



COSTA DEL SOL MÁLAGA

The mandatory use of masks in Andalusia has been approved

The regional government of Andalusia has taken into consideration the new prevention measures proposed by the Ministry of Health and Families to address the spread and proliferation of Covid-19 in localised outbreaks, so as to ensure that citizens avoid behaviours that generate risks of disease spread. These new measures, such as the mandatory use of masks, are contained in the Order of July 14, 2020, and will be sanctioned in accordance with the provisions of the Royal Decree Law 21/2020 of June 9, once the Alert state is finished.

Masks shall be mandatory for persons aged six years and older on public roads, in outdoor spaces and in any enclosed space for public use or open to the public, even if the interpersonal safety distance of 1.5 metres can be guaranteed.

For its part, the provision established in Royal Decree Law 21/2020 of June 9 will be applied to the means of transport. It provides that the mask is mandatory for use in means of air, sea, bus or rail transport. Also, at public and private complementary passenger transport in vehicles of up to nine seats, including the driver, if the passengers of private cars do not live in the same home.

The obligation to use the mask shall not be required for persons who have any type of illness or respiratory distress which may be aggravated by the use of the mask. Nor for those people who, due to their disability or dependence, do not have autonomy to remove the mask, or present behavioural alterations that make it impossible to use.

The use of the mask shall not be required in the case of individual sports in the open air, in cases of force majeure or necessity or where, by the very nature of the activities, the use of the mask is incompatible, as indicated by the health authorities.

Beaches and pools

It will not be necessary to wear the mask on the beaches and swimming pools during bathing and while staying in a certain space, provided that the interpersonal safety distance between users can be respected. However, it will be mandatory to use a mask for trips and walks on the beaches and swimming pools.

The Department of Health and Families emphasizes that it is recommended to use the mask in private open or closed spaces when there are meetings or a possible confluence of non-living persons, even if the safety distance can be guaranteed.

Persons who are considered to be suspected or likely to be infected with the SARS-COV-2 virus or who are pending the results of diagnostic tests for this reason must follow the conditions of isolation or quarantine established by the health authorities, as well as those persons considered as a confirmed case with active infection, and those considered as a close contact of a suspect, probable or confirmed case.

Posters informing of the measures taken to prevent infection of Covid-19 in a showcase.

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Wakes and burials

The section on wakes and burials of the Order of June 19, 2020 is amended, emphasizing that wakes may be held in all types of facilities, public or private, with a maximum limit of 25 persons in outdoor spaces or 10 persons in enclosed spaces, whether they live together or not. Participation in the funeral or in the procession for the burial or cremation of the deceased person is restricted to a maximum of 25 persons, including relatives, close friends, and, where appropriate, the minister of worship or the person assimilated in the respective confession for the purpose of the funeral rites of farewell to the deceased.

In addition, in the event that any type of hotel and catering service is provided on the premises, this shall be in accordance with the conditions for the provision of the service in the catering and catering establishments. The interpersonal safety distance must always be maintained in the premises and the use of the mask will be mandatory.

Sanctioning regime

The regional government of Andalusia will fine 100 euros for non-compliance with the obligation to use the mask, as it is considered a minor offence for the purposes of article 104 of the Public Health Act. Failure to comply with this measure in the field of transport shall also be punishable by the provisions of the relevant sectoral laws. This measure is included in a Decree Law, also approved on Tuesday by the regional government, on urgent health, fiscal and budgetary measures, as well as on support to farmers, livestock farmers and agri-food SMEs in the face of the situation generated by the Covid-19.

This framework will be applicable, in the context of Andalusia, to address non-compliance arising from the measures adopted as a result of Covid-19, the Public Health Act of Andalusia and the Royal Decree Law 21/2020. For their part, the supervision, inspection and control of compliance with these measures, as well as their instruction and decision, is the responsibility of the competent bodies of the various administrations within their competence.

In this context, it is considered of extraordinary and urgent need to address the amendment of the Public Health Act to include the sanctioning procedures that arise from non-compliance with the provisions established to mitigate the effects of Covid-19 in Andalusia.

The functions of monitoring, inspection and control of the proper fulfilment of all these obligations shall be the responsibility of the municipalities and the competent bodies of the administration of the regional government of Andalusia, in collaboration with the state security forces, within the scope of their respective competences. Failure to comply with them may be punished in accordance with the applicable public health regulations.