



REGULATORY FRAMEWORK BASED ON COVID-19 **GUATEMALA**

Updated March 26th, 2020

APPROVED REGULATION

PROVISIONS OF THE PRESIDENT OF THE REPUBLIC OF GUATEMALA

Government Decree 5-2020, 6-2020 and 7-2020. "State of Public Calamity" throughout the national territory due to the epidemic of coronavirus COVID-19, (March 6, 2020, amended on March 24, 2020).

- Declares a State of Public Calamity and grants powers to the President of the Republic to enact Provisions to deal with the State of Calamity.
- Decree 6-2020, amended Decree 5-2020 limiting the freedom of locomotion to the inhabitants of the Republic of Guatemala, a limitation that includes the transit and circulation of people, crew, passengers, vehicles and all types of ground transportation between 4:00 p.m. and 4:00 a.m. the following day, from March 22, 2020, with the possibility of extension.

Presidential Provisions in the event of Public Calamity and orders for strict compliance dated March 16, 2020 and its amendments

- Suspension of work and activities for the public and private sector from March 17 to March 31, 2020, with certain exceptions.

National Emergency and Economic Recovery Plan, in The Context Of The Covid-19 Health Crisis

- On Wednesday, March 18, 2020, President Alejandro Giammattei appeared before the Congress of the Republic to announce the implementation of **the National Program for Emergency and Economic Recovery, in the context of the health crisis of COVID-19**.

PROVISIONS OF THE MINISTRY OF PUBLIC HEALTH

Plan for the prevention, containment, and response to coronavirus cases (COVID-19) in Guatemala

- The plan was prepared by the Ministry of Public Health as the governing body of health in response to the coronavirus.

Ministerial Communications:

- The Ministry of Public Health makes available on its website the requirements for the use of personal protective equipment (PPE) for the new coronavirus (2019-nCoV) in health facilities; International Health Regulations; Health Code; Frequently-asked questions; Information on social networks; Press releases; Know the purpose and scope of the International Health Regulations; Requirements necessary for the notification of a public event; Consult the available epidemiological technical documentation on the coronavirus; Check the global situation reports that WHO publishes daily.
<https://www.mspas.gob.gt/index.php/noticias/coronavirus-2019-ncov>



Statement 33 (March 14, 2020)

- Provides that: (i) all sports events must be held behind closed doors; (ii) schools are suspended for 3 weeks in private and public sectors; (iii) all religious and Easter activities are suspended; (iv) gatherings of more than 100 people are prohibited; (v) fairs are prohibited; (vi) citizens and residents from the United States and Canada are banned from entering the country; (vii) all work activities must be supervised by the employer and adhered to prevention measures; (viii) samples for the diagnosis of suspected cases of COVID-19 will only be carried out in the health services of the network of the Ministry of Public Health and Social Assistance, Guatemalan Institute of Social Security (IGSS), and Military Medical Center Private Sector; later on, these samples may be transferred to the National Laboratory of Health (LNS).

Statement 42 (March 22, 2020)

- Reaffirms that the National Health Laboratory (LNS) is the only entity authorized to carry out the procedures for the detection of COVID-19.
- This procedure is completely free. Sampling (nasopharyngeal swab) can be performed in any public and private hospital; however, the National Laboratory is the only entity that can diagnose if the sample is positive.

PROVISIONS OF THE MINISTRY OF ECONOMY

Statement dated March 17, 2020

- Establishes that all companies continuing with their practices must complete an approval request form on the platforms of the website of the Ministry of Economy. Employers must provide safe private transportation to their employees
- Business and transport operation authorization forms are available at <https://www.mineco.gob.gt/>

PROVISIONS OF THE GOVERNMENT MINISTRY

Statement dated March 23, 2020

- It Informs those who can transit during the curfew including those working for call centers, medical services, and food services; vehicles and health personnel, from the network and distribution centers to pharmacies, also those who deliver medicines, food, and buses that transport personnel who work in these economic branches, in the private and public initiative.

PROVISIONS OF THE GENERAL REGISTRY OF PROPERTY

Statement dated March 23, 2020

- Closing of registry and administrative operations until further notice. Also, all legal terms as of this date are suspended until this provision is dropped.
<https://www.rgp.org.gt/>



PROVISIONS OF THE TELECOMMUNICATIONS SUPERINTENDENCY

Statement dated March 23, 2020

- Mobile services: Prepaid users will be able to request daily and free accreditation of minutes and text messages at no additional cost. Postpaid numbers that cannot make payments on their mobile service bills may qualify for the benefits of the previous point.
- Residential Services: Users who are unable to make payments on their bills will be automatically migrated upon the expiration of their payment period to a "Basic Navigation Plan." Also emergency calls at no cost.
- Official publication of this information will appear on the Claro and Tigo websites on March 31, 2020.
<https://sit.gob.gt/>

PROVISIONS OF THE MINISTRY OF LABOR

Ministerial Agreement 136-2020

- Suspends the computation of the legal terms and periods granted to individuals and ministerial authorities in administrative matters which are the responsibility of the Ministry of Labor, until the termination of the State of Calamity.

Statement dated March 24, 2020

- Occupational health is the responsibility of employers, workers, and unions who are urged to suspend work contracts in the manner, form and time that each individual or collective situation warrants.
<https://www.mintrabajo.gob.gt/>

GUATEMALAN INSTITUTE OF SOCIAL SECURITY (IGSS)

- On March 23, 2020, the IGSS Board of Directors, INTECAP and IRTRA agree to defer the payment of the employer's contribution corresponding to March, April, and May, which will be payable on a prorated basis during the second semester of 2020.

Statement dated March 23, 2020

- Approves aid to the employer sector to cooperate with the economic recovery after being affected by the sanitary crisis caused by the COVID19.
<https://www.igssgt.org/noticias/2020/03/23/el-igss-difiere-pagos-en-apoyo-a-los-patronos-y-a-la-recuperacion-economica/>

GUATEMALAN INSTITUTE OF IMMIGRATION (IGM)

- Guatemalan borders are closed for fifteen days as of 23:59 hours of March 16, 2020. The country is held in solitary confinement since only air, maritime and ground cargo will enter.
<http://igm.gob.gt/coronavirus-covid19/>



CONGRESS OF THE REPUBLIC OF GUATEMALA

Decree 12-2020, Emergency Law to protect Guatemalans from the effects caused by the Pandemic Coronavirus COVID-19 (March 25, 2020)

- Provisions to guarantee price monitoring and measures to avoid speculation. Confirm that the official health information is administered by the MSPAS. It encourages the provision of health services and recommends that people remain in quarantine. It establishes that no delay, fine or administrative expenses apply in case of arrears for tuition fees and universities. Approves requested budget extensions and channeling of funds. It establishes an exemption for donations to non-profit entities. Finally, it approves the suspension of the legal timeframe of various administrative processes for the non-extendable period of 3 months.
https://www.congreso.gob.gt/buscador_noticias
<https://twitter.com/CongresoGuate>

SUPERINTENDENCY OF TAX ADMINISTRATION (SAT)

- Customs has prioritized the physical inspection of perishable and refrigerated import goods. The public customs auction has been suspended until further notice.

Statement dated March 23, 2020

- State of Public calamity in all national territory. Closed air, land and sea borders throughout the national territory. The entry of air, sea and land cargo is allowed for import, the export of supplies through ports, and also for humanitarian transportation.
- Restrictions on the entry of personnel into the country do not apply to cargo transport drivers.

Statement dated March 23, 2020

- Directorate of Attention and Assistance to the Consumer - DIACO- in conjunction with the Superintendency of Tax Administration - SAT- and the Public Ministry - MP- coordinate actions to avoid the abuses of legal and physical persons that monopolize and speculate with the prices of the Basic Food Basket and other essential products for the population.
<https://twitter.com/SATGT>

MONETARY BOARD

Resolution JM 32-2020

- Establishes special temporary measures to address the situation derived from the pandemic called COVID-19, which can be observed by the institutions supervised by the Superintendency of Banks that grant financing, and through which it allows financial entities to take measures that result in the possibility of improving the conditions of its debtors in terms of interest rates, the extension of terms for payments, the extension of credits and others.

PORTS AND FOREIGN TRADE

- The National Port Commission issues provisions that ensure the continuity of loading and unloading operations in the country's ports.



We have a 24/7 service to address your legal queries related to the effects of COVID-19 in your company. Contact us through our Help Desk for immediate assistance at: helpcovid19@blplegal.com. [Access to our Media Room for further information about legal aspects related to Coronavirus in Central America at this link.](#)

