

# Health and Lifesciences Perspective

May 13<sup>th</sup>, 2020

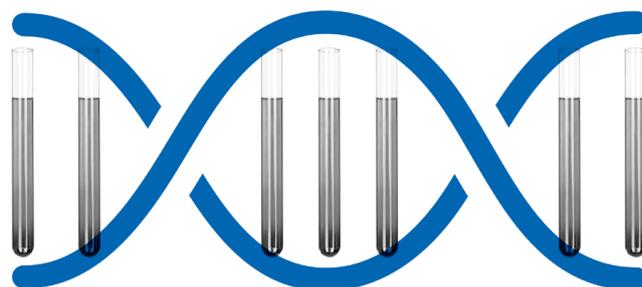
The Spanish Government authorizes the holding of scientific meetings and seminars and agrees to gradually reopen scientific and technology-related installations.

The Spanish Ministry of Health has published in the Official State Gazette (BOE) Order SND/399/2020, of 9 May, on the easing of certain restrictions of national scope, introduced after the declaration of the state of alarm in application of Phase 1 of the Plan for the Transition towards a New Normality (hereinafter, "Order 399/2020"). Therefore, Order 399/2020 will only be applicable to those cities that have reached Phase 1.

Chapter VII, articles 21 and 22 of the above-mentioned Order detail the following:

**Reopening of technological and scientific installations,** under the following requirements:

- Applicable to public and private entities carrying out or supporting scientific and technical research, development and innovation activities in all economic and social areas, whose activity has been affected by the declaration of the state of alarm.
- The protection of any individual working at the installations and the observance of general hygiene measures against COVID-19 indicated by the Spanish health authorities must be guaranteed.
- Regular cleaning and disinfection of the places where such activities will take place must be performed.
- Despite the reopening, the Spanish Government recommends encouraging the continuity of teleworking for those employees who can work remotely.



- Rotating work systems or other adjustments to working hours may be established.
- As for private entities, the laboratory director will decide which personnel should attend to the centres and shall ensure that the measures referred to in this Order are implemented.
- State public sector entities shall adopt the measures provided for in article 21 in accordance with their own applicable law.

**Holding of scientific or innovative seminars and conferences**

According to article 22 of Order 399/2020 – applicable to either public or private entities - conferences, meetings, events and seminars in the field of scientific and technical research, development and innovation are allowed.

Holding of such events must comply with the following obligations:

- The sole purpose of the event is either (i) to improve and enhance knowledge in any of the research, development or innovation areas in order to promote scientific and technical investigation in any sphere; (ii) to encourage knowledge exchange or; (iii) to promote innovation and competitiveness.

- Two meters distance between each person attending the event.
- In case it is not possible to ensure the two meters interpersonal safety distance, the availability of protection equipment appropriate to the level of risk will be ensured.
- The maximum number of attendants will be of thirty people.
- It is key to encourage virtual participation in the conference for those who are able to provide their services remotely.
- The adoption of the abovementioned measures will be the responsibility of the directors or top managers, in the case of private entities. In the case of public entities, the adoption of measures shall be carried out in accordance with the specific rules applicable to each of them.

Companies operating in the healthcare sector which are considering holding upcoming events, need to strictly comply with the requirements established in Article 22, with particular focus on the purpose of the events set forth in Article 22.2 of Order 399/2020 which states that, events must be held with the sole purpose of *"improving and enhancing knowledge in any of the research, development or innovation areas, in order to promote scientific and technical investigation in any sphere, encouraging knowledge exchange, or promoting innovation and competitiveness"*.

Holding events with a different purpose might entail significant negative repercussions.

For any additional information and for accurate and personalized legal advice, please contact:

**Kiko Carrión**

*Partner of Litigation*

T: +34 91 429 43 33 / M: +34 608 492 935

[kcarrion@eversheds-sutherland.es](mailto:kcarrion@eversheds-sutherland.es)

**Marta González**

*Legal Director*

T: +34 91 429 43 33 / M: +34 606 986 449

[mgonzalez@eversheds-sutherland.es](mailto:mgonzalez@eversheds-sutherland.es)

**Eva Garuti**

*Lawyer*

T: +34 91 429 43 33 / M: +34 638 145 457

[ebgaruti@eversheds-sutherland.es](mailto:ebgaruti@eversheds-sutherland.es)



For more information relating  
COVID-19 please Access to the  
following [link](#)