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Part

2

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Laws and Regulations

Volume 152

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Orders-in-Council

Gouvernement du Québec

O.C. 717-2020, 8 July 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, until 17 June 2020 by Order in Council 593-2020 dated 10 June 2020, until 23 June 2020 by Order in Council 630-2020 dated 17 June 2020, until 30 June 2020 by Order in Council 667-2020 dated 23 June 2020 and until 8 July 2020 by Order in Council 690-2020 dated 30 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, 615-2020 dated 10 June 2020, 651-2020 dated 17 June 2020, 689-2020 dated 25 June 2020 and 708-2020 dated 30 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, 2020-044 dated 12 June 2020, 2020-045 dated 17 June 2020, 2020-047 dated 19 June 2020, 2020-048 dated 26 June

2020, 2020-049 dated 4 July 2020 and 2020-050 dated 7 July 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 eight days;

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

THAT the public health emergency be renewed until 15 July 2020;

THAT the measures provided for in Orders in Council 177-2020 dated 13 March 2020, 222-2020 dated 20 March 2020, 460-2020 dated 15 April 2020, 496-2020 dated 29 April 2020, 505-2020 dated 6 May 2020, 540-2020 dated 20 May 2020, 566-2020 dated 27 May 2020, 588-2020 dated 3 June 2020, 615-2020 dated 10 June 2020, 651-2020 dated 17 June 2020, 689-2020 dated 25 June 2020 and 708-2020 dated 30 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, 2020-013 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, 2020-019 and 2020-020 dated 10 April 2020, 2020-022 dated 15 April 2020, 2020-023 dated 17 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, 2020-044 dated 12 June 2020, 2020-045 dated 17 June 2020, 2020-047 dated 19 June 2020, 2020-048 dated 26 June 2020, 2020-049 dated 4 July 2020 and 2020-050 dated 7 July 2020, except to the extent that they were amended by those Orders in Council or Ministerial Orders, continue to apply until 15 July 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 (chapter S-2.2).

YVES OUELLET,
Clerk of the Conseil exécutif

104531

Gouvernement du Québec

O.C. 788-2020, 8 July 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, 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, until 17 June 2020 by Order in Council 593-2020 dated 10 June 2020, until 23 June 2020 by Order in Council 630-2020 dated 17 June 2020, until 30 June 2020 by Order in Council 667-2020 dated 23 June 2020, until 8 July 2020 by Order in Council 690-2020 dated 30 June 2020 and until 15 July 2020 by Order in Council 717-2020 dated 8 July 2020;

WHEREAS that 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, 460-2020 dated 15 April 2020, 496-2020 dated 29 April 2020, 505-2020 dated 6 May 2020, 540-2020 dated 20 May 2020, 566-2020 dated 27 May 2020, 588-2020 dated 3 June 2020, 615-2020 dated 10 June 2020, 651-2020 dated 17 June 2020, 689-2020 dated 25 June 2020 and 708-2020 dated 30 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, 2020-013 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, 2020-019 and 2020-020 dated 10 April 2020, 2020-022 dated 15 April 2020, 2020-023 dated 17 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, 2020-044 dated 12 June 2020, 2020-045 dated 17 June 2020, 2020-047 dated 19 June 2020, 2020-048 dated 26 June 2020, 2020-049 dated 4 July 2020 and 2020-050 dated 7 July 2020, except to the extent that they were amended by those Orders in Council or Orders, continue to apply until 15 July 2020 or until the Government or the Minister of Health and Social Services modifies or terminates them;

WHEREAS, under section 106 of the Act mainly to establish the Centre d'acquisitions gouvernementales and Infrastructures technologiques Québec (2020, chapter 2), certain provisions providing in particular for a reorganization of the chain of procurement of goods and services as it currently exists and the dissolution of health and social services network joint procurement groups, come into force on 1 June 2020;

WHEREAS, by Order in Council 496-2020 dated 29 April 2020, the Government suspended the time limit preceding the coming into force set for 1 June 2020 of certain provisions covered by section 106 of that Act for the period of the public health emergency and to resume at the end of the emergency, except with respect to sections 19 and 20 of the Act respecting the Centre d'acquisitions gouvernementales introduced by section 1 of the Act mainly to establish the Centre d'acquisitions gouvernementales and Infrastructures technologiques Québec, and sections 8 and 9 of the Act respecting Infrastructures technologiques Québec introduced by section 2 of the Act mainly to

establish the Centre d'acquisitions gouvernementales and Infrastructures technologiques Québec, as regards the appointment of the president and chief executive officer;

WHEREAS the object of the suspension is to ensure the continuity of health and social services network procurement and to prevent the risks of disruption of the health and social services offered to the population;

WHEREAS the coming into force on 1 September 2020 of the provisions covered by the suspension of the time limit, in view of the current situation of the COVID-19 pandemic, ensures the continuity of health and social services network procurement and prevents the risks of disruption of the health and social services offered to the population;

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

THAT the provisions of the Act mainly to establish the Centre d'acquisitions gouvernementales and Infrastructures technologiques Québec (2020, chapter 2), the coming into force of which was suspended by Order in Council 496-2020 dated 29 April 2020, come into force on 1 September 2020;

THAT that Order in Council be amended accordingly.

YVES OUELLET,
Clerk of the Conseil exécutif

104532

Ministerial Orders

M.O., 2020

Ministerial Order 2020-049 of the Minister of Health and Social Services dated 4 July 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 in particular 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, until 17 June 2020 by Order in Council 593-2020 dated 10 June 2020, until 23 June 2020 by Order in Council 630-2020 dated 17 June 2020, until 30 June

2020 by Order in Council 667-2020 dated 23 June 2020 and until 8 July 2020 by Order in Council 690-2020 dated 30 June 2020;

CONSIDERING that Order in Council 690-2020 dated 30 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 the second paragraph in the operative part of Ministerial Order 2020-014 dated 2 April 2020 providing measures relating to the opening of tenders for any body subject to the rules governing the making of contracts applicable to the municipal sector;

CONSIDERING the first paragraph in the operative part of Ministerial Order 2020-033 dated 7 May 2020 providing that every procedure, other than a referendum procedure, that is part of the decision-making process of a municipal body and that involves the movement or gathering of citizens be suspended, save exceptions;

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 salary relating to the duties of a pensioner of the Pension Plan of Management Personnel who was hired under the status of temporary salaried person under Ministerial Order 2020-007 dated 21 March 2020 in a management or non-management position or who, without being appointed to a management position with the employer, temporarily carries out the duties of a management officer for the purposes of the COVID-19 pandemic, in accordance with section 2 of the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions (chapter S-4.2, r. 5.1), be excluded from the sum of the salaries defined in section 10.5 of the Regulation under the Act respecting the Pension Plan of Management Personnel (chapter R-12.1, r. 1);

THAT the national and local provisions of the collective agreements in force in the health and social services network and the employment conditions that apply to non-unionized salaried personnel be amended as per the following conditions:

(1) a lump sum of \$5.00 per work shift, which may be divided into half shifts, is paid to the salaried person designed by his or her immediate superior to be accompanied by the candidates enrolled in the training leading to an attestation of professional studies for health care facility patient service support and who holds one of the following job titles, appearing in the *Nomenclature des titres d'emploi, des libellés, des taux et des échelles de salaire du réseau de la santé et des services sociaux*:

- (a) nurse (2471);
- (b) nursing assistant (3455);
- (c) beneficiary attendant (3480);
- (d) beneficiary attendant (“A” certification) (3459);

(2) the lump sum provided for in subparagraph 1 is paid to the salaried person for the work shift or half shift for which he or she is actually accompanied by the candidates enrolled in the training, but only for the duration of their practical training, regardless of the number of accompanying candidates;

(3) for the purposes of the salaried person’s remuneration, the lump sum provided for in subparagraph 1 is considered to be an inconvenience bonus; and

(4) the lump sum provided for in subparagraph 1 is not a contributory amount for the purposes of the pension plan and cannot be combined with any other bonus considered to be a bonus for responsibility or for training;

THAT the preceding paragraph apply, with the necessary modifications, to the staff of school service centres, school boards, colleges established under the *General and Vocational Colleges Act* (chapter C-29), the public service and government bodies listed in Schedule C to the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2) redeployed to the health and social services network pursuant to Ministerial Orders 2020-008 dated 22 March 2020, 2020-019 dated 10 April 2020 and 2020-028 dated 25 April 2020, unless equivalent measures are available to staff in the education sector, in the public service or within a government body;

THAT if, at the holding of a meeting, session or assembly which, by law, must be public, it is necessary to refuse all or any portion of the public owing to the measures set out in Order in Council 689-2020 dated 25 June 2020, the meeting, session or assembly be publicized as soon as feasible using any means enabling the public to be informed of the content of the discussions between the participants and the outcome of the discussions;

THAT if a meeting, session or assembly must, by law, have a public question period, it be possible for the public to submit written questions at any time before the holding of the meeting, session or assembly;

THAT every procedure, other than a referendum procedure, that is part of the decision-making process of a municipal body and that involves the movement or gathering of citizens be accompanied by a written consultation, announced beforehand through a public notice, that ends at the same time as the accompanying procedure; the written consultation may also replace the procedure concerned, in which case it is of a 15-day duration;

THAT the following be revoked:

(1) the second paragraph in the operative part of Ministerial Order 2020-014 dated 2 April 2020;

(2) the first paragraph in the operative part of Ministerial Order 2020-033 dated 7 May 2020;

THAT the measures set out in the second and third paragraphs in the operative part of this Ministerial Order take effect on 6 July 2020.

Québec, 4 July 2020

CHRISTIAN DUBÉ,
Minister of Health and Social Services

104525

M.O., 2020

Ministerial Order 2020-050 of the Minister of Health and Social Services dated 7 July 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, 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, until 23 June 2020 by Order in Council 630-2020 dated 17 June 2020, until 30 June 2020 by Order in Council 667-2020 dated 23 June 2020, and until 8 July 2020 by Order in Council 690-2020 dated 30 June 2020;

CONSIDERING Ministerial Order 2020-005 dated 17 March 2020, amended by Order in Council 689-2020 dated 25 June 2020, which suspends the effects of any judgment by a tribunal or any decision by the Régie du logement authorizing the repossession of a dwelling or the eviction of the lessee of a dwelling, as well as the effects of any judgment or any decision ordering the eviction of the lessee or occupant of a dwelling, unless the lessor rented the dwelling again before the coming into effect of that Ministerial Order;

CONSIDERING that Order in Council 690-2020 dated 30 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 suspension applicable to the effects of any judgment by a tribunal or any decision by the Régie du logement under the second paragraph of the operative part of Ministerial Order 2020-005 dated 17 March 2020, amended by Order in Council 689-2020 dated 25 June 2020, be lifted with respect to judgments or decisions rendered before 1 March 2020;

THAT Ministerial Order 2020-005 dated 17 March 2020 be amended accordingly.

Québec, 7 July 2020

CHRISTIAN DUBÉ,
Minister of Health and Social Services

104530

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

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