

## SPECIAL MEASURES IN TERMS OF TOURISM FOR THE CANARY ISLANDS DECREE-LAW 17/2020 OF 29TH OCTOBER

Following the different measures that have been adopted during the evolution of the health and economic crisis caused by COVID-19, on 31st October 2020 the ***Decree-Law 17/2020, of 29th October, regarding the extraordinary measures adopted in terms of tourism in order to face the effects of the health and economic crisis caused by the COVID-19 pandemic*** was published in the Official Gazette of the Canary Islands and entered into force on the next day after its publication.

The Decree-Law, composed of one sole article, a transitory provision and four final provisions, is meant to establish a health control for tourists who plan to stay in the Autonomous Community of the Canary Islands during the COVID-19 pandemic, by establishing the requirements for obtaining access to the tourist accommodations.

With the aim of achieving this health control, the legislation stipulates a series of obligations in said article, both for non-resident tourists and for tourist accommodations, which must be complied with starting from 13th November 2020.

### ○ Obligations for tourists

1. In order to obtain access to the tourist accommodations, it will be necessary that all tourists older than 6 years must prove to have taken the diagnostic test for active infection within a maximum term of 72 hours prior to arrival.
  - The following persons are exempt from this obligation: Canary residents who travel between the islands, provided that they sign a declaration of responsibility stating that they have not left the Canary Islands within the term of 15 days prior to their arrival at the accommodation and non-residents who prove with the corresponding travel documents that they have stayed in the Canary Islands during the term of 15 days prior to their arrival to the accommodation, provided that they did not have any symptoms compatible with COVID-19 during this period.
2. When making the booking or contracting the services of the tourist accommodation, the tourist must accept the applicable entry requirements mentioned.

3. The tourist may freely certify the realization of the diagnostic test within the stated term by providing the corresponding certificate, electronically or in paper form, which must contain the date and time the test was taken, the identity of the person having taken it, the responsible laboratory and the negative COVID-19 result.
4. The tourists must download the Radar Covid infection notification app on their mobile phones and keep it during their stay on the islands and for the term of 15 days after their return to their place of origin.

#### ○ **Obligations for tourist accommodations**

1. Prior to making the reservation or contracting the services of the tourist accommodation in any of the tourist establishments of the Canary Islands, the tourists must be informed that one of the necessary entry requirements will be to prove that they have taken the aforementioned diagnostic test.
2. The tourist accommodation will deny access to all persons who will not comply with the aforementioned requirements. If entry is denied due to not having taken the diagnostic test, the accommodation must inform the tourist of the nearest authorized centres where said test may be taken or must offer the possibility to do so in the accommodation at the tourist's expense.
  - As an exception, in the event that the tourist does not show proof that said diagnostic test has been taken, but is willing to take it, access and overnight stay may be authorized for the time required to obtain the result. In this case, the tourist may not leave the accommodation unit, except for the purpose of taking the test and getting the result.
3. All establishments must put information posters in their reception, in at least 5 Community languages, showing the indicated entry requirements.
4. Within the maximum term of 48 hours prior to the departure from the accommodation, those tourists who will be required by their place of origin to prove a negative result or to stay in quarantine must be informed by the establishment about the nearest centres where they will be able to take diagnostic tests that grant the corresponding homologation of the authorities.
5. All tourist establishments must keep the information contained in the registration sheets, to which Regulation INT/1922/2003, of 3rd July, refers, at the disposition of the Canary Healthcare Service, as well as the documentation certifying the tourist's compliance with the accommodation's entry requirements.

All personal information provided as a consequence of the development and application of the Decree-Law will be treated in accordance with the provisions stipulated in the *Regulation (EU) 2016/679 of the European Parliament and Council, of 27th April 2016*, related to the protection of individuals with regard to the processing of personal data and the free movement of such data. The purpose shall be to guarantee the right to security and protection of the tourist's health.

Every establishment shall be held responsible for the processing of the data collected from the tourists who have made bookings or contracted their services.

6. The tourist accommodations must inform the tourists, prior to making the reservation, that they must download the Radar Covid infection notification app on their mobile phones and keep it during their stay on the islands and for the term of 15 days after their return to their place of origin.

To conclude, it must be noted that the access requirements to the tourist accommodations of the Canary Islands during the COVID-19 pandemic regulated in the Decree-Law shall remain in force until the competent healthcare authority of the Canary Government declares them unnecessary and/or substitutes them by other regulations.

2nd November 2020