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DU Québec

Part

2

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Laws and Regulations

Volume 152

Summary

Table of Contents
Orders-in-Council
Ministerial Orders
Index

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Contents

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Table of Contents

Page

Orders-in-Council

500-2020	Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation	1175A
501-2020	Renewal of the public health emergency in accordance with section 119 of the Public Health Act	1176A
505-2020	Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation	1177A

Ministerial Orders

2020-030	Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation	1181A
2020-031	Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation	1181A
2020-032	Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation	1182A

Orders-in-Council

Gouvernement du Québec

O.C. 500-2020, 1 May 2020

Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation

WHEREAS the World Health Organization declared a COVID-19 pandemic on 11 March 2020;

WHEREAS, under section 118 of the Public Health Act (chapter S-2.2), the Government may declare a public health emergency in all or part of the territory of Québec where a serious threat to the health of the population, whether real or imminent, requires the immediate application of certain measures provided for in section 123 of the Act to protect the health of the population;

WHEREAS the pandemic constitutes a real and grave threat to the health of the population that requires the immediate application of certain measures provided for in section 123 of the Act;

WHEREAS, by Order in Council 177-2020 dated 13 March 2020, the Government declared a public health emergency throughout Québec for a period of 10 days;

WHEREAS the public health emergency was renewed until 29 March 2020 by Order in Council 222-2020 dated 20 March 2020, until 7 April 2020 by Order in Council 388-2020 dated 29 March 2020, until 16 April 2020 by Order in Council 418-2020 dated 7 April 2020, until 24 April 2020 by Order in Council 460-2020 dated 15 April 2020, until 29 April 2020 by Order in Council 478-2020 dated 22 April 2020 and until 6 May 2020 by Order in Council 483-2020 dated 29 April 2020;

WHEREAS the latter Order in Council provides that the measures provided for in Orders in Council 177-2020 dated 13 March 2020, 222-2020 dated 20 March 2020, 223-2020 dated 24 March 2020 and 460-2020 dated 15 April 2020 and in Ministerial Orders 2020-003 dated 14 March 2020, 2020-004 dated 15 March 2020, 2020-005 dated 17 March 2020, 2020-006 dated 19 March 2020, 2020-007 dated 21 March 2020, 2020-008 dated 22 March 2020, 2020-009 dated 23 March 2020, 2020-010 dated 27 March 2020, 2020-011 dated 28 March 2020, 2020-012 dated 30 March 2020, 2020-013 dated 1 April 2020, 2020-014 dated 2 April 2020, 2020-015 dated 4 April 2020, 2020-016 dated 7 April 2020, 2020-017 dated 8 April 2020, 2020-018 dated 9 April 2020, 2020-019 and 2020-020 dated 10 April 2020,

2020-021 dated 14 April 2020, 2020-022 dated 15 April 2020, 2020-023 dated 17 April 2020, 2020-025 dated 19 April 2020, 2020-026 dated 20 April 2020 2020-027 dated 22 April 2020, 2020-028 dated 25 April 2020 and 2020-029 dated 26 April 2020, except to the extent that they were amended by those Orders in Council or Orders, continue to apply until 6 May 2020 or until the Government or the Minister of Health and Social Services modifies or terminates them;

WHEREAS Order in Council 223-2020 dated 24 March 2020 orders in particular the suspension of all activities carried on in work environments, except in work environments providing the priority services listed in the Schedule to the Order in Council;

WHEREAS the Schedule to that Order in Council was amended by Ministerial Orders 2020-010 dated 27 March 2020, 2020-011 dated 28 March 2020, 2020-013 dated 1 April 2020, 2020-014 dated 2 April 2020, 2020-015 dated 4 April 2020, 2020-016 dated 7 April 2020, 2020-017 dated 8 April 2020, 2020-018 dated 9 April 2020, 2020-021 dated 14 April 2020, 2020-023 dated 17 April 2020, 2020-025 dated 19 April 2020 and 2020-027 dated 22 April 2020;

WHEREAS during the public health emergency, despite any provisions to the contrary, the Government or the Minister of Health and Social Services, if she has been so empowered, may, without delay and without further formality, take any measure provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Act to protect the health of the population;

WHEREAS the COVID-19 pandemic situation makes it possible to relax the measures taken to protect the health of the population while maintaining certain measures necessary to continue to protect it;

IT IS ORDERED, therefore, on the recommendation of the Minister of Health and Social Services:

THAT the suspension applicable to activities carried on in work environments under Order in Council 223-2020 dated 24 March 2020 be lifted with respect to retail businesses situated elsewhere than in the territory of the Communauté métropolitaine de Montréal and that are not covered under the heading “**6. Priority commercial enterprises**” of the Schedule to that Order in Council, amended by Ministerial Orders 2020-014 dated 2 April 2020, 2020-015 dated 4 April 2020, 2020-021 dated 14 April 2020 and 2020-023 dated 17 April 2020, provided that

(1) the businesses have a door to the outside ordinarily used by the clientele;

(2) access to the businesses through an indoor common area be prohibited;

THAT the suspension also be lifted with respect to anyone, situated elsewhere than in the territory of the Communauté métropolitaine de Montréal, providing goods or services required for supplying retail businesses and is not covered in the Schedule to Order in Council 223-2020 dated 24 March 2020, amended by Ministerial Orders 2020-010 dated 27 March 2020, 2020-011 dated 28 March 2020, 2020-013 dated 1 April 2020, 2020-014 dated 2 April 2020, 2020-015 dated 4 April 2020, 2020-016 dated 7 April 2020, 2020-017 dated 8 April 2020, 2020-018 dated 9 April 2020, 2020-021 dated 14 April 2020, 2020-023 dated 17 April 2020, 2020-025 dated 19 April 2020 and 2020-027 dated 22 April 2020;

THAT that Order in Council be modified accordingly;

THAT the Schedule to that Order in Council, as amended, be again amended by inserting “in the case of businesses situated in the territory of the Communauté métropolitaine de Montréal” after “telephone sales only” in paragraph g of the heading “**6. Priority commercial enterprises**;

THAT the measures provided for in Ministerial Order 2020-012 dated 30 March 2020, amended by Ministerial Order 2020-014 dated 2 April 2020 and Ministerial Order 2020-015 dated 4 April 2020, apply to every retail business;

THAT the Minister of Health and Social Services be empowered to order any modification or clarification of the measures provided for in this Order in Council;

THAT this Order in Council take effect from 4 May 2020.

YVES OUELLET,
Clerk of the Conseil exécutif

104418

Gouvernement du Québec

O.C. 501-2020, 6 May 2020

Renewal of the public health emergency in accordance with section 119 of the Public Health Act

WHEREAS the World Health Organization declared a COVID-19 pandemic on 11 March 2020;

WHEREAS, under section 118 of the Public Health Act (chapter S-2.2), the Government may declare a public health emergency in all or part of the territory of Québec where a serious threat to the health of the population, whether real or imminent, requires the immediate application of certain measures provided for in section 123 of the Act to protect the health of the population;

WHEREAS the pandemic constitutes a real and grave threat to the health of the population that requires the immediate application of certain measures provided for in section 123 of the Act;

WHEREAS, under the first paragraph of section 119 of the Act, the public health emergency declared by the Government is in effect for a maximum period of 10 days, on the expiry of which it may be renewed for additional maximum periods of 10 days or, with the assent of the National Assembly, for maximum periods of 30 days;

WHEREAS, under section 121 of the Act, the declaration of a public health emergency and all renewals come into force as soon as they are expressed;

WHEREAS during the public health emergency, despite any provisions to the contrary, the Government or the Minister of Health and Social Services, if she has been so empowered, may, without delay and without further formality, take any measure provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Act to protect the health of the population;

WHEREAS, by Order in Council 177-2020 dated 13 March 2020, the Government declared a public health emergency and took certain measures to protect the population;

WHEREAS the public health emergency was renewed until 29 March 2020 by Order in Council 222-2020 dated 20 March 2020, until 7 April 2020 by Order in Council 388-2020 dated 29 March 2020, until 16 April 2020 by Order in Council 418-2020 dated 7 April 2020, until 24 April 2020 by Order in Council 460-2020 dated 15 April 2020, until 29 April 2020 by Order in Council 478-2020 dated 22 April 2020 and until 6 May 2020 by Order in Council 483-2020 dated 29 April 2020;

WHEREAS, by Orders in Council 222-2020 dated 20 March 2020, 223-2020 dated 24 March 2020, 460-2020 dated 15 April 2020, 496-2020 dated 29 April 2020 and 500-2020 dated 1 May 2020, the Government took certain measures to protect the population;

WHEREAS, by Ministerial Orders 2020-003 dated 14 March 2020, 2020-004 dated 15 March 2020, 2020-005 dated 17 March 2020, 2020-006 dated 19 March 2020, 2020-007 dated 21 March 2020, 2020-008 dated 22 March 2020, 2020-009 dated 23 March 2020, 2020-010 dated 27 March 2020, 2020-011 dated 28 March 2020, 2020-012

dated 30 March 2020, 2020-013 dated 1 April 2020, 2020-014 dated 2 April 2020, 2020-015 dated 4 April 2020, 2020-016 dated 7 April 2020, 2020-017 dated 8 April 2020, 2020-018 dated 9 April 2020, 2020-019 and 2020-020 dated 10 April 2020, 2020-021 dated 14 April 2020, 2020-022 dated 15 April 2020, 2020-023 dated 17 April 2020, 2020-025 dated 19 April 2020, 2020-026 dated 20 April 2020, 2020-027 dated 22 April 2020, 2020-028 dated 25 April 2020, 2020-029 dated 26 April 2020, 2020-030 dated 29 April 2020, 2020-031 dated 3 May 2020 and 2020-032 dated 5 May 2020, the Minister also took certain measures to protect the population;

WHEREAS it is expedient to renew the public health emergency for a period of 8 days;

IT IS ORDERED, therefore, on the recommendation of the Minister of Health and Social Services:

THAT the public health emergency be renewed to 13 May 2020;

THAT the measures provided for by Orders in Council 177-2020 dated 13 March 2020, 222-2020 dated 20 March 2020, 223-2020 dated 24 March 2020, 460-2020 dated 15 April 2020, 496-2020 dated 29 April 2020 and 500-2020 dated 1 May 2020, and by Ministerial Orders 2020-003 dated 14 March 2020, 2020-004 dated 15 March 2020, 2020-005 dated 17 March 2020, 2020-006 dated 19 March 2020, 2020-007 dated 21 March 2020, 2020-008 dated 22 March 2020, 2020-009 dated 23 March 2020, 2020-010 dated 27 March 2020, 2020-011 dated 28 March 2020, 2020-012 dated 30 March 2020, 2020-013 dated 1 April 2020, 2020-014 dated 2 April 2020, 2020-015 dated 4 April 2020, 2020-016 dated 7 April 2020, 2020-017 dated 8 April 2020, 2020-018 dated 9 April 2020, 2020-019 and 2020-020 dated 10 April 2020, 2020-021 dated 14 April 2020, 2020-022 dated 15 April 2020, 2020-023 dated 17 April 2020, 2020-025 dated 19 April 2020, 2020-026 dated 20 April 2020, 2020-027 dated 22 April 2020, 2020-028 dated 25 April 2020, 2020-029 dated 26 April 2020, 2020-030 dated 29 April 2020, 2020-031 dated 3 May 2020 and 2020-032 dated 5 May 2020, except to the extent that they were amended by those Orders in Council or Orders, continue to apply to 13 May 2020 or until the Government or the Minister of Health and Social Services modifies or terminates them;

THAT the Minister of Health and Social Services be empowered to take any measure provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Public Health Act.

YVES OUELLET,
Clerk of the Conseil exécutif

104421

Gouvernement du Québec

O.C. 505-2020, 6 May 2020

Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation

WHEREAS the World Health Organization declared a COVID-19 pandemic on 11 March 2020;

WHEREAS, under section 118 of the Public Health Act (chapter S-2.2), the Government may declare a public health emergency in all or part of the territory of Québec where a serious threat to the health of the population, whether real or imminent, requires the immediate application of certain measures provided for in section 123 of the Act to protect the health of the population;

WHEREAS the pandemic constitutes a real and grave threat to the health of the population that requires the immediate application of certain measures provided for in section 123 of the Act;

WHEREAS, by Order in Council 177-2020 dated 13 March 2020, the Government declared a public health emergency throughout Québec for a period of 10 days;

WHEREAS the public health emergency was renewed until 29 March 2020 by Order in Council 222-2020 dated 20 March 2020, until 7 April 2020 by Order in Council 388-2020 dated 29 March 2020, until 16 April 2020 by Order in Council 418-2020 dated 7 April 2020, until 24 April 2020 by Order in Council 460-2020 dated 15 April 2020, until 29 April 2020 by Order in Council 478-2020 dated 22 April 2020, until 6 May 2020 by Order in Council 483-2020 dated 29 April 2020 and until 13 May 2020 by Order in Council 501-2020 dated 6 May 2020;

WHEREAS the latter Order in Council provides that the measures provided for by Orders in Council 177-2020 dated 13 March 2020, 222-2020 dated 20 March 2020, 223-2020 dated 24 March 2020, 460-2020 dated 15 April 2020, 496-2020 dated 29 April 2020 and 500-2020 dated 1 May 2020, and by Ministerial Orders 2020-003 dated 14 March 2020, 2020-004 dated 15 March 2020, 2020-005 dated 17 March 2020, 2020-006 dated 19 March 2020, 2020-007 dated 21 March 2020, 2020-008 dated 22 March 2020, 2020-009 dated 23 March 2020, 2020-010 dated 27 March 2020, 2020-011 dated 28 March 2020, 2020-012 dated 30 March 2020, 2020-013 dated 1 April 2020, 2020-014 dated 2 April 2020, 2020-015 dated 4 April 2020, 2020-016 dated 7 April 2020, 2020-017 dated 8 April 2020, 2020-018 dated 9 April 2020, 2020-019 and 2020-020 dated 10 April 2020, 2020-021 dated 14 April 2020, 2020-022 dated 15 April 2020, 2020-023 dated

17 April 2020, 2020-025 dated 19 April 2020, 2020-026 dated 20 April 2020, 2020-027 dated 22 April 2020, 2020-028 dated 25 April 2020, 2020-029 dated 26 April 2020, 2020-030 dated 29 April 2020, 2020-031 dated 3 May 2020 and 2020-032 dated 5 May 2020, except to the extent that they were amended by those Orders in Council or Orders, continue to apply to 13 May 2020 or until the Government or the Minister of Health and Social Services modifies or terminates them;

WHEREAS Order in Council 177-2020 dated 13 March 2020 orders in particular the suspension of educational and instructional services of educational institutions and the suspension of the activities of childcare centres, day care centres, home childcare services and school childcare services;

WHEREAS, by that Order in Council and by Ministerial Orders 2020-004 dated 15 March 2020, 2020-005 dated 17 March 2020, 2020-016 dated 7 April 2020, 2020-029 dated 26 April 2020 and 2020-031 dated 3 May 2020, emergency childcare services were organized and provided to the children of certain parents;

WHEREAS Order in Council 223-2020 dated 24 March 2020 orders in particular the suspension of all activities carried on in work environments, except with respect to work environments providing the priority services listed in the Schedule to that Order in Council;

WHEREAS the Schedule to that Order in Council was amended by Ministerial Orders 2020-010 dated 27 March 2020, 2020-011 dated 28 March 2020, 2020-013 dated 1 April 2020, 2020-014 dated 2 April 2020, 2020-015 dated 4 April 2020, 2020-016 dated 7 April 2020, 2020-017 dated 8 April 2020, 2020-018 dated 9 April 2020, 2020-021 dated 14 April 2020, 2020-023 dated 17 April 2020, 2020-025 dated 19 April 2020 and 2020-027 dated 22 April 2020 and by Order in Council 500-2020 dated 1 May 2020;

WHEREAS, by Order in Council 500-2020 dated 1 May 2020, the Government lifted the suspension applicable to certain activities carried on in work environments under Order in Council 223-2020 dated 24 March 2020;

WHEREAS during the public health emergency, despite any provisions to the contrary, the Government or the Minister of Health and Social Services, if she has been so empowered, may, without delay and without further formality, take any measure provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Act to protect the health of the population;

WHEREAS the current COVID-19 pandemic situation makes it possible to relax certain measures taken to protect the health of the population while maintaining certain measures necessary to continue to protect it;

IT IS ORDERED, therefore, on the recommendation of the Minister of Health and Social Services:

THAT, for students at the preschool and elementary school level enrolled in a school situated elsewhere than in the territory of the Communauté métropolitaine de Montréal, educational support services be organized and provided by the school boards and private educational institutions;

THAT, for secondary school disabled students or students with severe behavioural disorders enrolled in a school providing regional or supra-regional schooling services or in a private educational institution specialized in special education situated elsewhere than in the territory of the Communauté métropolitaine de Montréal, educational support services be organized and provided by the school boards and private educational institutions;

THAT educational support services be provided progressively by the school boards and private educational institutions to those students at the preschool and elementary school level and those secondary school disabled students or students with severe behavioural disorders for 11 and 12 May 2020;

THAT, for the other secondary school students, distance educational support services be organized and provided by the school boards and private educational institutions;

THAT, for students in vocational training enrolled in an educational institution situated elsewhere than in the territory of the Communauté métropolitaine de Montréal, the suspension of educational and instructional services of educational institutions provided for in Order in Council 177-2020 dated 13 March 2020 be lifted;

THAT, for students in adult general education enrolled in an educational institution situated elsewhere than in the territory of the Communauté métropolitaine de Montréal, the suspension of educational and instructional services of educational institutions provided for in Order in Council 177-2020 dated 13 March 2020 be lifted, but only with respect to writing ministerial examinations;

THAT the number of students at the preschool and elementary and secondary school level, in vocational training and in adult general education be limited to 15 per group;

THAT the suspension applicable to the activities of childcare centres, day care centres, home childcare services and school childcare services under Orders in Council 177-2020 dated 13 March 2020 and 223-2020 dated 24 March 2020 be lifted with respect to activities carried on elsewhere than in the territory of the Communauté métropolitaine de Montréal, provided that the activities be carried on in accordance with the conditions provided for in the Schedule;

THAT the suspension applicable to activities carried on in work environments under Order in Council 223-2020 dated 24 March 2020 be lifted with respect to

(1) school boards and private educational institutions, to the extent that it is required for providing educational support services and educational and instructional services that must be organized and provided under this Order in Council;

(2) enterprises in the mining sector and manufacturing enterprises whose activities are not covered in the heading “**5. Priority manufacturing activities**” of the Schedule to Order in Council 223-2020 dated 24 March 2020, amended by Ministerial Orders 2020-011 dated 28 March 2020, 2020-013 dated 1 April 2020, 2020-021 dated 14 April 2020 and 2020-027 dated 22 April 2020, provided that for manufacturing enterprises, at all times and per work shift, there is on any site of those enterprises a maximum of 50 employees, to which may be added, if the usual number of employees on a site is greater than 50, a maximum number of employees equal to 50% of that excess number;

(3) activities in the construction sector that are not covered in the heading “**9. Construction sector services**” of the Schedule to Order in Council 223-2020 dated 24 March 2020, amended by Ministerial Orders 2020-021 dated 14 April 2020 and 2020-025 dated 19 April 2020;

(4) providers of goods and services in the mining, manufacturing and construction sectors, that are not covered in the Schedule to Order in Council 223-2020 dated 24 March 2020, amended by Ministerial Orders 2020-010 dated 27 March 2020, 2020-011 dated 28 March 2020, 2020-013 dated 1 April 2020, 2020-014 dated 2 April 2020, 2020-015 dated 4 April 2020, 2020-016 dated 7 April 2020, 2020-017 dated 8 April 2020, 2020-018 dated 9 April 2020, 2020-021 dated 14 April 2020, 2020-023 dated 17 April 2020, 2020-025 dated 19 April 2020 and 2020-027 dated 22 April 2020 and by Order in Council 500-2020 dated 1 May 2020;

(5) real estate brokers, land surveyors, inspectors and building appraisers and chartered appraisers;

THAT Order in Council 177-2020 dated 13 March 2020 and Order in Council 223-2020 dated 24 March 2020, amended by Order in Council 500-2020 dated 1 May 2020, be amended accordingly;

THAT the organization and provision of emergency childcare services other than services provided at school to the children of certain parents provided for in Order in Council 177-2020 dated 13 March 2020 and in Ministerial Orders 2020-004 dated 15 March 2020, 2020-005 dated 17 March 2020, 2020-016 dated 7 April 2020, 2020-029 dated 26 April 2020 and 2020-031 dated 3 May 2020, except for services that are organized and provided in the territory of the Communauté métropolitaine de Montréal, end;

THAT the organization and provision of those emergency childcare services provided at school end on 13 May 2020, except for services that are organized and provided in the territory of the Communauté métropolitaine de Montréal;

THAT the Minister of Health and Social Services be empowered to order any modification or clarification of the measures provided for in this Order in Council;

THAT this Order in Council take effect from 11 May 2020.

YVES OUELLET,
Clerk of the Conseil exécutif

SCHEDULE

Conditions applicable to childcare

DIVISION I

EDUCATIONAL CHILDCARE SERVICES

1. A childcare centre or a day care centre may provide childcare to 30% of the maximum number of children indicated in its permit.

Despite the first paragraph, it may provide childcare to up to 50% if the demand exceeds 30% and it has the necessary installations and resources to provide those services in the context of the COVID-19 pandemic.

2. A recognized home childcare provider may provide childcare to up to 4 children, whether the provider is assisted or not.

3. In addition to the children registered with a childcare provider before the declaration of the public health emergency and whose parents are called back to work, the childcare provider may, if the demand created by those parents is less than the capacity indicated in section 1 or 2, as the case may be, make up the difference by providing childcare to children registered for a temporary period or to children not yet registered but having received emergency childcare services.

4. The staff required, where applicable, to exclusively maintain, clean or disinfect the installations and equipment of a childcare centre or a day care centre does not have to be the subject of an investigation of the information needed to verify the existence of an impediment, to the extent that such staff member is at no times the only staff member in the presence of a child.

5. A parent who elects not to send his or her child to the child's childcare provider or who cannot send his or her child due to the restricted capacity indicated in section 1 or 2 is not required to pay a contribution or any penalty. The parent keeps the place intended for his or her child until the restrictions regarding the number of children to whom childcare may be provided by childcare providers are lifted or until the expiry of the childcare agreement, whichever comes first.

6. A natural person who provides childcare services in a private residence in accordance with section 6.1 of the Educational Childcare Act (chapter S-4.1.1) may provide childcare to up to 4 children.

DIVISION II

SCHOOL CHILDCARE SERVICES

7. Each group in school childcare is constituted of a maximum of 15 students.

104422

Ministerial Orders

M.O., 2020

Order number 2020-030 of the Minister of Health and Social Services dated 29 April 2020

Public Health Act
(chapter S-2.2)

Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING section 118 of the Public Health Act (chapter S-2.2), which provides that the Government may declare a public health emergency in all or part of the territory of Québec where a serious threat to the health of the population, whether real or imminent, requires the immediate application of certain measures provided for in section 123 of the Act to protect the health of the population;

CONSIDERING Order in Council 177-2020 dated 13 March 2020 declaring a public health emergency throughout Québec for a period of 10 days;

CONSIDERING that that Order in Council provides that the Minister of Health and Social Services may order any other measure needed to ensure that the health and social services network has the necessary human resources;

CONSIDERING that the public health emergency was renewed until 29 March 2020 by Order in Council 222-2020 dated 20 March 2020, until 7 April 2020 by Order in Council 388-2020 dated 29 March 2020, until 16 April 2020 by Order in Council 418-2020 dated 7 April 2020, until 24 April 2020 by Order in Council 460-2020 dated 15 April 2020, until 29 April 2020 by Order in Council 478-2020 dated 22 April 2020 and until 6 May 2020 by Order in Council 483-2020 dated 29 April 2020;

CONSIDERING that Order in Council 483-2020 dated 29 April 2020 empowers the Minister of Health and Social Services to take any measure provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Public Health Act;

CONSIDERING that it is expedient to order certain measures to protect the health of the population;

ORDERS AS FOLLOWS:

THAT, for the purposes of paragraph 2 of section 25 of the Regulation respecting specialized nurse practitioners (chapter M-9, r. 23.1), the said supervision may be performed remotely;

THAT a nurse is authorized to perform, even without a prescription, the COVID-19 screening test;

THAT, to the extent that it is necessary in the context of the COVID-19 pandemic, the care attendant of a private seniors' residence is exempted from the obligation to hold the document referred to in paragraph 2 of section 3.5 of the Regulation respecting the activities engaged in and described in sections 39.7 and 39.8 of the Professional Code (chapter C-26, r.3) when a competent professional from the integrated health and social services centre of the territory has provided the care attendant with the training required to master the skills referred to therein and attests that the care attendant masters those skills, provided that the other conditions set out in the Regulation are met.

Québec, 29 April 2020

DANIELLE MCCANN,
Minister of Health and Social Services

104410

M.O., 2020

Order number 2020-031 of the Minister of Health and Social Services dated 3 May 2020

Public Health Act
(chapter S-2.2)

Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING section 118 of the Public Health Act (chapter S-2.2), which provides that the Government may declare a public health emergency in all or part of the territory of Québec where a serious threat to the health of the population, whether real or imminent, requires the immediate application of certain measures provided for in section 123 of the Act to protect the health of the population;

CONSIDERING Order in Council 177-2020 dated 13 March 2020 declaring a public health emergency throughout Québec for a period of 10 days;

CONSIDERING that that Order in Council 177-2020 dated 13 March 2020 and Orders 2020-004 dated 15 March 2020, 2020-005 dated 17 March 2020, 2020-016 dated 7 April 2020 and 2020-029 dated 26 April 2020 provide for the organization and provision of emergency childcare services;

CONSIDERING that the public health emergency was renewed until 29 March 2020 by Order in Council 222-2020 dated 20 March 2020, until 7 April 2020 by Order in Council 388-2020 dated 29 March 2020, until 16 April 2020 by Order in Council 418-2020 dated 7 April 2020, until 24 April 2020 by Order in Council 460-2020 dated 15 April 2020, until 29 April 2020 by Order in Council 478-2020 dated 22 April 2020 and until 6 May 2020 by Order in Council 483-2020 dated 29 April 2020;

CONSIDERING that Order in Council 483-2020 dated 29 April 2020 empowers the Minister of Health and Social Services to take any measure provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Public Health Act;

CONSIDERING that the current COVID-19 pandemic situation makes it possible to ease certain measures put in place to protect the health of the population, while maintaining certain other measures necessary to continue to protect the health of the population;

ORDERS AS FOLLOWS:

THAT, in addition to the emergency childcare services provided for by Order in Council 177-2020 dated 13 March 2020 and Orders 2020-004 dated 15 March 2020, 2020-005 dated 17 March 2020, 2020-016 dated 7 April 2020 and 2020-029 dated 26 April 2020, such services be organized and provided as of 4 May 2020 for a child if one of the child's parents is employed by La Place 0-5, a school board or a private educational institution dispensing services to students attending preschool, elementary school, secondary school, vocational training or adult education;

THAT, as of 4 May 2020, the measures provided for by Orders 2020-013 dated 1 April 2020 and 2020-016 dated 7 April 2020, which restrict access to the territories of the following regional county municipalities, are no longer applicable:

—the regional county municipalities of Autray, Joliette, Matawinie and Montcalm for the Lanaudière health region;

—the regional county municipalities of Antoine-Labelle, Argenteuil, Les-Pays-d'en-Haut and Les Laurentides for the Laurentides health region;

—the regional county municipalities of Bellechasse, L'Islet and Montmagny for the Chaudières-Appalaches health region;

THAT, as of 4 May 2020, the measures provided for by Order 2020-015 dated 4 April 2020, which restrict access to Ville de Rouyn-Noranda for the Abitibi-Témiscamingue health region and access by residents of this city to other territories of that health region or to other regions or territories to which access is restricted, are revoked.

Québec, 3 May 2020

DANIELLE McCANN,
Minister of Health and Social Services

104417

M.O., 2020

Order number 2020-032 of the Minister of Health and Social Services dated 5 May 2020

Public Health Act
(chapter S-2.2)

Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation

The Minister of Health and Social Services,

CONSIDERING section 118 of the Public Health Act (chapter S-2.2), which provides that the Government may declare a public health emergency in all or part of the territory of Québec where a serious threat to the health of the population, whether real or imminent, requires the immediate application of certain measures provided for in section 123 of the Act to protect the health of the population;

CONSIDERING Order in Council 177-2020 dated 13 March 2020 declaring a public health emergency throughout Québec for a period of 10 days;

CONSIDERING that the public health emergency was renewed until 29 March 2020 by Order in Council 222-2020 dated 20 March 2020, until 7 April 2020 by Order in Council 388-2020 dated 29 March 2020, until 16 April 2020 by Order in Council 418-2020 dated 7 April 2020, until 24 April 2020 by Order in Council 460-2020 dated 15 April 2020, until 29 April 2020 by Order in Council 478-2020 dated 22 April 2020 and until 6 May 2020 by Order in Council 483-2020 dated 29 April 2020;

CONSIDERING that Order in Council 483-2020 dated 29 April 2020 empowers the Minister of Health and Social Services to take any measure provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Public Health Act;

CONSIDERING that the current situation of the COVID-19 pandemic allows for the easing of certain measures set in place to protect the health of the population, while maintaining some of the measures necessary to continue that protection;

ORDERS AS FOLLOWS:

THAT the director of youth protection be required to arrange, in a manner that enables the health of the population to be protected, for contact through physical presence between a child and parent, grandparents or any other person ordered pursuant to the conclusions of a decision or order made by the Court of Québec if the child, any of the persons with whom the contact has been ordered or a person from the child's alternative living environment or family environment is in any of the following situations:

- (1) one of the persons has received a COVID-19 diagnosis and there is a risk the person is still contagious, or the person is waiting for the results of a COVID-19 screening test;
- (2) less than 14 days earlier and for at least 15 minutes, one of the persons was in the presence, at a distance of less than two metres, of a person who has received a COVID-19 diagnosis;
- (3) one of the persons travelled outside Canada in the previous 14 days;
- (4) one of the persons shows COVID-19 related symptoms, in particular cough, fever, difficulty breathing or loss of sense of smell; or
- (5) the child or a person from the child's alternative living environment has factors making him or her vulnerable to COVID-19;

THAT the director of youth protection at all times be required to facilitate maintaining contact through physical presence, except if the director becomes aware that arranging such contact in a way that protects the health of the population is impossible, in which case the director is required to arrange for alternative remote contact using technological means in particular;

THAT, if the director of youth protection is of the opinion that it is likewise impossible to arrange for remote contact instead of contact through physical presence, the conclusions of a decision or order directing contact through physical presence be suspended;

THAT the director of youth protection be required to allow full execution of the conclusions as soon as the situation giving rise to the arrangement or suspension has ended;

THAT the preceding paragraphs apply, with the necessary modifications, when the conclusions of a decision or order made by the Superior Court order a supervised visit between child and parent, grandparents or any other person;

THAT in those cases, the body responsible for supervising visits perform the responsibilities conferred on the director of youth protection;

THAT Ministerial Order 2020-006 dated 19 March 2020 and the second paragraph of the operative part of Ministerial Order 2020-010 dated 27 March 2020 be revoked;

THAT, as regards divided co-ownerships established before 13 June 2018 having a syndicate not controlled by the developer, the description of the private portions referred to in the third paragraph of article 1070 of the Civil Code may be made by the board of directors of the syndicate rather than by a decision of the co-owners, and that description be deemed to be valid until approved or modified by a majority vote of the co-owners present or represented at the first meeting of the co-owners held after the decision;

THAT the suspension of any outing referred to in Ministerial Order 2020-009 dated 23 March 2020 be lifted as regards residents in a private seniors' residence.

Québec, 5 May 2020

DANIELLE MCCANN,
Minister of Health and Social Services

104420

Index

Abbreviations: **A**: Abrogated, **N**: New, **M**: Modified

	Page	Comments
Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation	1175A	N
Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation	1177A	N
Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation (Public Health Act, chapter S-2.2)	1181A	N
Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation (Public Health Act, chapter S-2.2)	1181A	N
Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation (Public Health Act, chapter S-2.2)	1182A	N
Public Health Act — Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation (chapter S-2.2)	1181A	N
Public Health Act — Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation (chapter S-2.2)	1181A	N
Public Health Act — Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation (chapter S-2.2)	1182A	N
Renewal of the public health emergency in accordance with section 119 of the Public Health Act	1176A	N

