

Real Estate Perspective

Order SND/403/2020: New quarantine decreed by the Government for persons arriving to Spain from international traffic and its effect on the tourism sector.

May 13th, 2020

On May 12, 2020, Order SND/403/2020 of May 11 was published in the Official State Gazette on the quarantine conditions to which people from other countries must be subjected upon their arrival in Spain during the health crisis caused by COVID-19 (hereinafter, the "Order").

In view of the deconfinement process that is taking place in Spain, the Government has issued the Order in order to limit the risks from international traffic in persons arriving to Spain, by intensifying surveillance and control measures to prevent the emergence of new cases that spread the virus. This Order establishes a mandatory quarantine consisting of the isolation of all persons from other countries in their accommodation for 14 days following their arrival in Spain (the "Quarantine").

This measure affects specially the hotel sector, which is particularly exposed to the accommodation of this group of people, since guests -as well as any other person- coming from abroad must limit their movements, by obligatorily wearing masks, to (i) the acquisition of basic necessities -such as food and pharmaceutical products- (ii) assistance to health establishments or (iii) for extreme necessity in order to avoid massive contact of people.

In any case, without prejudice to possible follow-up by health authorities, guests and in general, all persons in this group will have the obligation during the Quarantine period to contact health services in the event of the appearance of the characteristic symptoms of COVID-19.

Cross-border workers - that is, those workers who go to another State to carry out their work activity by returning to their habitual residence in Spain at least once a week -, transporters, crew and health professionals who arrive in Spain from abroad, are exempt from this obligation, provided that they have not been in contact with people who have been diagnosed. Otherwise, they must also carry out the Quarantine.



The Order also establishes a duty of information - consisting of giving consumers prior notice of this new mandatory Quarantine measure in the process of selling tickets to Spain - by travel agencies, tour operators and transport companies and the provision of public health forms to locate passengers upon their arrival in Spain by airlines.

As the Order is within the legal framework of the State of Alarm, the penalties for non-compliance with these provisions will be the same as those applicable to general confinement.

The Order comes into force on 15 May 2020 until the end of the State of Alarm and its possible extensions.

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

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