-face meetings must be carried out strictly preserving the basic prevention measures provided for in article 1. In the event that access control is carried out with a COVID-19 certificate, compliance with the distance of safety

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

institutional meals or if the distance between tables is 2 meters (counting the distance between the backs of the surrounding chairs) and the attendees have a negative result in a TRA. This test can be done on site in the form of self-tests or in authorized health establishments, within a maximum period of 12 hours beforehand.

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 meter; 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 the safety distance 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.

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

1. The opening of establishments with disco activity, dance hall, pub with dance activity or similar is allowed, subject to compliance with the access control provided for in article 2, with a maximum capacity of 60%, and to compliance with previously authorized timetables in the health emergency situation caused by COVID-19.

2. Attendees must have a negative result in a TRA. This test can be done on site in the form of self-tests or in authorized health establishments, within a maximum period of 12 hours beforehand.

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

The rooms for recreational games, the operation of recreational machines and other activities related to games of chance can open with a capacity limited to 60% of the space where the activity takes place.

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 indoor cultural events cannot exceed 70% of capacity.
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.

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

1. The use of the mask is mandatory in the interior spaces with students older than eight years. Outdoor school 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.
2. The use of the mask is mandatory for the staff in the interior spaces. In kindergarten and first cycle or equivalent, with the aim of promoting interaction and communicative and emotional learning in children, the mask can be transparent. For occasional outings or when it is necessary to use them temporarily due to the epidemiological situation in 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 interior spaces is mandatory for the staff of the children's homes. With the aim of promoting interaction and communicative and emotional learning in children, the mask can 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 similar per resident as long as the following conditions are met:

a) Carry out an access control for the visiting person with the presentation of the COVID-19 certificate.

b) Do a rapid antigen test (TRA) in the same socio-health center. The Ministry of Health provides centers with TRAs to be able to test visitors.

c) People visiting 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 living facilities must verify that the relatives or equivalents who collect the user from the center meet the following conditions:

(i) They have the COVID-19 certificate.

(ii) They have a negative result in a rapid antigen test (TRA) done in the same social and health center. The Ministry of Health provides centers with TRAs to be able to test visitors.

b) In the event of an overnight stay outside the centre, on the same day of return to the centre, a TRA must be carried out and the test repeated on the fifth day of the return to the centre. This section is also applicable to residential homes for people with disabilities.

c) In case of departures without an overnight stay, a TRA will be made on the fifth day of departure outside the center, or two weekly TRAs in case of daily departures.

4. The managements of the social and health assisted residences 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 in those situations in which they are with their usual coexistence group inside from the center Users will need to wear a mask when traveling within the center or with visits.

5. Residents of social and health centers for the elderly and people with disabilities must be screened weekly using TMA. This test is not performed on residents who have the full course of vaccination against COVID-19 and a booster dose, or the full course of vaccination and have passed the disease.

6. Non-immunized staff of socio-health centers for the elderly and disabled must use an FFP2 type mask and take a TRA when they join each shift at their workplace and a TMA on a monthly basis.

7. The immunized staff of social health centers for the elderly and disabled must use a mask and be screened with TRA once a week and with TMA on a monthly basis. 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.

8. The cost of the additional diagnostic tests carried out on non-immunized staff without justifiable cause, with respect to the diagnostic tests carried out on immunized staff, is borne by the worker.

9. The control of the performance of these tests rests with the same center or service. Those in charge of social and health centers must keep a record of the information on the screening carried out on workers to meet the requirements set out in this article.

Registration is the responsibility of the Ministry of Health, and social and health 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 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 COVID-19 certificate.
4. The day center managements can make the use of the mask more flexible among users, in those situations in which they are with their usual coexistence group within the center. Users will need to wear a mask when traveling within the centre.
5. People using day centers must be screened with a TRA test on a weekly basis.
6. The non-immunized staff of the day centers must use an FFP2 type mask and get a TRA when they join each shift at their workplace and a TMA on a monthly basis.
7. The immunized staff of the day centers must use the mask and be screened with TRA once a week and with TMA on a monthly basis.
8. The cost of the additional diagnostic tests carried out on non-immunized personnel without justifiable cause, with respect to the diagnostic tests carried out on the indicated immunized personnel, is borne by the worker.

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 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 sanitary measures as the day centers provided for in article 18, with the exception of section 4, and the use of the 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 December 9, 2021 and may be extended depending on the evolution of the pandemic.

Article 24. Non-compliance and penalty 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 377/2021](#), of 19-11-2021, 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 29, 2021, with the exception of the measures provided for in article 8, which enter into force on November 26, 2021.

Which is made public for general knowledge.

Andorra la Vella, November 24, 2021

Xavier Espot Zamora

Head of Government
