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Part

2

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Laws and Regulations

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Summary

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CQLR, c. C-8.1.1, r. 1

Regulation respecting the *Gazette officielle du Québec*, section 4

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- (2) proclamations and Orders in Council for the coming into force of Acts;
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Regulations and other Acts

Gouvernement du Québec

O.C. 638-2020, 17 June 2020

Education Act
(chapter I-13.3)

Amended basic school regulation for preschool, elementary and secondary education for the 2019-2020 school year — Amendment

Regulation to amend the Amended basic school regulation for preschool, elementary and secondary education for the 2019-2020 school year

WHEREAS, under the first paragraph of section 447 of the Education Act (chapter I-13.3), the Government may make regulations to be known as the “basic school regulation”;

WHEREAS the Government made the Amended basic school regulation for preschool, elementary and secondary education for the 2019-2020 school year by Order in Council 547-2020 dated 27 May 2020, and it is expedient to amend it;

WHEREAS, under subparagraph 1 of the second paragraph of section 447 of the Education Act, the basic school regulation made by the Government relates to the nature and objectives of educational services, including preschool education, instructional services, student services and special educational services as well as the general organizational framework thereof;

WHEREAS, under subparagraph 4 of the third paragraph of section 447 of the Act, the basic school regulation made by the Government may establish rules on the evaluation of learning achievement and the certification of studies;

WHEREAS, pursuant to section 458 of the Act, a draft regulation was submitted to the Conseil supérieur de l'éducation for examination;

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 health of the population;

WHEREAS, under section 12 of the Regulations Act (chapter R-18.1), a proposed regulation may be made without having been published if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 13 of that Act, the reason justifying the absence of such publication must be published with the regulation;

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it, and the reason justifying such coming into force must be published with the regulation;

WHEREAS the Government is of the opinion that the urgency owing to the following circumstances justifies the absence of prior publication and such coming into force of the Regulation to amend the Amended basic school regulation for preschool, elementary and secondary education for the 2019-2020 school year:

— in certain cases, due to the absence of students, teachers are unable to express an opinion on the level of development achieved by those students for each competency in the Preschool Education program;

— the report card for the third term of the current school year of preschool education cannot be finalized as provided for in the basic school regulation in force;

— the report card must be sent not later than 10 July 2020;

IT IS ORDERED, therefore, on the recommendation of the Minister of Education and Higher Education:

THAT the Regulation to amend the Amended basic school regulation for preschool, elementary and secondary education for the 2019-2020 school year, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Amended basic school regulation for preschool, elementary and secondary education for the 2019-2020 school year

Education Act
(chapter I-13.3, s. 447, 1st par., 2nd par.,
subpar. 1, and 3rd par., subpar. 4)

DIVISION I GENERAL

1. The Amended basic school regulation for preschool, elementary and secondary education for the 2019-2020 school year, made by Order in Council 547-2020 dated 27 May 2020, is amended in section 30 by replacing the second paragraph by the following:

“The results shown in section 2 of the report card must indicate the status of the development of the competencies in the Preschool Education program, if the competencies have been evaluated, or, if it is the last report card for the school year, the level of development achieved by the student for each competency, if the competencies have been evaluated.”

2. The same basic school regulation is amended by adding the following after section 5:

“**5.1** The key related to term 3 in section 2 entitled “**RESULTS**” of the preschool education report card in Schedule IV to the basic school regulation is to be read as follows for that school year:

	Key
Mark	Term 3
A	The student exceeds the program expectations
B	The student meets the program expectations
C	The student partially meets the program expectations
D	The student does not meet the program expectations
NE	The student has not been evaluated

”.

DIVISION II FINAL

3. This Regulation applies despite any inconsistent provision of the Basic school regulation for preschool, elementary and secondary education.

4. This Regulation comes into force on 18 June 2020.
104487

Gouvernement du Québec

O.C. 649-2020, 17 June 2020

An Act to promote access to justice through the establishment of the Service administratif de rajustement des pensions alimentaires pour enfants (chapter A-2.02)

Application regulation —Amendment

Regulation to amend the Regulation respecting the application of the Act to promote access to justice through the establishment of the Service administratif de rajustement des pensions alimentaires pour enfants

WHEREAS, under the first paragraph of section 2 of the Act to promote access to justice through the establishment of the Service administratif de rajustement des pensions alimentaires pour enfants (chapter A-2.02), an application for recalculation may, in the cases described in a government regulation, be made to SARPA by one or both of the child’s parents and the regulation also determines the application procedure and the information and documents needed for the recalculation that must be provided in support of the application;

WHEREAS, under the first paragraph of section 9 of the Act, SARPA cannot recalculate child support if, after having examined the information and documents provided, it finds that the recalculation applied for requires a judicial assessment, unless there is an agreement between the parents in the cases and in accordance with the terms determined by government regulation;

WHEREAS, under the first paragraph of section 16 of the Act, any parent who makes an application for recalculation of child support must pay the fees set by regulation, in the proportion and according to the terms prescribed;

WHEREAS, under section 19 of the Act, the Government may by regulation determine the cases in which and the extent to which the Commission des services juridiques may reimburse a fee paid by a parent;

WHEREAS the Government made the Regulation respecting the application of the Act to promote access to justice through the establishment of the Service administratif de rajustement des pensions alimentaires pour enfants (chapter A-2.02, r. 1);

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 health of the population;

WHEREAS, under section 12 of the Regulations Act (chapter R-18.1), a proposed regulation may be made without having been published in the *Gazette officielle du Québec* as provided for in section 8 of that Act if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 13 of that Act, the reason justifying the absence of such publication must be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of such publication and such coming into force of the Regulation to amend the Regulation respecting the application of the Act to promote access to justice through the establishment of the Service administratif de rajustement des pensions alimentaires pour enfants;

— for certain parents who are separated, the current COVID-19 pandemic results in changes to their situation and the situation of their child that may have an impact on the child support paid, it is therefore necessary that the amendments provided for in the Regulation to increase the cases admissible to SARPA and reduce the fees payable to obtain a recalculation be made soon to allow more parents who are separated to have their child support recalculated at lower costs;

WHEREAS, under section 17 of that Act, a regulation comes into force 15 days after the date of its publication in the *Gazette officielles du Québec*;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice:

THAT the Regulation to amend the Regulation respecting the application of the Act to promote access to justice through the establishment of the Service administratif de rajustement des pensions alimentaires pour enfants, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the application of the Act to promote access to justice through the establishment of the Service administratif de rajustement des pensions alimentaires pour enfants

An Act to promote access to justice through the establishment of the Service administratif de rajustement des pensions alimentaires pour enfants (chapter A-2.02, ss. 2, 9, 16 and 19)

1. The Regulation respecting the application of the Act to promote access to justice through the establishment of the Service administratif de rajustement des pensions alimentaires pour enfants (chapter A-2.02, r. 1) is amended in paragraph 8 of section 3:

(1) by inserting “more than 20%” before “below”;

(2) by striking out “maternity or paternity leave, adoption leave.”.

2. Section 6 is amended by inserting “, the payment of fees payable” after “receives the application” in the second paragraph.

3. The following is inserted after section 11:

“**11.1.** SARPA may not recalculate child support if the income of either of the child’s parents is below the income taken into account to determine the child support for which the recalculation is requested by reason of leave relating to pregnancy, the birth of a child or adoption occurring since the last judgment determining the child support or, if more recent, since the last recalculation, except if the parents agree on the income resulting from the decrease.

The same applies if the income of either of the child’s parents is below the income taken into account to determine the child support for which the recalculation is requested by reason of sabbatical leave, leave without pay, leave with deferred pay, an alternative work schedule, a resumption of studies, retirement, a change of career, or a voluntary relinquishment of employment occurring since the last judgment determining the child support or, if more recent, since the last recalculation, unless the income is equal to or 20% below the income taken into account to determine the child support for which the recalculation is requested and the parents agree on the income resulting from the decrease.”.

4. Section 14 is amended by adding the following paragraph at the end:

“Despite the foregoing, it may recalculate child support without an agreement if the income of either of the parents includes an amount as taxable dividends, interest or other investment income equal to or less than \$2,000.”

5. Section 19 is amended

(1) by replacing “292” in the first paragraph by “50”;

(2) by replacing the second paragraph by the following:

“The fees are payable at the time an application is made to SARPA by one or both of the child’s parents.”

6. Section 21 is revoked but continues to apply to applications filed before the coming into force of this Regulation and for which a parent has paid fees payable in accordance with section 19 as it read before the coming into force of this Regulation.

7. The fees are payable, for applications made before the coming into force of this Regulation, within 5 days after the coming into force and the application is deemed to be made on the date on which SARPA receives the application and all the information and documents that must be provided in support of the application, if it receives the payment of the fees payable within the 5-day period.

8. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

Orders-in-Council

Gouvernement du Québec

O.C. 630-2020, 17 June 2020

Renewal of the public health emergency pursuant to section 119 of the Public Health Act

WHEREAS the World Health Organization declared COVID-19 to be a 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 serious and real 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 effective for a maximum period of ten days at the expiry of which it may be renewed, as many times as necessary, for a maximum period of ten days or, with the consent of the National Assembly, for a maximum period of 30 days;

WHEREAS, under section 121 of the Act, the public health emergency is effective as soon as it is declared or renewed;

WHEREAS, while the public health emergency is in effect, despite any provision to the contrary, the Government or the Minister of Health and Social Services, if the Minister has been so empowered, may, without delay and without further formality, take any of the measures 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 health of 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, until 6 May 2020 by Order in Council 483-2020 dated 29 April 2020, until 13 May 2020 by Order in Council 501-2020 dated 6 May 2020, until 20 May 2020 by Order in Council 509-2020 dated 13 May 2020, until 27 May 2020 by Order in Council 531-2020 dated 20 May 2020, until 3 June 2020 by Order in Council 544-2020 dated 27 May 2020, until 10 June 2020 by Order in Council 572-2020 dated 3 June 2020 and until 17 June 2020 by Order in Council 593-2020 dated 10 June 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, 500-2020 dated 1 May 2020, 505-2020 dated 6 May 2020, 530-2020 dated 19 May 2020, 539-2020 and 540-2020 dated 20 May 2020, 543-2020 dated 22 May 2020, 566-2020 dated 27 May 2020, 588-2020 dated 3 June 2020 and 615-2020 dated 10 June 2020, the Government took certain measures to protect the health of 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, 2020-032 dated 5 May 2020, 2020-033 dated 7 May 2020, 2020-034 dated 9 May 2020, 2020-035 dated 10 May 2020, 2020-037 dated 14 May 2020, 2020-038 dated 15 May 2020, 2020-039 dated 22 May 2020, 2020-041 dated 30 May 2020, 2020-042 dated 4 June 2020, 2020-043 dated 6 June 2020 and 2020-044 dated 12 June 2020, the Minister also took certain measures to protect the health of the population;

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

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

THAT the public health emergency be renewed until 23 June 2020;

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, 460-2020 dated 15 April 2020, 496-2020 dated 29 April 2020, 500-2020 dated 1 May 2020, 505-2020 dated 6 May 2020, 539-2020 and 540-2020 dated 20 May 2020, 543-2020 dated 22 May 2020, 566-2020 dated 27 May 2020, 588-2020 dated 3 June 2020 and 615-2020 dated 10 June 2020, and by Ministerial Orders 2020-003 dated 14 March 2020, 2020-004 dated 15 March 2020, 2020-005 dated 17 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, 2020-013 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, 2020-032 dated 5 May 2020, 2020-033 dated 7 May 2020, 2020-034 dated 9 May 2020, 2020-035 dated 10 May 2020, 2020-037 dated 14 May 2020, 2020-038 dated 15 May 2020, 2020-039 dated 22 May 2020, 2020-041 dated 30 May 2020, 2020-042 dated 4 June 2020, 2020-043 dated 6 June 2020 and 2020-044 dated 12 June 2020, except to the extent that they were amended by those Orders in Council or Orders, continue to apply until 23 June 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

104485

Gouvernement du Québec

O.C. 651-2020, 17 June 2020

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

WHEREAS the World Health Organization declared COVID-19 to be a 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 serious and real 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 and took certain measures to protect the health of the population, in particular by suspending the educational and instructional services provided by educational institutions, as well as childcare at school;

WHEREAS, by that Order in Council and 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 at school was organized and provided to the children of certain parents;

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, until 13 May 2020 by Order in Council 501-2020 dated 6 May 2020, until 20 May 2020 by Order in Council 509-2020 dated 13 May 2020, until 27 May 2020 by Order in Council 531-2020 dated 20 May 2020, until 3 June 2020 by Order in Council 544-2020 dated 27 May 2020, until 10 June 2020 by Order in Council 572-2020 dated 3 June 2020, until 17 June 2020 by Order in Council 593-2020 dated 10 June 2020 and until 23 June 2020 by Order in Council 630-2020 dated 17 June 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, 500-2020 dated 1 May 2020, 505-2020 dated 6 May 2020, 539-2020 and 540-2020 dated 20 May 2020, 543-2020 dated 22 May 2020, 566-2020 dated 27 May 2020, 588-2020 dated 3 June 2020 and 615-2020 dated 10 June 2020, and by Ministerial Orders 2020-003 dated 14 March 2020, 2020-004 dated 15 March 2020, 2020-005 dated 17 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, 2020-013 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, 2020-032 dated 5 May 2020, 2020-033 dated 7 May 2020, 2020-034 dated 9 May 2020, 2020-035 dated 10 May 2020, 2020-037 dated 14 May 2020, 2020-038 dated 15 May 2020, 2020-039 dated 22 May 2020, 2020-041 dated 30 May 2020, 2020-042 dated 4 June 2020, 2020-043 dated 6 June 2020 and 2020-044 dated 12 June 2020, except to the extent that they were amended by those Orders in Council or Ministerial Orders, continue to apply until 23 June 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 ordered in particular the suspension of all activity carried on in work environments, except with respect to work environments providing the priority services listed in the Schedule to the Order in Council;

WHEREAS the Schedule to the Order in Council was amended by Orders in Council 500-2020 dated 1 May 2020, 539-2020 dated 20 May 2020 and 566-2020 dated 27 May 2020, and 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, by Orders in Council 500-2020 dated 1 May 2020, 505-2020 dated 6 May 2020, 530-2020 dated 19 May 2020, 539-2020 and 540-2020 dated 20 May 2020, 566-2020 dated 27 May 2020, 588-2020 dated 3 June 2020 and 615-2020 dated 10 June 2020, and by Ministerial Orders 2020-042 dated 4 June 2020, 2020-043 dated 6 June 2020 and 2020-044 dated 12 June 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, by Order in Council 505-2020 dated 6 May 2020, the Government lifted the suspension applicable to childcare at school under Orders in Council 177-2020 dated 13 March 2020 and 223-2020 dated 24 March 2020, with respect to childcare provided elsewhere that in the territory of the Communauté métropolitaine de Montréal, as long as it is provided in compliance with the conditions set out in the Schedule to the Order in Council;

WHEREAS, by Orders in Council 505-2020 dated 6 May 2020, 540-2020 dated 20 May 2020, 566-2020 dated 27 May 2020, 588-2020 dated 3 June 2020 and 615-2020 dated 10 June 2020, the Government lifted the suspension applicable to certain educational and instructional services provided by educational institutions under Order in Council 177-2020 dated 13 March 2020 and ordered that educational support services be organized and provided to certain students, save exceptions for the territory of the Communauté métropolitaine de Montréal;

WHEREAS, by Ministerial Order 2020-034 dated 9 May 2020, the exceptions provided for by Order in Council 505-2020 dated 6 May 2020 for the territory of the Communauté métropolitaine de Montréal also apply to the territory of the regional county municipality of Joliette;

WHEREAS, by Ministerial Order 2020-041 dated 30 May 2020, the measures and exceptions concerning the territory of the Communauté métropolitaine de Montréal and the territory of the regional county municipality of Joliette also apply, as applicable, to the territory of Ville de L'Épiphanie, in particular for the purposes of Order in Council 566-2020 dated 27 May 2020;

WHEREAS, while the public health emergency is in effect, despite any provision to the contrary, the Government or the Minister of Health and Social Services, if the Minister has been so empowered, may, without delay and without further formality, take any of the measures 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 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;

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

THAT the suspension applicable to certain educational and instructional services provided by educational institutions under Order in Council 177-2020 dated 13 March 2020, amended by Orders in Council 505-2020 dated 6 May 2020, 540-2020 dated 20 May 2020, 566-2020 dated 27 May 2020, 588-2020 dated 3 June 2020 and 615-2020 dated 20 June 2020, be lifted with respect to

(1) all educational and instructional services provided by

- (a) university institutions;
- (b) colleges established under the General and Vocational Colleges Act (chapter C-29); and
- (c) private educational institutions dispensing college instruction services; and

(2) all adult general education instructional services provided by school service centres, school boards and private educational institutions;

THAT the private educational institutions that dispense educational services listed in paragraphs 4 to 9 of section 1 of the Act respecting private education (chapter E-9.1) may dispense their educational services by distance learning;

THAT the organizing and providing of all educational support services by school service centres, school boards and private educational institutions under Order in Council 505-2020 dated 6 May 2020, amended by Order in Council 540-2020 dated 20 May 2020, Order in Council 540-2020 dated 20 May 2020, Order in Council 566-2020 dated 27 May 2020, amended by Order in Council 615-2020 dated 10 June 2020 and by Ministerial Order 2020-044 dated 12 June 2020, under Order in Council 588-2020 dated 3 June 2020, cease;

THAT the educational support services may be organized and provided by school service centres, school boards and private educational institutions to elementary and secondary level students who are having difficulties learning and are identified by their educational institution, provided their number is limited to 10 per group;

THAT the school respite services provided for by Order in Council 566-2020 dated 27 May 2020, amended by Order in Council 615-2020 dated 10 June 2020 and by Ministerial Order 2020-044 dated 12 June 2020, also be organized and provided to the following students:

(1) preschool, elementary and secondary level disabled or vulnerable students enrolled in a school providing regional or supra-regional schooling services or a private educational institution specialized in special education; and

(2) preschool and elementary level disabled or vulnerable students enrolled in an educational institution other than an institution referred to in subparagraph 1 that is situated elsewhere than in the territory of the Communauté métropolitaine de Montréal, the territory of the regional county municipality of Joliette or the territory of Ville de L'Épiphanie;

THAT the organizing and providing of emergency childcare at school to the children of certain parents under Order in Council 177-2020 dated 13 March 2020, amended by Orders in Council 505-2020 dated 6 May 2020, 540-2020 dated 20 May 2020, 566-2020 dated 27 May 2020, 588-2020 dated 3 June 2020 and 615-2020 dated 10 June 2020, and by Ministerial Order 2020-004 dated 15 March 2020, amended by Orders in Council 530-2020 dated 19 May 2020, 566-2020 dated 27 May 2020 and 615-2020 dated 10 June 2020, and by Ministerial Orders 2020-022 dated 15 April 2020, 2020-029 dated 26 April 2020, 2020-042 dated 4 June 2020 and 2020-043 dated 6 June 2020, Ministerial Order 2020-005 dated 17 March 2020, Ministerial Order 2020-016 dated 7 April 2020, Ministerial Order 2020-029 dated 26 April 2020 and Ministerial Order 2020-031 dated 3 May 2020, cease with respect to the services organized and provided in the territory of the Communauté métropolitaine de Montréal and the territory of the regional county municipality of Joliette;

THAT the suspension applicable to the activities carried on in work environments under Order in Council 223-2020 dated 24 March 2020, amended by Orders in Council 500-2020 dated 1 May 2020, 505-2020 dated 6 May 2020, 530-2020 dated 19 May 2020 and 539-2020 and 540-2020 dated 20 May 2020, 566-2020 dated 27 May 2020, 588-2020 dated 3 June 2020 and 615-2020 dated 10 June 2020, and by Ministerial Orders 2020-042 dated 4 June 2020, 2020-043 dated 6 June 2020 and 2020-044 dated 12 June 2020, be lifted with respect to

(1) university institutions, colleges, private college-level educational institutions and, to the extent required for the purposes of providing the educational and instructional services, educational support services and school

respite services provided for in this Order in Council or any Order in Council or Ministerial Order made subsequently, school service centres, school boards and private educational institutions;

(2) movie theatres and work environments in which activities related to the performing arts are carried on, including venues where the arts are performed and broadcast, for activities that are not covered under the heading “**7. Media and telecommunications services**” in the Schedule to Order in Council 223-2020 dated 24 March 2020, amended by Ministerial Order 2020-023 dated 17 April 2020; and

(3) activities involving the recording of live performances before an audience;

THAT Order in Council 177-2020 dated 13 March 2020, amended by Orders in Council 505-2020 dated 6 May 2020, 540-2020 dated 20 May 2020, 566-2020 dated 27 May 2020, 588-2020 dated 3 June 2020 and 615-2020 dated 10 June 2020, Order in Council 223-2020 dated 24 March 2020, amended by Orders in Council 500-2020 dated 1 May 2020, 505-2020 dated 6 May 2020, 530-2020 dated 19 May 2020, 539-2020 and 540-2020 dated 20 May 2020, 566-2020 dated 27 May 2020, 588-2020 dated 3 June 2020 and 615-2020 dated 10 June 2020, and by Ministerial Orders 2020-042 dated 4 June 2020, 2020-043 dated 6 June 2020 and 2020-044 dated 12 June 2020, Order in Council 566-2020 dated 27 May 2020, amended by Order in Council 615-2020 dated 10 June 2020 and by Ministerial Order 2020-044 dated 12 June 2020, and Ministerial Order 2020-004 dated 15 March 2020, amended by Orders in Council 530-2020 dated 19 May 2020, 566-2020 dated 27 May 2020 and 615-2020 dated 10 June 2020, and by Ministerial Orders 2020-022 dated 15 April 2020, 2020-029 dated 26 April 2020, 2020-042 dated 4 June 2020 and 2020-043 dated 6 June 2020 be amended accordingly;

THAT the fifth, sixth and seventh paragraphs of the operative part of Ministerial Order 2020-042 dated 4 June 2020 be revoked;

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 on 17 June 2020, except for

(1) the measures set out in subparagraph 2 of the first paragraph and in the sixth paragraph of the operative part, which take effect on 20 June 2020; and

(2) the measures set out in subparagraphs 2 and 3 of the seventh paragraph and in the eighth and ninth paragraphs of the operative part, which take effect on 22 June 2020; and

(3) the measures set out in the third, fourth and fifth paragraphs of the operative part, which take effect on the date that is one day after the final day of classes in the 2019-2020 school year of the educational institution.

YVES OUELLET,
Clerk of the Conseil exécutif

104486

Ministerial Orders

M.O., 2020

Order number 2020-044 of the Minister of Health and Social Services dated 12 June 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 orders in particular the suspension of the activities of childcare centres, day care centres and home childcare services and provides that the Minister of Health and Social Services may take any other measure required 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, until 6 May 2020 by Order in Council 483-2020 dated 29 April 2020, until 13 May 2020 by Order in Council 501-2020 dated 6 May 2020, until 20 May 2020 by Order in Council 509-2020 dated 13 May 2020, until 27 May 2020 by Order in Council 531-2020 dated 20 May 2020, until 3 June 2020 by Order in Council 544-2020 dated 27 May 2020, until 10 June 2020 by Order in Council 572-2020 dated 3 June 2020 and until 17 June 2020 by Order in Council 593-2020 dated 10 June 2020;

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

CONSIDERING that, by Orders in Council 500-2020 dated 1 May 2020, 505-2020 dated 6 May 2020, 530-2020 dated 19 May 2020, 539-2020 and 540-2020 dated 20 May 2020, 566-2020 dated 27 May 2020, 588-2020 dated 3 June 2020 and 615-2020 dated 10 June 2020, and by Ministerial Orders 2020-042 dated 4 June 2020 and 2020-043 dated 6 June 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;

CONSIDERING that, by Orders in Council 505-2020 dated 6 May 2020 and 566-2020 dated 27 May 2020, the suspension applicable to the activities of childcare centres, day care centres and home childcare services under Orders in Council 177-2020 dated 13 March 2020 and 223-2020 dated 24 March 2020 was lifted throughout Québec, provided that the activities are carried on in accordance with the conditions set out in the Schedule to Order in Council 505-2020 dated 6 May 2020, amended by Order in Council 566-2020 dated 27 May 2020, and by Ministerial Orders 2020-034 dated 9 May 2020, 2020-039 dated 22 May 2020 and 2020-042 dated 4 June 2020;

CONSIDERING that Order in Council 505-2020 dated 6 May 2020 empowers the Minister of Health and Social Services to order any modification or clarification of the measures provided for in the Order in Council;

CONSIDERING Order in Council 566-2020 dated 27 May 2020 providing that the Minister of Health and Social Services is authorized to lift the suspension applicable to any work environment under Order in Council 223-2020 dated 24 March 2020, as amended;

CONSIDERING that Order in Council 593-2020 dated 10 June 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 Schedule to Order in Council 505-2020 dated 6 May 2020, amended by Order in Council 566-2020 dated 27 May 2020, and by Ministerial Orders 2020-034 dated 9 May 2020, 2020-039 dated 22 May 2020 and 2020-042 dated 4 June 2020, be further amended by replacing the second paragraph of section 1 by the following:

“Despite the first paragraph, a childcare centre or a day care centre situated in the territory of the Communauté métropolitaine de Montréal, the territory of the regional county municipality of Joliette or the territory of Ville de L’Épiphanie may provide childcare to 50% of the maximum number of children indicated in its permit.”;

THAT the suspension applicable to the activities carried on in work environments under Order in Council 223-2020 dated 24 March 2020, amended by Orders in Council 500-2020 dated 1 May 2020, 505-2020 dated 6 May 2020, 530-2020 dated 19 May 2020, 539-2020 and 540-2020 dated 20 May 2020, 566-2020 dated 27 May 2020, 588-2020 dated 3 June 2020 and 615-2020 dated 10 June 2020, and by Ministerial Orders 2020-042 dated 4 June 2020 and 2020-043 dated 6 June 2020, be lifted with respect to

(1) personal and beauty care enterprises situated in the territory of the Communauté métropolitaine de Montréal, the territory of the regional county municipality of Joliette and the territory of Ville de L’Épiphanie;

(2) any community organization not covered under the Schedule to Order in Council 223-2020 dated 24 March 2020, amended by Orders in Council 500-2020 dated 1 May 2020, 539-2020 dated 20 May 2020 and 566-2020 dated 27 May 2020, and 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;

(3) the Institut national du sport du Québec;

(4) race tracks, provided the public is not admitted;

(5) institutions and enterprises whose mission is conducting research activities, and that are not covered under the Schedule to Order in Council 223-2020 dated 24 March 2020, as amended; and

(6) businesses providing direct services to enterprises or the population, and that are not covered under the Schedule to Order in Council 223-2020 dated 24 March 2020, as amended;

THAT subparagraphs 1 and 2 of the second paragraph of the operative part of Ministerial Order 2020-035 dated 10 May 2020 be replaced by the following:

“(1) for the purpose of calculating eligibility to the lump sums, the hours actually worked include regular hours and exclude overtime and any type of absence, remunerated or not, other than the following:

(a) vacation, public holidays, internal release for union activities, and the time during which a salaried person, holding a full-time position, normally converts a night bonus into idle time; and

(b) the period during which the salaried person is in isolation awaiting the results of a COVID-19 screening requested by the public health authorities or the person’s employer, or is in isolation as a result of a positive screening result;

(2) the lump sums are calculated and paid proportionately to the regular hours actually worked in the environments referred to in this Order, excluding the reasons for absence referred to in paragraph 1.”;

THAT the fourth paragraph of the operative part of Ministerial Order 2020-008 dated 22 March 2020, amended by Order in Council 566-2020 dated 27 May 2020 and by Ministerial Order 2020-033 dated 7 May 2020, be further amended by adding the following paragraph at the end:

“(4) for the purposes of the Health Care Facility Patient Service Support program, the sections relating to the regular work week are amended to enable the employer to meet needs.”;

THAT, in addition to the provisions of Ministerial Order 2020-008 dated 22 March 2020, as amended, the national, local or regional collective agreements or agreements in force between the school service centres or school boards and all unions concerned be amended as follows, for the purposes of the Health Care Facility Patient Service Support program:

(1) the rules relating to the formation of student groups do not apply to distance classes;

(2) the distance classes are not taken into account for the average number of students per group; and

(3) the instructor of a course in the Health Care Facility Patient Service Support program receives a temporary 10% bonus that is not a contributory amount for the purposes of a pension plan, applicable to the salary provided for in the salary scale for the instructor’s employment position or to the applicable hourly rate, whichever applies, for the hours actually worked for which he or she is paid in connection with the training;

THAT a school service centre and a school board be required, before applying a measure set out in this Ministerial Order, to consult the unions concerned, unless the urgency of the situation does not permit doing so, in which case the unions must be informed as soon as feasible;

THAT Order in Council 566-2020 dated 27 May 2020 and Order in Council 223-2020 dated 24 March 2020, amended by Orders in Council 500-2020 dated 1 May 2020, 505-2020 dated 6 May 2020, 530-2020 dated 19 May 2020, 539-2020 and 540-2020 dated 20 May 2020, 566-2020 dated 27 May 2020, 588-2020 dated 3 June 2020 and 615-2020 dated 10 June 2020, and Ministerial Orders 2020-042 dated 4 June 2020 and 2020-043 dated 6 June 2020, be amended accordingly;

THAT the first paragraph of the operative part of Ministerial Order 2020-020 dated 10 April 2020 be revoked;

THAT this Ministerial Order take effect on 15 June 2020.

Québec, 12 June 2020

DANIELLE McCANN,
Minister of Health and Social Services

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

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