

#### FAQs – extension of certificate requirement

Date: 8 September 2021

The certificate documentsthat you have been vaccinated against COVID-19, have gone through the illness or have been tested negative for the disease. The use of the certificate reduces the risk of transmission, as it ensures that only individuals who are not infectious or who have a low risk of being infectious come together. It allows measures to be taken against the spread of the virus without facilities having to be closed or certain activities forbidden.

Since 1 July 2021, the COVID certificate has been mandatory for large-scale events of 1,000 people or more as well as at clubs, discos and dance events (so-called red zones). Due to the current epidemiological situation and the level of hospital bed occupancy, the certificate requirement is to be extended to further areas from 13 September 2021:

- Indoor areas of (hotel) bars and restaurants.
- Leisure, sports and entertainment facilities, including theatres, cinemas, casinos, swimming pools, museums, zoos, etc.
- Indoor events (concerts, sporting events, club events, private events such as weddings outside of private areas).
   Events with less than 30 people where those participating all know one another and which are held in segregated premises in consistent groups (e.g. sports training sessions and music rehearsals) are exceptions and do not fall under the certificate requirement.
- Further exceptions include religious events, funeral ceremonies, events held as part of the
  usual activities and services of public authorities, meetings of established self-help groups and
  political events with less than 50 people; at such events, among other requirements, masks
  must be worn indoors and the contact data of participants collected.
- Parliamentary meetings and municipal assemblies remain completely exempt.
- From what age does a certificate has to be shown?

The certificate requirement applies to individuals aged 16 and over.

Where and how do people who are vaccinated, have recovered or have tested negative receive a certificate and how long is it valid in each case?

All information in this regard can be found on the FOPH website on the page <u>COVID certificate</u> (admin.ch)

3. How do people who have been vaccinated abroad with a vaccine that has not been authorised in Switzerland and who do not have an "EU Digital COVID Certificate" gain access to areas in which the certificate requirement applies?

It is currently planned for these individuals to get tested and obtain a certificate in this way. The Federal Council has sent the cantons a proposal for consultation under which the list of vaccines approved for a Swiss COVID certificate is to be extended to include the list of the European Medicines Agency (EMA). A decision on the extension will be taken by the Federal Council following the consultation procedure.

#### 4. Who covers the costs of the tests to obtain a certificate?

From 1 October 2021, people who get tested in order to obtain a certificate will have to pay for the test themselves. The opportunity for free vaccination still exists.

#### 5. Which areas are exempt from the certificate requirement (green zone)?

No certificate requirement is to be introduced for

- public transport, retail establishments or the transit area of airports
- private events of up to 30 people held in private premises
- religious events and political events up to a maximum of 50 people
- parliamentary meetings and municipal assemblies
- services provided by public authorities as well as personal services such as hairdressing salons, therapeutic and counselling services and catering services (e.g. indoor soup kitchens)

The federal government does also not plan to introduce a certificate requirement at workplaces and educational establishments (incl. canteens). There will also be no certificate requirement for outside areas (unless the attendees of leisure, sports and entertainment facilities switch back and forth between indoor and outdoor spaces).

# 6. Do employees at businesses where the certificate requirement applies also have to have a certificate, for example service staff at restaurants, fitness instructors, museum supervisors or helpers at sporting events?

No. As part of their duty of care, however, employers can require employees to have a certificate (for example at hospitals). They are permitted to check whether their employees hold a certificate if this serves to determine appropriate protective measures or the implementation of the testing concept. This may be the case if employees work in confined spaces indoors (e.g. large-scale butchers), but not outdoors (e.g. gardening). Employers must record in writing if they wish to take protective measures or measures to implement a testing concept on the basis of the COVID certificate, with employees having to be consulted on this matter. It is not permitted for employers to use the result of the certificate check for any other purposes. There must also be no discrimination between employees who have been vaccinated or recovered from COVID-19 and unvaccinated members of staff.

If a certificate requirement for employees applies, the company must offer regular (e.g. weekly) tests or cover the testing costs if it does not offer repetitive tests. If employers provide for differentiated measures (e.g. wearing a mask or a home-office setup for those without a certificate), they are not required to cover the testing costs.

In the case of public-law institutions, there must be a legal basis for the processing of health data in order to introduce a certificate requirement.

### 7. Is the certificate mandatory for visitors to hospitals and homes and will visiting relatives entail high testing costs every time?

The certificate is not mandatory in these areas. However, various hospitals and homes have already introduced a testing requirement on their own initiative. Anybody visiting a health facility, such as a retirement or care home or a hospital, can still also get tested free of charge.

In the case of a negative test result, written confirmation of the result will be issued instead of a certificate.

# 8. How is it ensured at the testing site that individuals do not want to be tested for purposes other than visiting the home?

The home must ask who is being visited. In cases of abuse, the test should be refused.

#### 9. Can universities, institutions of higher education and vocational colleges independently introduce a certificate requirement?

Yes. The responsible canton or an institution of higher education can restrict access to teaching activities at the first, second and third degree programme levels (i.e. bachelor's, master's, doctorate) to individuals with a certificate. If a certificate requirement is introduced, it is recommended to ensure that teaching is offered via two channels (face to face / digital).

If access to face-to-face teaching is governed in this way, the canton/institution must ensure that the regulations in place are viable, i.e. that they ensure the public teaching mandate can be fulfilled and the legal basis for the processing of data exists (certificate check). In this case, the requirement to wear a mask can be lifted and only the obligation to develop and implement precautionary measures applies. If no certificate requirement is in place, the requirement to wear a mask and restrict capacities continues to apply.

For all offered activities that go beyond teaching activities in bachelor's and master's study programmes, for example continuing education events held by institutions in the higher education sector or other educational establishments, the rules for events apply. This means indoor events can now only be attended with a certificate. Exceptions are possible for consistent classes with up to 30 people who are known to the organiser (the two-third capacity restriction and requirement to wear a mask then apply).

For outdoor events, the certificate requirement remains voluntary unless the event in question is deemed to be large scale.

## 10. In some European countries, the certificate requirement also applies to public transport and long-distance train journeys. Would such a situation also be possible in Switzerland?

It is not planned to use the COVID certificate in areas of everyday life (e.g. public transport or retail outlets).

#### 11. For how long will these certificates be used?

As long as the epidemiological situation requires it. At present, it is planned to limit the use of the certificates to the period up to 24 January 2022.