



# GMS Flash Alert

## Immigration Edition

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# Argentina – Government Extends Some COVID-19 Measures, Loosens Others

Argentina’s government announced on 7 August new measures to fight the coronavirus, including an **extension** of the existing border closure **until 1 October**, while also permitting limited capacity in-person gatherings that follow protocols. Additionally, certain nonresident foreigners are once again allowed to temporarily enter the country. The stricter measures had been established to prevent the spread of new strains of COVID-19 in Argentina. (For prior coverage, see [GMS Flash Alert 2021-197](#), 13 July 2021.)

The provisions aim to protect the Argentine population and prevent the further spread of coronavirus/COVID-19. (For prior coverage of Phase 1, see [GMS Flash Alert 2020-058](#), 13 March 2020.)

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## WHY THIS MATTERS

The extended border closures, have kept employers re-considering their personnel and work arrangements. There also could be additional costs for employers to consider tied to (i) lodging in compulsory places for isolation purposes and (ii) sequencing tests administered.

Given current circumstances, remote working may be a “best practice” for globally-mobile employees – apart from essential workers – to the extent possible and is a way for employers to foster the safety of their employees and help with business continuity.

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## More Details

### Statutory Bases for Changes

Decree N° 494/2021 authorizes in-person gatherings in economic, industrial, commercial, cultural, sports, religious, educational, tourist, recreational, and social activities complying with approved protocols by the National or Provincial

health authority or the Autonomous City of Buenos Aires.<sup>1</sup> In closed spaces, these activities must be carried out using a maximum of seventy percent (70%) of the authorized capacity.

In all areas of work, the following are prohibited: the gathering of people for moments of rest, recreation, meals, or any other type of activity, that is carried out in closed spaces without strict compliance with the social distance of two (2) meters between individuals and adequate ventilation in such environment.

Additionally, Argentina's government, with Administrative Decision N° 793/2021, reinforced the country's borders will remain closed until 1 October,<sup>2</sup> and flights are suspended coming from and going to Great Britain, Brazil, Chile, India, and countries of the African continent, due to the prevalence of new strains of the virus in those countries.

Finally, as of 7 August, Disposition N° 2097/2021 resumes the terms of Disposition N° 3763/2021, by which the Argentinean government decided to authorize the entry into national territory of nonresident foreigners who have Argentinean relatives and who temporarily enter the country for reasons of necessity and do not require a visa by virtue of bilateral agreements or unilateral measures.<sup>3</sup>

## **Passenger Flight Quotas, Coronavirus and Sequencing Tests, and Compulsory Quarantine**

The National Civil Aviation Administration (*Administración Nacional de Aviación Civil – ANAC*), has determined until 5 September a weekly quota of 11,900 seats; and from 6 September until 1 October a weekly quota of 16,100 seats on passenger flights for re-entry to the country by Argentine nationals and foreign residents who are abroad.

Those individuals who test negative for coronavirus in respect of the test administered upon arrival into the country must comply with mandatory isolation in such places as indicated by the provincial authorities and the Autonomous City of Buenos Aires for a seven-day period from the collection of the test sample performed at the time of entry into the country. A second test will be administered on the seventh day of the traveler's arrival in the country and, if he or she tests negative, then open/free circulation will apply. However, if the individual tests positive for the coronavirus, the intervening laboratory must take precautions to genomically sequence the sample and the local health authority will trace the close contacts of the traveler and transfer him or her to a location for isolation.

The cost of the stay in places of compulsory isolation established by the provincial authorities and by the Autonomous City of Buenos Aires for this purpose and the cost of the sequencing tests must be assumed by the person who enters the country as established by the national authorities.

Not complying with these measures could result in between 15 days and up to two years of prison.

## **Continuance of Existing Measures**

Measures prohibiting group gatherings of more than 10 individuals, closing borders, advising people to keep at least 1.5 meters apart, and confining people to their homes, are still in place to prevent the spread of the coronavirus due to the lack of vaccines.

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## **KPMG NOTE**

Any individuals impacted by the travel restriction extension may wish to consult with their global mobility advisers and immigration legal counsel as soon as possible for advice on next steps.

The KPMG International member firm in Argentina is tracking these matters closely. We will endeavor to keep readers of *GMS Flash Alert* posted on any important developments as and when they occur.

## FOOTNOTES:

1 See Decree 494/2021 (*Decreto 455/2021*), published (in Spanish) in the *Boletín Oficial* at: <https://www.boletinoficial.gob.ar/detalleAviso/primera/247815/20210807>.

2 See Administrative Decision 793/2021 (*Decisión Administrativa 793/2021*), published (in Spanish) in the *Boletín Oficial* at: <https://www.boletinoficial.gob.ar/detalleAviso/primera/247816/20210807>.

3 See Disposition 2097/2021 (*Disposición 2097/2021*), published (in Spanish) in the *Boletín Oficial* at: <https://www.boletinoficial.gob.ar/detalleAviso/primera/247817/20210807>.

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## Contact us

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*\*Please note the KPMG International member firm in the United States does not provide immigration or labour law services. However, PMG Law LLP in Canada can assist clients with U.S. immigration matters.*

**The information contained in this newsletter was submitted by the KPMG International member firm in Argentina.**

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