



## Decree 3/2022, of 5-1-2022, of new exceptional measures due to the evolution of the health emergency situation caused by the SARS-CoV-2 coronavirus.

Government

Other provisions

Decree 3/2022 of January 5, 2022

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### Statement of reasons

Epidemiological data reveal a negative evolution of the pandemic, with a very high rate of contagion with repercussions on the health system. This circumstance, along with the appearance and rapid expansion of the new micron variant in the countries around us, makes it necessary to establish more restrictive measures to avoid the spread of the virus and the saturation of the health system.

This new Decree also incorporates as a novelty the use of the contraindication certificate for vaccination against COVID-19.

The Government's intervention is based on the provisions of the General Health Law, of March 20, 1989, and of Law 30/2018, of December 6, classified as public security, in the terms established by Law 19 /2020, of December 23, which modified them.

With the entry into force of this Decree, the provisions of equal or lower rank that oppose it are repealed, and specifically [Decree 425/2021](#) , of 12-22-2021, of new exceptional measures due to the evolution of the health emergency situation caused by the SARS-CoV-2 coronavirus.

This Decree enters into force on January 6, 2022 and will be in force until January 12, 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 January 5, 2022, approves this Decree with the following content:

### Article 1. Basic prevention measures

1. The use of the mask is mandatory for all people aged six or over in the terms established in this Decree.
2. The masks that can be used can be surgical, homemade, hygienic or FFP2.

3. The use of the mask is mandatory in closed spaces for public use and in outdoor urban spaces.
4. A safety distance of 1.5 meters must be respected between people who do not live together.
5. Crowds must be avoided in any situation or activity.
6. Hand hygiene must be maintained before and after any activity.
7. In any activity, material must not be shared if it has not previously been cleaned and disinfected between uses.
8. Spaces, facilities and equipment must be cleaned and disinfected frequently.
9. 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.
10. 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 or the use of the contraindication certificate of the vaccination against COVID-19 are established as mandatory for users or customers to access the establishments or events detailed below:
  - a) Cultural and sporting events in outdoor spaces with 500 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 twenty people.
  - c) Establishments with restaurant, bar, cafeteria and similar establishments, in interior spaces.
  - d) Thermal and spa activities.
  - e) Ski resorts and snow fields.
  - 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.

l) Indoor playgrounds, for people from sixteen years of age.

m) Fairs and outdoor markets.

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

2. The use of the COVID-19 vaccination, diagnostic or recovery certificates or the use of the certificate of contraindication to the vaccination against COVID-19 are established as optional to access events or acts and to groups in indoor spaces of between six and twenty 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-19 certificates. In the case of services contracted in advance, this requirement must be announced before the contract is formalized. Likewise, 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 the sections in sections 1 and 2 must verify through an access control that the attendees have a COVID-19 certificate that certifies 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, TRA, done in the previous 12 hours), carried out in an authorized establishment .

5. 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, if they do not have a COVID-19 certificate, have a contraindication certificate of vaccination against COVID-19. In the latter case, attendees will need to use the FFP2 mask.

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

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

8. [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-19 certificates accepted in Andorra.

9. [Decree 2/2022](#) , dated 5-1-2022, establishing the conditions and procedure for granting the certificate of contraindication to vaccination against COVID-19 establishes the procedure for obtaining this certificate accepted in Andorra

10. To verify the validity of the COVID-19 certificates or the certificate of contraindication to the vaccination against COVID-19, the competent authorities or the staff of the establishments provided for in sections 1 and 2 empowered to apply certain access controls can do an identity check, to ensure that the people are the holders of the certificates.

#### Article 3. Services of the General Administration

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

2. For reasons of public service, the services of Administration staff may be required to carry out priority tasks other than those of their workplace.

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

1. Directed activities in gymnasiums, sports centers or other similar spaces must be carried out with groups limited to a maximum of six people in indoor spaces and a maximum of ten 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 gymnasiums it is necessary to guarantee compliance with the safety distance and a capacity of 50%.

#### Article 5. Measures for sporting activities

1. It goes to phase 1-2, regulated in the Plan of the federated sports practice, in relation to the health situation of the country.

2. For sports competitions in indoor spaces, athletes can dispense with the use of a mask and the access control provided for in article 2 is applicable.

3. For indoor sports competitions, facilities cannot exceed 50% 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 70% of capacity and masks must be worn at all times. In outdoor competitions, athletes can avoid wearing a mask.

#### Article 6. Measures for thermal activities and spas

The maximum capacity of thermal activities and spas is limited to 50%.

#### 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. Meetings by telematic means must be prioritized.

4. Face-to-face work meetings cannot exceed six people.

5. 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 six 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.

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 six, 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.

The number of people can be increased up to a maximum of ten 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 six 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 maximum closing time for catering establishments, including bars, cafes and similar establishments, is one in the morning.

8. Dancing is not allowed in restaurants.

Article 9. Establishments with nightclub, dance hall, pub or similar activities

Authorized establishments such as pubs, discos, dance halls or similar for the exercise of these activities remain closed.

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 50% of the space where the activity takes place.

The maximum closing time of these establishments is one in the morning.

#### Article 11. Commercial establishments, fairs and markets

1. The maximum capacity of commercial establishments with public participation is one person for every four square meters.
2. In outdoor fairs and markets, the organizers must ensure that the capacity does not exceed 70%.

#### Article 12. Meetings of relatives and friends

1. In gatherings of family and friends, the maximum number of people who can gather is six indoors and ten in outdoor spaces, unless the number of people living together is greater. In indoor spaces, up to ten people can be added if people over the age of six take a rapid antigen test (TRA) during the previous twelve hours. The test can be done in self-test format.
2. Meetings are allowed at the funeral home and in the vigil rooms in groups of no more than six people. You cannot match more than one grouping at a time.
3. In religious celebrations inside, the capacity cannot exceed 50%.

#### Article 13. Organization of cultural activities

1. Facilities hosting cultural events cannot exceed 50% of capacity indoors and 70% outdoors.
2. Guided tours must be carried out with groups limited to a maximum of six people in indoor spaces and a maximum of ten 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 indoor and outdoor spaces with students older than six years.
2. The use of the mask is mandatory for the staff in the interior and exterior spaces. In the maternity ward it is recommended to use an FFP2 mask.
3. All the activities that the students do in the school premises, both inside and outside, have been done without mixing coexistence units.
4. All school activities that take place outside the school grounds are suspended.
5. School activities that involve interaction between families and the coexistence unit are suspended.
6. Indoor and outdoor extracurricular activities for children over the age of six must be carried out with a mask. Likewise, to access it, non-immunized primary school or equivalent students require screening with a rapid antigen test (RA) twice a week.



7. The same measure indicated in section 6 is applicable to access the school canteen service for non-immunized primary or equivalent students.

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

#### Article 15. Kindergartens

The use of the mask in the indoor and outdoor spaces is mandatory for the staff of the children's homes. For staff in close contact with children, it is recommended to use an FFP2 mask.

#### 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 maximum of three different people per week per resident, as long as the following conditions are met:

a) Carry out an access control for the visiting person, who must present the COVID-19 certificate or the contraindication certificate for vaccination against COVID-19.

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 or they have the contraindication certificate for vaccination against COVID-19.

(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 case of two or fewer overnight stays outside the center, on the day of return to the center a TRA must be carried out and a TMA and a TRA carried out on the fourth day of the return to the centre.

In case of three or more overnight stays, on the day of return to the center a TRA and a TMA must be carried out and the TRA repeated on the fourth day of the return to the centre. Until the result of the TMA, the person must remain under passive surveillance.

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 assisted social and health care homes and residential homes for people with disabilities can make the use of masks more flexible among users of the centers when these people are immunized and when they are with their usual coexistence group within the center. Users will need to wear a mask when traveling within the center or with visits.

5. Immunized and non-immunized residents of social health centers for the elderly and disabled should be screened weekly using TMA.

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

7. The immunized staff of socio-health centers for the elderly and people with disabilities must use the mask and be screened with TRA twice a week and with TMA on a fortnightly 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 additional diagnostic tests for non-immunized personnel without justifiable cause, with respect to diagnostic tests for immunized personnel, 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 six people.
2. Users' activities outside the premises of the day centers are canceled when there is interaction with people outside the center's coexistence unit.



3. Service users must sign a certificate of self-responsibility as they do not present symptoms of acute illness and are not subject to a home isolation measure.
4. Those responsible for these spaces must ensure that users who access the interior of the day centers have a COVID-19 certificate or have a certificate of contraindication to vaccination against COVID-19.
5. The day center managements can make the use of the mask more flexible among users when they are with their usual coexistence group inside the center. Users will need to wear a mask when traveling within the centre.
6. People using day centers must be screened with a TRA test on a weekly basis.
7. The non-immunized staff of the day centers must use an FFP2 type mask and take a TRA when joining each shift at their workplace and a TMA every two weeks.
8. The immunized staff of the day centers must use the mask and be screened with TRA twice a week and with TMA on a fortnightly basis.
9. The cost of additional diagnostic tests for non-immunized personnel without justifiable cause, with respect to diagnostic tests for 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, 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. The maximum capacity of regular national public transport vehicles for urban, interurban and parish travelers is limited, which remains at 70%.
2. As for the other types of passenger transport, as long as there is a passenger register, the maximum capacity can be increased up to 100%.
3. General hygiene measures:
  - a) Public transport vehicles must be equipped with hydroalcoholic gel in the front and back, at least.

- b) It is necessary to promote that people travel sitting down.
- c) Vehicles must be thoroughly cleaned and disinfected after each journey.
- d) It is necessary to delimit, by means of markings on the ground, the areas for traveling straight.

#### 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 10, for immunized persons.

#### Article 23. Duration of the measures

This Decree is valid until January 12, 2022 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 425/2021](#) , of 12-22-2021, 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 the day after it is published in the Official Gazette of the Principality of Andorra .

Which is made public for general knowledge.

Andorra la Vella, January 5, 2022

Xavier Espot Zamora  
Head of Government

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