



NATIONAL ASSEMBLY OF QUÉBEC

SECOND SESSION

FORTY-SECOND LEGISLATURE

Bill 28
(2022, chapter 15)

**An Act to terminate the public health
emergency while maintaining
transitional measures necessary to
protect the health of the population**

**Introduced 16 March 2022
Passed in principle 11 May 2022
Passed 1 June 2022
Assented to 1 June 2022**

**Québec Official Publisher
2022**

EXPLANATORY NOTES

This Act terminates the public health emergency declared on 13 March 2020.

Under the Act, the measures set out in certain orders of the Minister of Health and Social Services made under the Public Health Act remain in force until 31 December 2022. However, the Government may amend or repeal those orders to allow a gradual easing of the measures.

In addition, the Act provides that certain contracts in force that have been entered into by the Minister or a health and social services institution during the public health emergency may be extended for a period that does not, according to the nature of the contract, extend beyond 31 December 2022 or exceed five years.

Lastly, the provisions of the Act, with certain exceptions, cease to have effect on 31 December 2022.

Bill 28

AN ACT TO TERMINATE THE PUBLIC HEALTH EMERGENCY WHILE MAINTAINING TRANSITIONAL MEASURES NECESSARY TO PROTECT THE HEALTH OF THE POPULATION

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** The public health emergency declared on 13 March 2020 and renewed since is terminated.
- 2.** The measures prescribed by Order 2022-031 of the Minister of Health and Social Services dated 11 May 2022 concerning measures relating to education remain in force until 30 June 2022.

The measures prescribed by the following orders of the Minister remain in force until 31 December 2022:

- (1) Order 2022-028 (2022, G.O. 2, 1015A) concerning operational measures;
- (2) Order 2022-029 (2022, G.O. 2, 1016A) concerning measures relating to vaccination and screening;
- (3) Order 2022-032 dated 11 May 2022 concerning public health measures; and
- (4) Order 2022-033 dated 11 May 2022 concerning measures relating to human resources.

No judicial proceedings may be brought against the Government, the Minister or any other person for acts performed in good faith in applying the above orders.

- 3.** The Government may amend or repeal a ministerial order referred to in section 2 to allow a gradual easing of the measures.
- 4.** Despite any contrary provision of the Act respecting contracting by public bodies (chapter C-65.1) or of any other Act or any regulation, the contracts entered into by the Minister or a health and social services institution during the public health emergency under Order in Council 177-2020 dated 13 March 2020 (2020, G.O. 2, 763A) and its subsequent amendments that are still in force at the end of the public health emergency and are necessary to ensure the proper operation of screening or vaccination clinics may be extended for a period that does not extend beyond 31 December 2022.

Despite the preceding paragraph, the term or value of any existing contract for the storage or transportation of goods acquired during the COVID-19 pandemic may be extended or increased until the stocks have been exhausted. However, the term of such contracts may not extend beyond five years after the end of the public health emergency.

Consequently, this section does not apply to contracts entered into after 23 March 2022.

5. Anyone who

(1) contravenes a measure that has continued to apply or was amended under section 2 or 3,

(2) by an act or omission, helps a person to commit an offence under subparagraph 1, or

(3) by encouragement, advice or consent or by an authorization or an order, induces a person to commit an offence under subparagraph 1,

commits an offence and is liable to a fine of \$1,000 to \$6,000.

The fines are doubled for a subsequent offence.

6. The Minister must table in the National Assembly, not later than 10 June 2022, the event report referred to in section 129 of the Public Health Act (chapter S-2.2).

7. The Minister of Health and Social Services is responsible for the administration of this Act.

8. The provisions of this Act come into force on 1 June 2022 and cease to have effect on 31 December 2022, except the provisions of the second paragraph of section 4, which cease to have effect on 1 June 2027 or on any earlier date or dates to be set by the Government.