

# Presidential Dispositions for COVID-19 in Guatemala

March 18, 2020

Yesterday, March 17, 2020, the presidential provisions in case of public calamity and orders for strict compliance caused by COVID-19, which came into force from Tuesday, March 17 at 00:00 hours until March 31 at 24:00 hours and are mandatory, were published in the Official Newsletter (Diario de Centro América), No. 31 Volume CCCXIV. The following is a summary of the most relevant provisions:

It ordered the temporary restriction of the rights permitted by the Political Constitution of the Republic of Guatemala, national and international legislation, duly incorporated and especially complying with the limits established by the American Convention on Human Rights in accordance with the following provisions:

## First: Prohibitions

1. Work and activities are suspended in the various State agencies, as well as in the private sector, with the exception of:
  - a. The Presidency of the Republic and the Cabinet of Government, as well as the personnel determined by each of the higher authorities of the public entities.
  - b. Personnel incorporated to attend the State of Calamity.
  - c. Health personnel, social assistance, relief and assistance to persons, security and national defense.
  - d. Personnel of the Directorate of Attention and Assistance to the Consumer (DIACO).
  - e. Personnel from tax collection, customs, immigration, ports and airports.
  - f. Staff of any other essential and indispensable public service, both in the Executive Branch and in the country's decentralized and autonomous entities, including the Municipalities and those that are part of the National Coordinator for Disaster Reduction (CONRED).
2. Events of any kind and number of people are prohibited.
3. All sporting, cultural and social activities are prohibited.
4. The operation of urban public transport as an extra-urban transport is forbidden with the exception of public transport for health reasons and the one hired by the companies within these exceptions to mobilize their workers or personnel with prior authorization obtained from the Ministry of Economy.
5. Hospital outpatient services are closed, except for emergency care in hospitals, health care centers, medical and veterinary laboratories.
6. All shopping centers, related or similar are closed.
7. Air, land and sea borders are closed throughout the national territory, with the following exceptions:
  - a. Guatemalans, permanent residents, the diplomatic corps accredited in the country, are allowed to enter the country and must submit to mandatory quarantine without exception.
  - b. The following are exempted from the prohibition on entry or exit at the borders of the Republic: transport of mail and air, sea and land cargo for import or export. Pilots and their crew shall comply with the health provisions issued by the Ministry of Public Health and Social Assistance.

## Second: Regulation of the following activities

1. From 21:00 hours until 04:00 hours of the following day, all commercial establishments or services of any kind or nature shall be closed, with the exception of:

- a. Pharmacies and related essential services, as well as the pharmaceutical industry, drugstores and companies engaged in the production of disinfectants and hygiene and health products.
  - b. Fuel and derivative outlets and their distributors.
  - c. Markets, supermarkets, grocery stores and neighborhood shops.
  - d. Restaurants with self-service, which may provide service only through a window.
  - e. Kitchens of restaurants with home service and companies that provide home service.
  - f. Hotels for accommodation and food in their guests' rooms.
  - g. Private security services companies and transport of valuables.
  - h. Banks and credit unions using special services or self-service.
  - i. Public or private garbage collection services.
  - j. Agro-food industry including food and beverage distribution centers.
  - k. Agricultural industry, agricultural harvesting work and agrochemical companies.
  - l. Industry dedicated to energy production.
  - m. Telecommunications companies, internet providers and the media specifically, radio, television, written media and cable companies.
  - n. Humanitarian transport.
  - o. Water supply and transport.
2. The sale of alcoholic and fermented beverages is prohibited from 6 p.m. until 5 a.m. of the following day.

## Third: Obligatory Compliance

All persons, companies and public and private entities that will continue to operate must obligatorily submit to and comply with the following:

1. Apply the health and safety protocol for the prevention of COVID-19 found in the government's virtual communication platforms.
2. That people respect maintaining a distance of at least one meter, avoiding physical contact.
3. Allow and encourage teleworking or working from home in both the public and private sectors.

## Fourth: Other provisions

All the above measures are valid for 15 days from 00:00 hours of Tuesday 17 March and will be reviewed in one week, and may be modified.

The Ministry of Economy in the area of its competence and based on the production system, may authorize the operation of a company or service or in its absence agree on the mechanism of suspension of its operations especially with regard to the maquilador and manufacturing sectors.

Please do not hesitate to contact us if you have any questions. At Dentons Muñoz we have extensive talent and experience and would be happy to help you meet these new challenges.

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