

## Puerto Rico Tourism Company Clarifies Applicability of Lockdown Executive Order as related to Hospitality Industry

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### PRACTICE AREAS

- Hospitality

### McV Hospitality Practice Team Alert

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Further to Executive Order OE-2020-023 COVID-19 (the “Order”) issued by Governor Vazquez earlier today, the Puerto Rico Tourism Company **issued a letter** clarifying the applicability of the Order to the hospitality industry.

Below our analysis of the letter:

1. Daily operations at the airports are not subject to the curfew. Passengers arriving or departing from the airports will be able to transit to and from their respective destinations in Puerto Rico. Retail operations inside the airport are subject to the same regulations as the rest of the island, that is, only essential businesses can remain open.
2. Hotels can remain open, but guests must stay in their rooms. Public areas and amenities, such as spas, pools, and recreational areas, must remain closed. Room service can and should remain available for guests. Back office support to maintain essential hotel operations are permissible. All hotels must take extraordinary measures and precautions to safeguard the health and safety of all guests, ensuring that adequate prevention and containment protocols are in place. Hotel management must inform their employees that if any of them is infected or suspects he or she is infected, they must self-quarantine for a minimum of 14 days.
3. Casinos will be closed from 6:00pm today until March 31, 2020.
4. Restaurants and food service establishments in hotels or otherwise will remain open so long as their services are limited to drive-thru, carry-out or delivery. They may not offer eat-in service in the premises. Bars inside restaurants and in hotel public spaces will be closed.
5. Employees may transit from their residence to their employment. We strongly recommend employers provide a certificate of employment to staff which may be presented to law enforcement personnel if necessary.
6. The San Juan Bay is closed for active cruise ships. Empty ships may remain in port.

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7. All businesses must close with the exception of pharmacies, supermarkets, banks, or those related to the food or pharmaceutical industries. This applies to shopping malls, movie theaters, concert halls, casinos, bars, liquor stores, or any other place that facilitates gatherings. Attractions must remain closed.
8. Transportation is an essential service under the Order. Uber and taxi drivers are allowed to operate as long as they are not infected or suspect they may be infected in which case they must self-quarantine.
9. Storefront operations of travel agencies must remain closed. The Tourism Company authorizes travel agents to work remotely until further notice.

Note the federal government intends to issue guidelines on many if not all of the topics covered by the Order. We'll keep you informed on how they impact the Order, if at all.

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