



REPUBLIC OF SAN MARINO

DECREE-LAW NO. 193 OF 29 OCTOBER 2020

We the Captains Regent of the Most Serene Republic of San Marino

Having regard to the conditions of necessity and urgency referred to in Article 2, paragraph 2, letter b) of Constitutional Law no. 183 of 15 December 2005 and Article 12 of Qualified Law no. 184 of 15 December 2005, and more precisely:

- *Taking into account that the World Health Organisation on 30 January 2020 declared the COVID-19 outbreak to be an international public health emergency;*
- *Having regard to the recommendations made to the international community by the World Health Organization regarding the need to take appropriate measures;*
- *Having acknowledged the evolution of the epidemiological situation and the increase in the number of cases both inside and outside the Republic of San Marino;*
- *In order to manage the COVID-19 epidemiological emergency by adopting measures to reduce and combat the spread of the aforementioned virus;*

Having regard to Congress of State Decision no. 23, adopted during its sitting of 27 October 2020; Having regard also to Order no. 4 of 29 October 2020;

Having regard to Article 5, paragraph 2 of Constitutional Law no. 185/2005 and to Article 9, paragraph 1, and Article 10, paragraph 2 of Qualified Law no. 186/2005;

Promulgate and order the publication of the following Decree-Law:

PROVISIONS TO COMBAT THE SPREAD OF THE COVID-19 EPIDEMIC

Art. 1 *(General provisions)*

1. Anyone showing symptoms of respiratory infection and fever (over 37.5°C) shall be obliged to contact their primary health physician by phone according to the indications contained in Annex 1 to this Decree-Law.

2. It shall be mandatory to always carry respiratory protective devices and to wear them correctly on public transport means, in closed places open to the public or, both outdoors and indoors, where it is not possible to continuously guarantee the maintenance of an interpersonal distance of at least 1 metre, as well as in any other case expressly indicated. The above obligation shall not apply to children under the age of six, people with forms of disability that are not compatible with the continuous use of the mask and people interacting with them.

Plexiglass face shields shall not be considered respiratory protective devices.

The use of respiratory protective devices in private homes is strongly recommended in the presence of non-cohabitants.

3. It shall be mandatory for all places open to the public to provide customers and staff with hydro-alcoholic hand sanitisers, guarantee the hygiene of the common areas (toilets and service rooms, tables and chairs, etc.) and ensure distancing and correct use of protective devices. It shall be mandatory for public places open to the public where food and drinks are provided to display a sign at the entrance showing the maximum number of people admitted at the same time, according to the provisions of this Decree-Law. It shall be strongly recommended for activities where food and drink is not provided to allow a limited number of customers at the same time, depending on the characteristics of the premises, so as to ensure interpersonal distance of at least one metre.

In places open to the public where food and drinks are provided, customers shall be served only if they are seated at tables, either indoors or outdoors, accommodating up to six people based on the application of the correct distancing. It shall be possible to derogate from such maximum number only if the persons sitting at the same table belong to the same group of cohabitants. The obligation to pay attention to the maintenance of an adequate distance also at the table while consuming food and drinks shall remain unaffected. It shall be prohibited to consume food and drinks while standing, either indoors or outdoors, except at the counter if it is possible to guarantee adequate distancing; buffets shall also be prohibited, except for display buffets, where there are protective screens or adequate distancing. All places open to the public shall close to the public by midnight and reopen to the public not earlier than 4.30 a.m. The above-mentioned places shall not make any newspapers and magazines available to their customers; card games and any other board game shall also be prohibited. All activities taking place at the premises of economic operators whose main licensed business is "discotheque, dance hall, night club and the like", suitable for dance hall function C9 referred to in paragraph 1 of Article 83 of Law no. 140 of 14 December 2017, shall be suspended.

4. Without prejudice to the provisions of Article 16 of this Decree-Law, conferences, congresses or the like shall be permitted both in public and private places, provided that adequate distance between the seats is guaranteed and no food or drinks are provided. In the event that the presence of a number of participants equal to or greater than fifty is envisaged, prior authorisation shall be obtained from the Gendarmerie, after hearing the opinion of the Prevention Department and the Civil Protection for anything falling within their competence. Such request for prior authorisation shall be received with at least fifteen days' notice and the authorisation shall only be granted after appropriate measures have been taken to control and verify compliance with the requirements, and only after the organiser has indicated a security manager from security agencies authorised to carry out this task, in addition to a number of security staff, responsible to the manager, not less than the proportion of one for every fifty participants. Under no circumstances shall the maximum number of participants exceed the proportion of security staff or available seats, by ensuring adequate distancing. Events shall not be authorised in case the maintenance of interpersonal distancing is not guaranteed.

5. Parties shall be prohibited, even in private homes, if the number of people simultaneously present exceeds six; the latter requirement shall be derogated from only if the participants belong to the same group of cohabitants. The use of respiratory protective devices also in private homes is strongly recommended in the presence of non-cohabitants.

6. Motor and sporting activities shall be allowed in public places and in public or private sports facilities. Such activities shall be allowed only on condition that it is possible to comply with the general health and hygiene measures and with those provided for in Annex 2 to this Decree-Law. The obligation of interpersonal distancing during motor and sporting activities shall not apply to persons belonging to the same group of cohabitants. Sports federations and clubs shall also comply with the guidelines and/or specific protocols established by San Marino National Olympic Committee and shared with the Prevention Department of the Social Security Institute, as promulgated through the Ministry of Sport. Sports facilities managed by San Marino National Olympic Committee shall be accessible only to residents, holders of stay permits or people already registered with San Marino sports federations on the date of entry into force of this Decree-Law, unless expressly derogated from by the competent bodies as indicated in an appropriate circular.
7. All collective or individual amateur and competitive contact sports shall be suspended, as per the list drawn up by San Marino National Olympic Committee together with the Ministry of Sport. For such activities it shall however be possible to carry out individual training, provided that the general health and hygiene measures and those provided for in Annex 2 to this Decree-Law are guaranteed.
8. All sporting events and competitions shall be suspended.
9. The provisions of paragraphs 7 and 8 shall not apply to federal international and Italian national sports competitions, including training and preparation for such competitions. The latter activities shall be carried out behind closed doors, without the presence of the public, except for any person accompanying a minor athlete.
10. As far as private gyms and swimming pools, wellness centres, spas and dance schools are concerned, the competent offices shall be mandated to regularly verify compliance with interpersonal distancing, with the exception of cohabitants, as well as with the containment measures set out in Annex 2 to this Decree-Law; in case of non-compliance, law enforcement authorities shall temporarily suspend these activities until the requirements are met.
11. It shall be mandatory to reduce the maximum capacity of lifts in order to guarantee a constant interpersonal distance of at least 1 metre.
12. Transport services provided on the basis of international agreements shall be carried out in compliance with the health regulations of the State in which they are mostly provided.
13. The national transport service shall be provided on the basis of what established in advance by the guidelines or regulatory protocols to combat and reduce the spread of COVID-19, which have been shared between the Directorate of the Public Utilities Autonomous State Corporation (AASS) and the Prevention Department of the Social Security Institute. Access to public transport services shall only be permitted when properly wearing respiratory protective devices. AASS shall be mandated to submit to the Congress of State a plan for the reorganisation of the service in order to maintain transport efficiency, with particular attention to school transport, providing for the use of both public and private transport sufficient to guarantee the interpersonal distance of 1 metre and compliance with hygiene and health measures.
14. Access to the canteen located at the State Hospital shall be limited to staff on duty at the Social Security Institute and in such a way as to prevent the simultaneous presence of health and administrative staff.
15. The activities of Giochi del Titano shall also be required to close to the public by midnight and reopen to the public not before 4.30 a.m. Inside its premises, food and beverage catering services shall be prohibited, with the exclusion of service at tables intended solely for this purpose and sanitised after each service, or of display buffets. Card games shall be allowed according to the protocols agreed with the Prevention Department of the Social Security Institute.

It shall always be mandatory to wear respiratory protective devices and to maintain interpersonal distancing.

16. Performances open to the public in theatres, concert halls, cinemas and other places, even outdoors, shall be allowed, provided that they are static, require the use of respiratory protection devices and always guarantee interpersonal distancing. The consumption of food and drinks during the above activities shall be prohibited.

17. Religious ceremonies and funerals shall be allowed in compliance with the safety measures established by a specific Congress of State Decision in agreement with the Diocese of San Marino - Montefeltro.

18. Burial services shall be guaranteed in compliance with interpersonal distancing rules and the use of protective devices, as well as the provisions indicated at the entrance to the cemeteries.

19. Traditional markets and typical or specialised markets as defined by Article 44 of Law no. 130 of 26 July 2010 shall be allowed. Within the scope of their responsibilities, the Township Councils shall have the power to issue specific measures aimed at the correct organisation of the market area, in compliance with the health protocols established by the Protection and Prevention Department of the Social Security Institute.

20. Anyone accompanying patients shall be prohibited to stay in the waiting rooms of the First Aid Department, unless otherwise specifically instructed by the competent healthcare personnel. The access of relatives to residential facilities and day care centres and to the hospital's inpatient areas, if allowed, shall be limited to cases and in the manner indicated by the Health Directorate.

21. The declaration of being a member of the same group of cohabitants shall be a matter of individual responsibility.

Art. 2

(Distancing in private means of transport)

1. Without prejudice to what is already provided for in Article 1, paragraph 13 as regards public transport, in private means of transport the passenger shall be forbidden to seat next to the driver, unless both passengers wear the surgical mask or belong to the same group of cohabitants.

2. Two passengers not belonging to the same group of cohabitants may be carried in the rear seats of ordinary cars, provided that they are as far apart as possible to maintain interpersonal safety distance and equipped with suitable individual safety devices. In the absence of adequate devices, only one passenger may be carried in the rear seat opposite the driver.

3. In cars homologated for the transport of six or more passengers, only if they do not belong to the same group of cohabitants, no more than two passengers per row of seats shall be seated, without prejudice to the use of masks.

4. On mopeds and motorbikes, if homologated for the transport of two passengers, only if more than one person is travelling, both passengers shall wear the mask if they do not belong to the same group of cohabitants.

5. With reference to paragraphs 2 and 3, in case they belong to the same group of cohabitants, a number of persons equal to the number approved for the car shall be carried.

Art. 3

(Amendments and integrations to the extraordinary measures related to the Wage Supplementation Fund)

1. Article 1, paragraph 9 of Decree-Law no. 123 of 27 July 2020 shall be amended as follows:

“9. The wage supplementation requested for Cause 4 shall not be granted if the economic operator suspends ordinary activity or, in the case of a company with share capital, requires it for the entire working hours of all employees.”.

2. Article 1, paragraph 11 of Decree-Law no. 123 of 27 July 2020 shall be amended as follows:

“11. The wage supplementation shall never be granted to directors and managers on the company's payroll.”.

3. Article 1, paragraph 22 of Decree-Law no. 123 of 27 July 2020 shall be amended as follows:

“22. It shall not be possible to request the wage supplementation for Cause 4) if the company, in the same days of the request, has hired workers under any procedure for the same job performed by employees benefiting from the wage supplementation or if family solidarity benefits are being received.”.

4. The following paragraph 22bis shall be added to Article 1 of Decree-Law no. 123 of 27 July 2020:

“22bis. The provisions of paragraph 22 shall not apply if a person is hired to replace sick or discharged personnel and the worker performs higher or different tasks or in any case not comparable to those of the workers receiving the wage supplementation.”.

5. If the Office for Control Activities, within the scope of inspection activities and on the basis of the documents acquired from the economic operator, finds that a work activity is carried out remotely, the latter falls within the cases provided for in the event of the presence in the workplace of workers benefiting from the wage supplementation as per Article 1, paragraphs 18 and 19 of Decree-Law no. 123 of 27 July 2020.

6. The administrative pecuniary sanctions referred to in Decree-Law no. 123 of 27 July 2020 may be challenged pursuant to Title IV of Law no. 68 of 28 June 1989.

Art. 4

(Further provisions related to the Wage Supplementation Fund)

1. From 1 November 2020, Article 2 of Decree-Law no. 92 of 27 May 2020 shall cease to have effect.

2. The controls referred to in Article 2, paragraph 4 of Decree-Law no. 92 of 27 May 2020 on the actual lack of funds declared by the employer shall be carried out, in place of the Tax Office, by the competent Social Security Institute, even on a random basis, with the same procedures and powers provided for in the above-mentioned Decree-Law.

Art. 5

(Civil Police activities)

1. In order to guarantee increased presence of the Civil Police Corps on the territory for the monitoring and control activities as referred to in this Decree-Law, on the basis of Article 4 of Delegated Decree no. 81 of 26 May 2008, the Commander of the Civil Police may temporarily delegate the traffic control service near schools to members of the Voluntary Military Corps and to specially appointed civilians.

2. The Civil Police Command shall be responsible for the activities carried out by the persons identified in paragraph 1, as well as for their adequate training, clothing, materials, organisation of service hours and coordination.

3. In order to identify the civilians referred to in paragraph 1, the Civil Police shall coordinate with the relevant offices and the Civil Protection Service in order to resort to lists of volunteers, both former members of the Voluntary Military Corps and civilians, and eventually to the lists of Socially Useful Workers available to perform this task.

Art. 6 *(Maternity protection)*

1. Without prejudice to the provisions of Article 3 of Delegated Decree no. 116 of 4 August 2008, from the date of entry into force of this Decree-Law and until the end of the health emergency, pregnant workers holding the relevant gynaecological certificate, who have not the possibility to work from home pursuant to Decree-Law no. 122 of 24 July 2020, may request early abstention from work in the following cases:

- a) The director/employer is not able to guarantee safety conditions in the performance of their tasks, also after hearing the opinion of the occupational physician;
- b) It is not possible to work from home as per Article 6 of Decree-Law no. 122 of 24 July 2020.

2. The request for early abstention referred to in paragraph 1 shall not be compatible with any work activity, not even from home. Failure to comply with the provisions of this paragraph shall entail the sanctions provided for irregular work.

3. The economic allowance for early compulsory abstention shall be equal to 100% of the reference remuneration or income for licence holders or self-employed workers. If, as a result of the contractual obligations by the employer with respect to the employee, a supplement shall be paid by the employer, this supplement shall be equal to the amount due by the employer before the issue of this Decree-Law.

4. The certificate referred to in paragraph 1 shall be sent, within three days of its issue, by e-mail, even if not certified, to the Economic Allowances Office at the address certificati.malattia@iss.sm. The payment of the economic allowance for early abstention from work shall run from the date on which the certificate is submitted. The period of early abstention from work pursuant to this Decree-Law shall not be considered in the calculation of the allowance for pregnancy and puerperium provided for by Law no. 137 of 29 October 2003.

5. At the end of the period of early abstention, pregnant women for whom regular abstention for maternity is not yet envisaged shall resume work.

6. Pregnant women who intend to withdraw their request for early abstention from work shall notify thereof the employer and the competent occupational physician, who shall be required to assess the absence of workplace risks. Following this assessment and without prejudice to the opinion of the treating doctor, pregnant women shall send the request for withdrawal to the address certificati.malattia@iss.sm indicating the date of resumption of work.

7. If pregnant women are carrying out or are in a position to carry out their work from home, in the case of common illness, they shall receive the economic allowance for temporary inability to work, and the rates in force until the expected period of compulsory abstention from work shall be applied.

Art. 7

(Changes to the special parental leave for families)

1. Article 5, paragraph 1 of Decree-Law no. 123 of 27 July 2020 shall be replaced as follows:
“1. An extraordinary parental leave shall be established, to be used by 31 December 2020, for a continuous or split period, even in single hours; such leave can be used by the members of a group of cohabitants who are private or public employees, provided that such group includes at least one child not over 12 years of age or a disabled or non-self-sufficient person and that such employees are not in a position to work from home as per Decree-Law no. 122 of 24 July 2020.”.
2. Article 5, paragraph 2 of Decree-Law no. 123 of 27 July 2020 shall be replaced as follows:
“2. The leave shall be granted exclusively in the following cases:
 - a) During ordinary periods of suspension of educational services for early childhood, teaching activities in schools of all levels and activities carried out by the socio-health department in day care facilities for disabled or non-self-sufficient people;
 - b) In the event of extraordinary suspension of the services referred to in letter a), even in cases where the suspension is limited to a single class;
 - c) In case of preventive quarantine or contagion of the child under 12 years of age or of the disabled or non-self-sufficient person, if the parent or member of the group of cohabitants is not subject to the same isolation measure.”.
3. Article 5, paragraph 3 of Decree-Law no. 123 of 27 July 2020 shall be repealed.

Art. 8

(Extraordinary changes to occasional and ancillary work)

1. Article 2, paragraph 2 of Law no. 147 of 19 September 2014 shall be replaced as follows:
“2. By way of derogation from the provisions of paragraph 1 and Article 7, paragraphs 1 and 2 below, occasional and ancillary work shall be allowed in all private economic sectors in the following cases and in the following ways:
 - a) In case of urgent replacement of workers absent as a consequence of disease/quarantine due to direct or indirect infection with COVID-19 for the entire duration of the disease/quarantine;
 - b) In the event of replacement of workers absent due to extraordinary parental leave or any further voluntary abstentions from work provided for by law, with the exception of those referred to in Article 5 of this Decree-Law, for the entire duration of the leave/abstention if no provisions are in force to limit the presence of workers in the workplace;
 - c) In case of urgent replacement of workers absent due to illness or abstention provided for in Article 5 of this Decree-Law for the entire duration of the illness or abstention and in any case up to a maximum of 30 days;
 - d) In case of replacement of workers absent due to resignation up to a maximum of 15 days.The work may also be performed on a continuous basis without any limitations in terms of days, without prejudice to the right to rest envisaged by law or in Collective Agreements. Only the limit of the total number of days per year, referred to in Article 7, paragraphs 1 and 2, shall remain unaffected. The relevant certificate to obtain the derogations provided for in this paragraph shall be sent to the Office for Economic Activities in the manner indicated in a specific circular.”.
2. Article 7, paragraph 4 of Law no. 147 of 19 September 2014 shall be replaced as follows:

- “4. Employers shall not resort to occasional and ancillary work in the following cases:
- a) When wage supplementation is granted;
 - b) If they have resorted to the procedures set out in Law no. 23 of 4 May 1977 in the last six months or have not renewed fixed-term contracts in the last three months, and if they have concluded the Solidarity Agreement, without prejudice to the application of the provisions of Article 16 of Law no. 131 of 29 September 2005 and Article 23 of Law no. 23/1977;
 - c) If it emerges that, during the month in which the request for occasional and ancillary work is made, one or more employees on the company's payroll have a reduced working time compared to that provided for in the relevant authorisation (work permit). This requirement shall not be applied if the company submits adequate grounds supporting the reduction.
- These provisions shall not apply if the occasional worker performs higher or different duties, which are not comparable to those of the workers covered by the measures referred to in letters a), b) and c).
- c). If the conditions referred to in this paragraph are met and occasional and ancillary work is performed, the provisions of paragraph 1 of Article 8 shall apply.”.

3. Article 2, paragraph 2 of Delegated Decree no. 62 of 5 May 2015 shall be replaced as follows:

“2. Those not enrolled in the Employment Lists referred to in Delegated Decree no. 137 of 5 December 2017 shall submit the following documents together with the request for enrolment:

- a) Copy of the valid identity card and, in case of persons residing outside Italy, a certificate attesting their domicile in Italy;
- b) Medical certificate of good health and current absence of contagious diseases issued by the primary care physician;
- c) Examination of suitability for the specific task for activities classified as risky by the occupational physician; certificate of recovery or negative serological test for COVID-19 and, in case of positive IgM or IgG, of negative molecular swab. The test shall be carried out at health facilities authorised by San Marino Health Authority;
- d) Copy of the bank or postal receipt of the payment of the enrolment fee;
- e) Criminal certificate and certificate of pending charges issued by the competent Authorities of the State of residence in the European Union, to be submitted within 30 days from the enrolment, under penalty of cancellation of the enrolment, immediate suspension of the current work permit and impossibility to make a new enrolment without submitting the above mentioned certificates.

4. The employment level and the related hourly remuneration of occasional workers hired pursuant to Article 2, paragraph 2 of Law no. 147 of 19 September 2014, as amended by this Article, shall be the same as those of the worker replaced.

Art. 9

(Family assistance)

1. By way of derogation from Article 19 of Law no. 42 of 22 December 1955, the status of employee shall be attributed also to family assistants referred to in letter b) of the aforementioned Article, who assist persons that are their blood relatives or relatives by affinity up to the third degree, provided that this assistance is offered to minors not older than 12 years of age or disabled or non-self-sufficient persons as certified by the Social Security Institute.

2. This type of employment relationship shall not give the right to receive what is envisaged in Chapters II, III and IV of Law no. 73 of 31 March 2010 and subsequent amendments.

Art. 10

(Provisions to limit the risk of contagion in the workplace)

1. Workers who worked from home under Decree-Law no. 122 of 24 July 2020 may request to resume this work modality. Without prejudice to the employer's right not to authorise this modality, the request shall be accompanied by the reasons to be sent to the parties to the agreement already on the record.
2. In order to limit contagions in the workplace, employers are advised to reorganise their activities by enabling employees, where possible, to work from home or to use holidays, paid leaves or other instruments provided for in the Collective Agreements in the manner indicated therein, giving priority to pregnant women, invalid or disabled workers, as referred to in Law no. 71 of 29 May 1991, workers who are parents or foster parents of children up to the age of twelve, disabled children or are members of families with disabled people.

Art. 11

(Isolation and quarantine)

1. The self-isolation, isolation and quarantine measures envisaged for the persons referred to in Decree-Law no. 145 of 31 August 2020, as well as for anyone who, following an epidemiological investigation, is found to be in close contact with such persons, shall comply with the containment measures sanctioned under Article 18 of this Decree-Law.
2. In the light of the continuous updates of the protocols to be applied concerning the duration and the way in which the end of quarantine and house isolation periods is established, the Social Security Institute shall determine such duration and modality by means of special circulars.
3. In order to speed up the procedures, it shall be mandatory for families residing in San Marino, whose children attend Italian or foreign educational institutions, to promptly notify the Prevention Department of the Social Security Institute and scrupulously follow the health indications received should they be placed in quarantine by the health authorities of the competent country.
4. If a worker turns out positive for COVID-19, the employer shall be obliged to carry out an appropriate sanitation of potentially contaminated areas.

Art. 12

(Specific provisions for people with disabilities)

1. Welfare, social and socio-health activities, including those carried out by residential facilities and day care centres for people with disabilities, however named, having a socio-assistance, socio-educational, socio-occupational, health and socio-health nature, shall be performed in compliance with the legislative provisions in force concerning anti-Covid measures and with internal circulars issued by the Executive Committee of the Social Security Institute, through specific internal procedures and in compliance with the provisions for the prevention of contagion and the protection of the health of users and operators.
2. The distancing envisaged for COVID-19 protection and prevention may be reduced among people with motor disabilities or autistic spectrum disorders, intellectual or sensory disabilities or psychiatric and behavioural problems or non-self-sufficient people who need support, as well as those accompanying or assisting them, who operate in any capacity whatsoever below the minimum distancing envisaged, by using protective devices.

Art. 13

(Procedure for carrying out emergency interventions at the homes of people in isolation or quarantine)

1. The Civil Protection shall authorise interventions, for urgent repair and restoration activities, by economic operators at the homes of people in quarantine or isolation.
2. The request for the interventions referred to in paragraph 1 shall be notified to the Civil Protection.
3. The Civil Protection, in order to authorise interventions by economic operators, shall access the data made available by the Social Security Institute concerning people who are positive for COVID-19 and in quarantine.
4. All home interventions referred to in this Article shall comply both with the general principles set out in Annex 1 to Decree-Law no. 122/2020 and with the instructions provided to the economic operator by the Civil Protection in collaboration with the Social Security Institute.

Art. 14

(Provision relating to judicial activity)

1. Article 7, paragraph 6, first sentence of Decree-Law no. 123 of 27 July 2020 shall be amended as follows:
“6. In order to avoid mass gatherings at the Court on court days, and without prejudice to the expiry of time-limits on court days indicated in the judicial calendar, as amended by this Decree-Law, trials to be conducted on court days shall take place on Wednesdays and Thursdays until 31 December 2020.”.

Art. 15

(Enhanced control measures relating to mass gatherings)

1. Staff on duty in places open to the public shall be required to ask users to comply with the provisions of this Decree-Law in the areas belonging to the relevant place, whether indoors or outdoors. In case of mass gatherings in the immediate vicinity of places open to the public, the staff on duty shall be required to report to the police forces any non-compliance with the regulations in force.
2. Police forces may also resort, in the manner provided for by law, to the assistance of voluntary military corps to verify and guarantee compliance with the distancing measures provided for to combat the spread of the COVID-19 epidemic in the places open to the public, both indoors and outdoors.

Art. 16

(Meetings in video conference)

- 1 In all possible cases, remote meetings shall be held, with particular reference to health and socio-health facilities, public utility services and coordination groups established to manage the COVID-19 emergency.
- 2 In compliance with Decree-Law no. 56 of 29 March 2020 and subsequent amendments, the above provisions shall also apply to all shareholders' meetings, meetings of the boards of directors and of managers of all legal persons and entities, also by way of derogation from the provisions of the laws in force and/or of the articles of association.

3 In any case, meetings which, according to the law, require public deeds shall be excluded.

Art. 17

(Suspension of voluntary screening for COVID-19)

1. Given the need to adopt provisions to optimise prevention on the territory by carrying out targeted and specific tests to identify potential outbreaks of COVID-19 in the population, Article 5 of Decree-Law no. 122 of 24 July 2020 shall be amended as follows:

“1. Voluntary tests at the Social Security Institute shall be suspended.

2. Voluntary requests to perform diagnostic tests related to COVID-19 shall not be allowed for those who have already received or are waiting to receive a certificate of recovery from COVID-19.

3. In order to accept samples and/or carry out tests to identify possible COVID-19 infections for patients of the Social Security Institute, private sampling centres and testing laboratories shall be authorised by San Marino Health Authority after specifying the method used.

4. Private sampling centres and testing laboratories that issue a certificate according to which a patient of the Social Security Institute has tested positive for COVID-19 shall immediately notify it to the patient and to the testing laboratory of the Social Security Institute in order to enable the Social Security Institute to promptly implement any quarantine procedures and update the territorial epidemiological situation. They shall also send to the Public Health Unit a weekly summary of the tests carried out on patients of the Social Security Institute.

5. If the results of the test carried out for a fee require confirmation through molecular swab (e.g. following a serological test with positive IgM or IgG results), the patient of the Social Security Institute shall be subject to preventive home quarantine until the taking of the swab, for which the patient shall bear the full costs. The confirmatory swab shall be taken by the Social Security Institute compatibly with the diagnostic planning already in place, or by a private laboratory authorised by San Marino Health Authority.

6. The quarantine period referred to in paragraph 5 shall be covered by the temporary economic allowance for common illness only if the molecular confirmatory swab is positive. In the event of a negative confirmatory molecular swab, the quarantine period, to be considered unpaid, shall be immediately interrupted and the relevant person shall have the right to return to work. While waiting for the result of the confirmatory molecular swab, the patient of the Social Security Institute shall be required to self-isolate.”.

Art. 18

(Sanctions)

1. Failure to comply with the obligations relating to respiratory protection devices referred to in Article 1, paragraph 2 and in Article 2 of this Decree-Law shall be punished with an administrative pecuniary sanction of € 500.00 (five hundred/00) with the right of voluntary settlement.

2. Unless the fact constitutes a crime, failure to comply with the additional measures provided for in this Decree-Law, with the exception of those indicated in paragraph 1), where not otherwise expressly envisaged, shall be punished with a pecuniary administrative sanction ranging from € 1,000.00 (one thousand/00) to € 2,000.00 (two thousand/00).

3. In case of repetition of the violations provided for by this Decree-Law concerning economic operators, in addition to the sanctions referred to in paragraph 2 of this Article, the operating licence shall be temporarily and immediately suspended for 15 days.

4. The time-limit for sending the notification to the interested persons for the pecuniary administrative sanctions referred to in paragraph 1 shall be sixty days.

Art. 19
(Transitional provisions)

1. The events being organised, for which it is not possible to send the advance notices as referred to in Article 1, paragraph 4, shall be authorised by the Gendarmerie, after hearing the Prevention Department and the Civil Protection for anything falling within their competence, following a request for authorisation submitted by the organisers.

2. After receiving the request for authorisation, the Gendarmerie shall be obliged to reply by the date scheduled for such events.

Art. 20
(Final provisions)

1. The provisions of this Decree-Law shall enter into force at 6.00 p.m. on Friday 30 October 2020 and shall remain in force until their express abrogation, except as expressly provided for in the individual articles of this Decree-Law.

2. The Congress of State, or the individual Ministries for the matters falling within their competence, may issue provisions for the interpretation and application of this Decree-Law.

3. Personal data collected as part of the surveillance activities referred to in the previous articles, as well as within the activities of the Coordination Group for Health Emergencies, including police activities and any other related activities, shall be processed for reasons of public interest in the public health sector, pursuant to Article 9, paragraph 2 of Law no. 171 of 21 December 2018, in compliance with the provisions in force on the protection of personal data, including those relating to professional secrecy, and in relation to the current situation.

4. The Congress of State, on an extraordinary basis, throughout the validity of this Decree-Law and according to the epidemiological evolution, shall be authorised, while respecting its prerogatives and competences, to adopt appropriate decisions to extend or limit the range of activities subject to this Decree-Law, insofar as applicable, and to adopt health guidelines and protocols.

5. Decree-Law no. 156 of 22 September 2020 shall be repealed; the effects and the acts adopted on the basis of Decree-Law no. 156/2020 shall not be affected.

6. Decree-Law no. 187 of 12 October 2020 shall be repealed; the effects and the acts adopted on the basis of Decree-Law no. 187/2020 shall not be affected.

Done at Our Residence, on 29 October 2020/1720 since the Foundation of the Republic

THE CAPTAINS REGENT
Alessandro Cardelli – Mirko Dolcini

THE MINISTER OF
INTERNAL AFFAIRS
Elena Toncini

ANNEX 1

(to Decree-Law no. 193 of 29 October 2020)

Anyone showing symptoms of respiratory infection and fever (over 37.5°C) shall be obliged to contact their primary health physician by phone according to the following indications:

Telephone bookings shall be made:

- a) Monday to Friday from 8.00 a.m. to 11.00 a.m. and from 2.30 p.m. to 4.00 p.m.
- b) On Saturdays from 8.00 a.m. to 12.00 p.m. at the following telephone numbers:
 - Health Centre in Murata: dial the number of your doctor's nurse
 - Health Centre in Borgo Maggiore: dial the number of your doctor's nurse
 - Health Centre in Serravalle: dial the dedicated nurses' number (0549.994072)
 - Doctor on call when health centres are closed (0549.988861)
 - 331-6424748 - Centralised doctor on call - provides urgent medical assistance at night and on public holidays for patients of the Social Security Institute who reside and stay in the Republic
 - 0549 994136 - Contacts and quarantine - number dedicated to information on close contacts, quarantine and isolation at home
 - 0549 994001 - Info Covid - number dedicated to health information on COVID-19 epidemic
 - 0549 994561 -URP- Public Relations Office, dedicated number for reports or inefficiencies

Special measures related to motor and sports activities:

1. Customers/users shall not be allowed to practice sports or motor activities when their temperature exceeds 37.5 °C and if they have flu or respiratory symptoms;
2. In case of symptoms of respiratory infection and fever (over 37.5°C), the relevant staff shall be required to isolate the customer/user, to contact the numbers provided in Annex 1 and to apply all sanitation measures;
3. Informative signs shall be mandatorily placed at the entrance, to inform customers and operators about the rules and also to ensure the distancing between customers waiting to enter, and, where possible, to separate incoming and outgoing customers;
4. Changing rooms shall be arranged in such a way as to ensure interpersonal distance of at least 1 metre (e.g. by providing alternate posts or posts separated by special barriers), also by regulating access to them.

The use of showers shall be allowed with restricted access in order to avoid mass gatherings. Toilets shall only be used by customers/users if they are sanitised after each use with the appropriate products, which shall be made available; in changing rooms, the use of the mask shall be compulsory and a sanitising gel shall be made available;
5. The flows, waiting areas, access to the various areas (weight room/fitness room/swimming pool), the positioning of equipment and machines shall be regulated, also by delimiting the areas, in order to guarantee that the following safety distance be maintained:
 - a) At least 1 metre between people who are not exercising;
 - b) At least 2 metres during physical activity (with particular attention to intense activity and/or courses);
 - c) At least 2 meters with an index of 7 square meters per person in swimming pools;
6. Where physical contact between a customer/user and an instructor is necessary, the instructor shall wear a mask and sanitise his hands before any contact with the customer/user. However, it shall be necessary to minimise the contacts between the instructor and the customer/user. In any case, contacts between customers/users shall not be allowed unless they belong to the same group of cohabitants. This paragraph shall not apply to contacts in swimming pools between the customer/user and the instructor.
7. A hand washing station with hydroalcoholic solution shall be placed at the entrance, as well as in the area of the reception/counter/cash register and in the toilet area;
8. Machines and equipment used by more than one person shall be sanitised after each use with the appropriate products, which shall be made available. This obligation shall be considered a responsibility of the staff in charge thereof or, in the absence of such staff, of the user, to whom everything necessary shall be made available.

There shall be a station with sanitising gel near each machine. Machines and equipment that cannot be sanitised shall not be used; the “circuit” use of equipment without proper sanitisation is not recommended;
9. The premises shall be sanitised at the end of the working day.
10. Water bottles, glasses and bottles shall not be shared and objects such as towels, bathrobes or other items shall not be exchanged with other users; a personal mat should be used and it should not be exchanged with other users;
11. All clothing and personal items shall be put in the personal bag, even if they are stored in lockers; the use of lockers by more than one user is not recommended. Lockers shall be sanitised after each use with the appropriate products, which shall be made available. This obligation shall be considered a responsibility of the staff in charge thereof or of the user in the absence of such staff;

Access to the rooms shall be allowed only with shoes other than those used outside the gym, swimming pool or room where the activity takes place and possibly after sanitising the sole with the appropriate products that must be made available, or alternatively access may be authorised with disposable shoe covers;

12. Adequate natural ventilation and frequent air renewal shall be ensured. Air conditioning systems and their spare parts may be used, provided that they are periodically cleaned and/or replaced;

13. All reception operators who have contact with users/customers shall be required to use masks; in case there is no guarantee of maintaining a distance of at least 1 m between the operator and the user/customer, the reception/counter/cash register shall be equipped with a panel for physical separation;

14. For swimming pools, in order to ensure a level of protection against infection, the effectiveness of the water treatment chain and the limit of the free active chlorine parameter in the pool between 1,0 - 1,5 mg/l, combined chlorine \leq 0,40 mg/l, pH 6.5 - 7.5 shall be guaranteed. Worth noting is that these limits shall be strictly guaranteed in the presence of bathers. The frequency of on-site checks of the above parameters shall be no less than two hours. In case of non-compliance, all corrective measures shall be immediately adopted, including when approaching the limit value. Before opening the pool, the suitability of the water for bathing shall be confirmed following the chemical and microbiological analysis of the parameters referred to in Delegated Decree no. 10 of 14 February 2012, to be carried out by an appropriate laboratory. The laboratory tests shall be repeated throughout the opening of the pool to the public on a monthly basis, unless otherwise required, even following any events taking place in the pool, which may trigger more frequent tests. All measures shall be integrated into the self-monitoring document in an additional annex dedicated to combating COVID-19 infection.

15. Public pools that do not allow the above indications to be complied with due to ineffective treatments (e.g. inflatable pools) shall not be used.

16. The use of saunas and steam baths shall be allowed only for one customer at a time and after sanitation.