



GOVERNMENT OF PUERTO RICO

PUERTO RICO TOURISM COMPANY

May 24, 2021

To all Tourism Stakeholders

Carlos Mercado
Appointed Executive Director

Re: Updated guidance for tourism businesses and travelers for the implementation of Executive Order 2021-036 for the period of May 24th through June 6th.

Dear Industry Stakeholders,

As the efforts to control the COVID-19 spread are showcasing great progress, on May 20th, 2021, Governor Pedro R. Pierluisi signed [Executive Order 2021-036 \(the "Executive Order"\)](#). This new Executive Order eases a great deal of the restrictive measures previously implemented and outlines the updated mandates to continue mitigating the health crisis that threatens the population in Puerto Rico.

The Executive Order can be found in the Department of State's website (www.estado.pr.gov). What follows is a guide on the applicability of the Executive Order on specific tourism operations for the period beginning May 24, 2021 through June 6, 2021.

Overall Guidance for Tourism Operations:

External travel promotion and demand generation efforts resumes: Beginning May 24th, the tourism activity recovery for non-local US Domestic (Continental United States) and International travelers' restarts. Discover Puerto Rico is authorized to promote the destination within the US domestic and international travel markets, as long as responsible tourism continues to be advocated. The communication efforts must highlight the safety measures requirements that are locally enforced.

Curfew: The curfew imposed on March 15, 2020 was eliminated. Tourism businesses and activities may operate from 5:00 a.m. to 12:00 a.m. (midnight) (Hotels and Lodging Properties, please see guidance below for exceptions provided).

Passenger Arrival Requirements. New [Executive Order 2021-037](#), beginning May 28, 2021, was issued primarily amending the entry requirements for vaccinated travelers arriving from US domestic destinations. The completion of the [Travel Declaration Form](#) continues to be



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mandatory for all arriving passengers. But, based on the new mandate, the following are the entry requirements for the following three scenarios:

- A. **Fully vaccinated travelers** flying in from any US domestic destination are no longer required a negative PCR molecular test result within 72 hours of arrival, as long as they can prove vaccination administration. Vaccinated passengers will have the opportunity to upload their official Vaccination Card through the Travel Declaration Form portal; or
- B. **Non-vaccinated travelers** arriving from a US Domestic destination are still required to provide evidence of a pre-departure COVID-19 test taken within 72 hours of arrival. The negative result must be from a qualified SARS-CoV2 viral test; either a nucleic acid amplification test ("NAAT") or an antigen test; or
- C. **International arriving passengers**, regardless of vaccination status, are required to provide evidence of a pre-departure negative COVID-19 test taken within 72 hours of arrival as required by the CDC. The negative result must be from a qualified SARS-CoV2 viral test; either a nucleic acid amplification test ("NAAT") or an antigen test taken at an authorized center.

Note: Definition of Fully Vaccinated

One person is considered fully vaccinated two (2) weeks after the second dose was administered for the Pfizer or Moderna vaccines, or two (2) weeks after receiving the only dose of the Johnson & Johnson's Janssen vaccine.

Destination-Wide Health & Safety Program: All tourism businesses are required to comply with all current guidelines published by the Puerto Rico Tourism Company (PRTC) found [HERE](#).

In compliance with all Programs dispositions, all hoteliers must complete the [electronic acknowledgement and self-certification form](#). Owners, general managers or directors of operations must sign [the electronic acknowledgement form](#). The PRTC will validate its compliance through random visits without previous notice. For inspection purposes, the PRTC has been authorized to make collaborative agreements to assign a compliance joint team with authority to inspect tourism facilities and demand the full compliance with the Executive Order.

The PRTC's guidelines integrate all guidance published by the Center for Disease Control (CDC), the Puerto Rico Department of Health and Puerto Rico Occupational Safety and Health Administration (PROSHA) to protect workforce and clients alike. Compliance with PRTC's requirements do not liberate businesses from additional reporting or certification obligations required by PROSHA.



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Signage Requirement: All tourism businesses are mandated to have a poster or sign, clearly visible to the consumers, highlighting the confidential channels to report violations to the established measures.

The poster or advertisement must contain the following information so that consumers can report breaches:

- a) Telephone: (787) 522-6300, extensions 6899, 6840, 6824, 6833 and 6893
- b) Email: investigaciones@salud.pr.gov

It is also required that the aforementioned sign must have the number of people that compose the maximum occupation, based on the occupancy limitations established by the updated Executive Order.

Reporting of Suspicious or Confirmed Cases: Each employer, including owners of businesses, must immediately report suspicious and confirmed COVID-19 cases among its workforce or patrons. The business must reach out to the Department of Health via the following email address: covidpatronos@salud.pr.gov.

Use of Face Coverings – Employees: Regardless of the vaccination status, all employees and staff members must wear a face covering or mask at all times. This mandate is applicable to all staff members working in indoor, outdoor, behind the scenes, pool and beach areas.

Specific guidelines for Hotels and Lodging Properties:

- The hotelier, property manager and the Health & Safety Officer are responsible for monitoring the compliance of the health and safety protocols.
- Day passes and club members are allowed. All hotel guests and club members must be identified with a proper identification, such as wristbands, in order to gain access to pool and hotel facilities.
- Social gatherings of any kind continued to be prohibited throughout the lodging facilities, including pools and beaches.

Pools:

- Pool facilities may remain open within the hours of 5:00 a.m. to 12:00 a.m., subject to strict compliance of the terms established in the [PRTC Destination-Wide Health & Safety Program](#).
- Use of pool facilities is limited exclusively for registered guests, members or authorized day passes holders that are properly identified.
- Pool facilities are allowed to operate at up to 50% of the allowable facility's capacity, as established by the PR Building Code 2018.
- Per the signage requirement highlighted above, management must communicate to all staff members and patrons the allowable numerical limit of guests inside the pool and surrounding pool's area at any given time.



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- Vaccinated guests and patrons are exempt from the required use of face coverings.
- Non vaccinated patrons or those who cannot properly prove vaccination status, must wear face coverings or all times, except when in the water. Should any guest be deemed in non-compliance of the established measures, management must immediately exercise its right to refuse admission and deny the use of facilities. Guests in defiance must be escorted out of the pool premises.
- Management is responsible for having personnel to supervise and secure the compliance of the health protocols inside and surrounding the pool area at all times. Staff should take extraordinary measures to enforce compliance with health & safety standards.
- Additionally, management and staff designated to the pool area must ensure that equipment (like chairs, tables and cabanas) be laid out strictly based on the allowable capacity while observing a minimum of 6 feet of separation between equipment provided for a single registered group. Excess equipment must be properly stored in a separate location. Each property must establish a space distribution layout (with the calculation of the 50% allowable facility's capacity and corresponding service equipment). This information must be available for consultation should the PRTC, Health Department or any other enforcement agency require it at any given time.
- We encouraged the establishment of a reservation system for guest use of pool facilities. All guests using pool facilities must notify management of requested time for use. Management must maintain control and oversight of the reservation system and capacity thresholds at all times.
- As indicated in the [Health and Safety Program](#), all guests must be informed of the health and safety protocols, and the area's maximum capacity, before being allowed to use the facilities.

Beaches:

- Beaches are open for recreation every day of the week from 5:00 a.m. to 12:00 a.m. (midnight).
- Social gatherings at the beach are not authorized at this time.
- Equipment (like chairs, tables and cabanas) are allowed with a minimum of 10 feet of separation.
- Vaccinated guests and patrons are exempt from the required use of face coverings while at the beach.
- Non vaccinated patrons or those who cannot properly prove vaccination status, must wear face coverings or all times except when in the water. Should any guest be deemed in non-compliance of the established measures, management must immediately exercise its right to refuse admission and deny the use of beach equipment.
- The consumption of alcoholic beverages is allowed, as long as there are no social gatherings taking place.



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- Beach bars or food/drink service on the beach is only allowed to those seated in the designated areas and following the safe distancing measures.
- Management is responsible for having personnel to supervise compliance with health and safety protocols at the beach at all times. Management should take extraordinary measures to enforce compliance with health & safety standards and should any guest be deemed in non-compliance of the established measures, management must immediately exercise its right to deny admission and ask the guest to seize use of equipment provided by the hotel. Should the hotel require support from the Government of Puerto Rico to enforce compliance, management must immediately contact its local police department.

Restaurants and Food Service:

Dining Rooms:

- Table seating capacity limit is at or below 50% of the total facility's capacity, as per the PR Building Code 2018 and subject to strict compliance of the terms established in the [PRTC Destination-Wide Health & Safety Program](#).
- Restaurant dining rooms can operate within the 24 hours for hotel guests only. For non-guests, the allowed hours of operations are between 5:00 a.m. and 12:00 a.m. (midnight).
- The establishment is responsible for ensuring that clients observe between 6 feet of distancing between guests, inclusive of outdoor spaces. If the number of guests inside a restaurant reaches the 50% capacity but the space does not allow the physical distancing required in the Executive Order, the restaurant must minimize the occupation percentage to guarantee a physical distance of 6 feet between guests.
- Outdoor spaces may operate without limiting the percentage of capacity ensuring the 6 feet distancing between guests.
- The use of a reservations systems is highly encouraged to secure capacity limits and safe distancing at all times.

Bars: The opening of bars is not allowed. This prohibition includes bars that are inside a restaurant, lobbies, pool areas, beach, casinos, and outdoor spots like golf courses. The only approved sale and consumption of drinks is while seated at the tables.

Take Out, Room Service and Delivery is allowed 24 hours a day and 7 days a week (Monday through Sunday).

Sale and consumption of alcohol is allowed at all times within the permitted operational schedule for guests, and the permitted schedule for patrons.

Short-term rentals: Legally and properly registered properties are the only properties authorized to operate.



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- Short-term rental properties, duly registered and identified by their Innkeepers at the PRTC, as per Act 272-2003, are authorized to operate. For information on registration and identification visit [HERE](#). If a listing is not duly registered, it's illegally operating and is subject to fines and penalties as outlined under Act 272-2003 and Executive Order 2020- 044.
- The owner, manager, administrator or the short-term rental property responsible (independently commercialized, or through platforms like Airbnb, VRBO, Join a Join, among others) must prohibit the entrance of anyone who is not registered as guests of the property.
- Social activities, events and group meetings are strictly prohibited.
- Private properties with shared pool facilities (multiple listings or parties staying on premise at a time), must observe all requirements for pool use, as outlined in the protocols established above for hotel properties), including the provision of on-site staff to oversee compliance of measures.
- Short-term rental properties located within residential complexes (like condominiums, residential complexes, etc.) must ensure that the residential facility complies with the guidelines established by the Puerto Rico Department of Consumer Affairs. Similarly, hosts are responsible for communicating to guests the health and safety protocol established by the complex for use of pool facilities before guest arrival.
- Strict compliance of the terms established in the [PRTC Destination-Wide Health & Safety Program](#) are required of all short-term rental properties.

Casinos:

- May open within the hours of 5:00 a.m. and 12:00 a.m. (midnight) from Monday through Sunday subject to strict compliance of the terms established in the [PRTC Destination-Wide Health & Safety Program](#) and the Puerto Rico Gaming Commission.
- Can operate at up to 50% of the allowable facility's capacity, as established by the PR Building Code 2018, maintaining a distance of at least between 6 feet between patrons, utilizing physical distance mechanisms such as disabling slot machines between clients.

Spas:

- Wellness centers and spa services can operate Monday through Sunday from 5:00 a.m. to 12:00 a.m. (midnight). The use of reservation system is required and facilities must be in compliance with the established measures in the [PRTC Destination-Side Health and Safety Program](#).

Gyms and Fitness Centers:

- Fitness centers can operate Monday through Sunday from 5:00 a.m. to 12:00 a.m.(midnight) for all guests and patrons.
- The use of reservation system is required.



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- Capacity must remain at or below 50% of the total facility's capacity, as per the PR Building Code 2018, at all times.
- Guests and staff members must always wear a face covering or mask while using the facilities, regardless of vaccination status.
- Management must secure that facilities are under strict compliance with the terms established in the PRTC Destination-Wide Health & Safety Program and the availability of personnel to supervise compliance with health and safety protocols during operational times.

Recreational Activities:

- Recreational activities are authorized Monday through Sunday from 5:00 a.m. to 12:00 a.m. (midnight).
- Businesses must establish appointments and reservation mechanisms that guarantee social distancing between participants and establish a suitable cleaning and disinfection protocol of all recreational equipment, subject to strict compliance of the terms included in the [PRTC Destination-Wide Health & Safety Program](#).
- Nautical tourism: It is authorized, in compliance with the restrictions of the Department of Natural and Environmental Resources (DRNA).
- Tour Operators: Are authorized, in compliance with physical distance requirements established in the Executive Order.
- Tour Guides : Are authorized, in compliance with physical distance requirements established in the Executive Order.
- Watersports: The practice is authorized, observing the physical distance requirements established in the Executive Order. Races or competitive activities are strictly prohibited.
- Golf courses and driving ranges: Golfing is authorized, observing the physical distance requirements established in the Executive Order.

Events and Social Activities:

- Discotheques, dance clubs, game rooms and any place or event that encourages the gathering of people are prohibited.
- The following social activities are authorized and will be exempted from requesting authorization or dispensation: weddings, birthdays, *quinceañeros*, baby showers, gender reveals, graduations, proms, ring ceremonies, awards ceremonies or achievements, and corporate and business activities.
- For the approved activities to take place, the following must be complied:
 1. The business must always have staff to monitor compliance with health protocols and are responsible of reporting any violations of the established protocol to the Department of Health and the Puerto Rico Police Department.



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All Participants should be fully vaccinated with any of the three (3) FDA approved vaccines; or have a negative result of COVID-19 from a qualified SARS-CoV2 viral test (nucleic acid amplification tests ("NAAT") or antigen testing) performed within seventy-two (72) hours prior to the event.

The above does not apply to children under two (2) years of age.

2. The staff's manager shall ensure each assistant complies with either one of the two options (vaccine or negative result).
3. The persons holding the approved activity and the staff member supervising the event are responsible of completing a list with the contact information of every attendee to the event, with the purpose of providing the necessary information in the event that the Department of Health is forced to exercise its tracking functions. The referred list must be preserved for at least forty-five (45) days after the celebration of activity.
4. Activities can take place between 5:00 a.m. and 12:00 a.m. (midnight).
5. The maximum occupation allowed for indoor rooms is fifty percent (50%) of the total capacity of the place. Outdoor spaces may operate without limiting the percentage of capacity, but avoiding the agglomeration. At all times, guests must maintain the physical distance of six (6) feet between persons other than of the same family unit. In case of activities where food is served, the physical distance should be six (6) feet between diners from different tables.
6. It is forbidden to serve drinks in bars. Any alcoholic drink must be served and consumed by the patron at the tables.
7. Per the guidelines established in the [PRTC Destination-Wide Health & Safety Program](#), Buffet style serving and self-service drink stations are not allowed.
 - The Secretary of the Puerto Rico Department of Health, within his discretion, may order the cancellation of the activity if he considers that could be a source of contagion of the virus and be harmful to the Puerto Rican health.
 - For the approval and authorization of other activities not expressly permitted in the Executive Order, the organizer can submit a request of authorization to the consideration to the Chief of Staff of the Government of Puerto Rico (secretariadelagobernacion@fortaleza.pr.gov). Said proposals will be evaluated subject to the implementation of safety and health measures to mitigate the spread of the virus and protect the health and safety of workers, artists and anyone who participates in the event.

