



Decree 43/2022, of 31-1-2022, of new exceptional measures due to the evolution of the health emergency situation caused by the SARS-CoV-2 coronavirus.

Government

Other provisions

Decree 43/2022, of January 31, 2022

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Statement of reasons

The main epidemiological and health indicators show an improvement in the evolution of the pandemic. In addition, the currently available data on the micron variant show a lower severity of this variant, which together with the high percentage of the vaccinated population allows the lifting of many of the restrictions currently in force. Among which stand out the mask on public roads and in open spaces - as long as there are no agglomerations of people -, capacity and interpersonal distance.

Despite this evolution, efforts must be made to protect the most vulnerable population from suffering the severe forms of the disease. For this reason, existing preventive measures are maintained and adjusted in social and health care homes, in social and health care day centers and in manor houses.

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.

This Decree repeals the measures contained in [Decree 30/2022](#) , of 24-1-2022, 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 February 1, 2022 and will be in force until February 7, 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 31, 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 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.
5. The use of FFP2 masks is established as mandatory in the situations detailed below:
 - a) Audience attendance at cultural and sporting activities in indoor spaces of 300 or more people.
 - b) Visits to people admitted to health and socio-health centers.
 - c) Assistance to health centers.
 - d) Assistance to manor houses.
6. The use of the FFP2 mask is recommended, especially in indoor spaces, for people who, due to age, risk factors or not being immunized, are particularly vulnerable to SARS-CoV-2 infection.
7. Crowds must be avoided in any situation or activity.
8. Hand hygiene must be maintained before and after any activity.
9. In any activity, material must not be shared if it has not previously been cleaned and disinfected between uses.
10. Spaces, facilities and equipment must be cleaned and disinfected frequently.
11. 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.
12. A person who meets any of the following conditions is considered an immunized person:
 - a) 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 and less than 270 days have passed since the last dose received, or has received a booster dose of the vaccine.
 - b) The disease has passed in less than six months.
 - c) The disease has passed, she is vaccinated against COVID-19 with a dose of the vaccine and fourteen days have passed since it was administered and less than 270 days have passed since the last dose received, or she has passed disease and has received two doses of the vaccine.

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 10.
- k) Day centers and manor houses in the terms provided for in articles 11 and 12, respectively.
- l) Indoor playgrounds, for people from sixteen years of age.
- m) Sports competitions for athletes, in the terms provided for in article 4, section 2.

2. The use of the COVID-19 vaccination, diagnostic test or recovery certificates or the use of the contraindication certificate of the vaccination against the COVID-19 are established as optional to access events or acts and to 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 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 meet any of the following conditions:

(i) Having passed the disease and having received one dose of the vaccine, or having received the complete vaccine regimen and fourteen calendar days have passed since the date of administration of the last dose of the complete vaccine regimen. In both cases, no more than 270 calendar days may have passed since the last received dose of the vaccine.

(ii) Having passed the disease and having received the full vaccine regimen or being vaccinated against COVID-19 with the full vaccine regimen and having received a booster dose of the vaccine.

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 twelve 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

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

Article 4. Measures for sporting activities

1. It goes to phase 0, regulated in the Federated Sports Practice Plan, in relation to the country's health situation.

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.

Article 5. General hygiene and prevention measures in catering establishments (restaurants, bars, cafes and similar establishments)

1. 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.

2. The self-service buffet is allowed as long as access to the area is controlled and a signposted unidirectional circuit is established in order to avoid crowds, that hydroalcoholic gel is available at various points on the circuit, that the self-service utensils are changed no more than 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 customers.

3. Dancing is not allowed in restaurants.

Article 6. 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 7. Recreational games rooms, operating recreational machines and other activities related to games of chance

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

Article 8. Measures for schools, universities, higher education centers and extracurricular activities

1. The use of the mask is mandatory in the interior spaces with students from six years of age.

2. The use of the mask is mandatory for the staff in the interior spaces. In indoor spaces, it is recommended that staff in close contact with students 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. Indoor extracurricular activities for children over the age of six must be carried out with a mask.

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

Article 9. Kindergartens

The use of the mask in the interior 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 10. Preventive measures aimed at the hospital center, 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 overnight stays outside the center, it is necessary to carry out a TRA on the day of the return to the center and another TRA on the fourth day of the return to the center. Until the negative result of the second TRA, the person must remain in 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 fourth day of the 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 during visits.

5. Screenings must be carried out on immunized and non-immunized residents of socio-health centers for the elderly and disabled on a weekly basis using TRA.

6. The staff of socio-health centers for the elderly and people with disabilities must use an FFP2 type mask.

7. The non-immunized healthcare staff of the social and health centers for the elderly and disabled must have three TRAs per week. If it is non-care staff, a weekly TRA must be carried out.

8. The immunized healthcare staff of social and health centers for the elderly and people with disabilities must be screened with TRA twice a week. If it is non-care staff, a weekly TRA must be carried out. 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.

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.

10. 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.

11. People who attend health centers and people visiting social and health assisted residences and residential homes for people with disabilities must use the FFP2 mask.

Article 11. 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. Day center staff must use FFP2 masks.
8. The non-immunized care staff of the day care centers must have three weekly TRAs. If it is non-care staff, a weekly TRA must be done.
9. The immunized healthcare staff of the day centers must be screened with TRA twice a week. If it is non-care staff, a weekly TRA must be carried out.
10. 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 12. 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 11, and the use of the FFP2 mask is mandatory according to current regulations.

Article 13. Measures addressed to the Immigration Service

The person from sixteen years of age who requests an immigration authorization that involves a stay in the Superior Principality or equal to thirty consecutive days must prove, through the presentation of the corresponding certificates, the fulfillment of one of the cases provided for in article 1, section 12, for immunized persons.

Article 14. Duration of the measures

This Decree is valid until February 7, 2022 and may be extended depending on the evolution of the pandemic.

Article 15. 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 30/2022](#) , of 24-1-2022, 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 31, 2022

Xavier Espot Zamora
Head of Government
