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Summary

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Orders in Council

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Orders in Council

Gouvernement du Québec

O.C. 102-2021, 5 February 2021

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 continues to require 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, until 15 July 2020 by Order in Council 717-2020 dated 8 July 2020, until 22 July 2020 by Order in Council 807-2020 dated 15 July 2020, until 29 July 2020 by Order in Council 811-2020 dated 22 July 2020, until 5 August 2020 by Order in Council 814-2020 dated 29 July 2020, until 12 August 2020 by Order in Council 815-2020 dated 5 August 2020, until 19 August 2020 by Order in Council 818-2020 dated 12 August 2020, until 26 August 2020 by Order in Council 845-2020 dated 19 August 2020, until 2 September 2020 by Order in Council 895-2020 dated 26 August 2020, until 9 September 2020 by Order in Council 917-2020 dated 2 September 2020, until 16 September 2020 by Order in Council 925-2020 dated 9 September 2020, until 23 September 2020 by Order in Council 948-2020 dated 16 September 2020, until 30 September 2020 by Order in Council 965-2020 dated 23 September 2020, until 7 October 2020 by Order in Council 1000-2020 dated 30 September 2020, until 14 October 2020 by Order in Council 1023-2020 dated 7 October 2020, until 21 October 2020 by Order in Council 1051-2020 dated 14 October 2020, until 28 October 2020 by Order in Council 1094-2020 dated 21 October 2020, until 4 November 2020 by Order in Council 1113-2020 dated 28 October 2020, until 11 November 2020 by Order in Council 1150-2020 dated 4 November 2020, until 18 November 2020 by Order in Council 1168-2020 dated 11 November 2020, until 25 November 2020 by Order in Council 1210-2020 dated 18 November 2020, until 2 December 2020 by Order in Council 1242-2020 dated 25 November 2020, until 9 December 2020 by Order in Council 1272-2020 dated 2 December 2020, until 18 December 2020 by Order in Council 1308-2020 dated 9 December 2020, until 25 December 2020 by Order in Council 1351-2020 dated 16 December 2020, until 1 January 2021 by Order in Council 1418-2020 dated 23 December 2020, until 8 January 2021 by Order in Council 1420-2020 dated 30 December 2020, until 15 January 2021 by Order in Council 1-2021 dated 6 January 2021, until 22 January 2021 by Order in Council 3-2021 dated 13 January 2021, until 29 January 2021 by Order in Council 31-2021 dated 20 January 2021, until 5 February 2021 by Order in Council 59-2021 dated 27 January 2021 and until 12 February 2021 by Order in Council 89-2021 dated 3 February 2021;

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, 505-2020 dated 6 May 2020, 566-2020 dated 27 May 2020, 615-2020 dated 10 June 2020, 651-2020 dated 17 June 2020, 689-2020 dated 25 June 2020, 810-2020 dated 15 July 2020, 813-2020 dated 22 July 2020, 817-2020 dated 5 August 2020, 885-2020 dated 19 August 2020, 913-2020 dated 26 August 2020, 943-2020 dated 9 September 2020, 947-2020 dated 11 September 2020, 964-2020 dated 21 September 2020, 1020-2020 dated 30 September 2020, 1039-2020 dated 7 October 2020, 1145-2020 dated 28 October 2020 and 2-2021 dated 8 January 2021, and by Ministerial Orders 2020-004 dated 15 March 2020, 2020-007 dated 21 March 2020, 2020-008 dated 22 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, 2020-050 dated 7 July 2020, 2020-051 dated 10 July 2020, 2020-058 dated 17 August 2020, 2020-059 dated 26 August 2020, 2020-060 dated 28 August 2020, 2020-061 dated 1 September 2020, 2020-062 dated 4 September 2020, 2020-063 dated 11 September 2020, 2020-064 dated 17 September 2020, 2020-067 dated 19 September 2020, 2020-069 dated 22 September 2020, 2020-074 dated 2 October 2020, 2020-076 dated 5 October 2020, 2020-081 dated 22 October 2020, 2020-084 dated 27 October 2020, 2020-085 dated 28 October 2020, 2020-086 dated 1 November 2020, 2020-087 dated 4 November 2020, 2020-090 dated 11 November 2020, 2020-091 dated 13 November 2020, 2020-093 dated 17 November 2020, 2020-104 dated 15 December 2020, 2020-105 dated 17 December 2020, 2020-106 dated 20 December 2020, 2021-001 dated 15 January 2021, 2021-003 dated 21 January 2021, 2021-004 dated 27 January 2021 and 2021-005 dated 28 January 2021, except to the extent that they were amended by those Orders in Council or Orders, continue to apply until 12 February 2021 or until the Government or the Minister of Health and Social Services modifies or terminates them;

WHEREAS Order in Council 1020-2020 dated 30 September 2020, amended by Ministerial Orders 2020-074 dated 2 October 2020, 2020-077 dated 8 October 2020, 2020-079 dated 15 October 2020, 2020-080 dated 21 October 2020, 2020-081 dated 22 October 2020, 2020-084 dated 27 October 2020, 2020-085 dated 28 October 2020, 2020-086 dated 1 November 2020, 2020-087 dated 4 November 2020, 2020-090 dated 11 November 2020, 2020-091 dated 13 November 2020, 2020-093 dated 17 November 2020, 2020-104 dated 15 December 2020, 2020-105 dated 17 December 2020, 2020-106 dated 20 December 2020, 2021-001 dated 15 January 2021, 2021-003 dated 21 January 2021, 2021-004 dated 27 January 2021 and 2021-005 dated 28 January 2021, and by Orders in Council 1039-2020 dated 7 October 2020 and 2-2021 dated 8 January 2021, provides for, among other things, despite any provision to the contrary of an Order in Council or a Ministerial Order made under section 123 of the Public Health Act, certain special measures applicable in certain territories;

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

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

THAT for the purposes of this Order in Council, the following constitute a service or support:

(1) a service or support required by a person because of the person's state of health or for safety purposes, for personal care or esthetics purposes, for commercial or professional purposes, for the purposes of childcare or care of vulnerable persons, respite, domestic help, help for activities of daily living, pedagogy or education;

(2) a maintenance, repair or residential renovation service;

(3) a visit for the sale or lease of the residence;

(4) a visit necessary to perform work or carry on a profession; and

(5) any other service or support of the same nature;

THAT the following measures apply to the territories listed in Schedule I:

(1) In a private residence, its equivalent or in an accommodation unit in a tourist accommodation establishment, including the grounds of such a residence or accommodation unit, a maximum of 10 persons may be present, except in the case of occupants of the same private residence or its equivalent;

(2) despite the preceding subparagraph, a person may be present in a private residence, its equivalent or in an accommodation unit in a tourist accommodation establishment, including the grounds of such a residence or accommodation unit, if the person is present to receive or provide a service or support, as applicable, and is not an occupant of the residence or unit;

(3) a maximum of 250 persons may,

(a) be in attendance at a place of worship, a courtroom, a movie theater or a room in which performing arts are presented, including venues where the arts are performed and broadcast;

(b) attend an interior production or audio-video filming, interior recording of a performance or interior training session or sports event;

(c) gather in any other rented hall or community hall made available to any person, in either of the following situations:

i. for a gathering, a convention, a meeting or other event of the same nature, in which the participants attend while remaining seated; or

ii. for the purposes of an organized activity that is

(I) within the framework of the mission of a community organization whose activities are related to the health and social services sector; and

(II) necessary to the continuation of the activities, other than event-based or social activities, that are a part of the operation of an enterprise or associated with an educational institution, court of justice, arbitrator, association of employees, professionals, managerial staff, senior administrators or employers, a consular post, diplomatic mission, government department or public body;

(4) a maximum of 50 persons may,

(a) participate, indoors, in an organized recreational or sports activity, unless

i. the activity is part of physical education and health, sports study, art study and sports concentration curriculums and other special educational projects of the same nature provided as part of general education instructional services for youth provided by a school service centre, a school board or a private educational institution, so long as a minimum two-metre distance is maintained between students in different groups;

ii. the activity is part of the recreational and sports teaching curriculum in college or university teaching programs; or

iii. for professional or high-level sport, during the training of a team grouping, composed of athletes and supervisory staff, and while playing the sport between team groupings, the following conditions are complied with:

(I) a protected environment is put in place, limiting contacts between team groupings, their members and the general public, in accordance with a sanitary protocol approved by the Minister of Health and Social Services;

(II) before entering the protected environment, the members of the team grouping must self-isolate for 14 days;

(III) once the members of the team grouping have entered the protected environment, they may not leave it and re-enter it without complying with the measures provided for in this subparagraph; and

(IV) the sanitary protocol approved by the Minister of Health and Social Services is complied with at all times, before, during and after entering the protected environment;

(b) be present in a rented hall or a community hall in cases other than those described in the preceding subparagraph;

(c) be present in any other indoor place, other than a private residence or its equivalent, when it is used for the holding of an event-based or social activity;

THAT, despite any provision to the contrary of an Order in Council or a Ministerial Order made pursuant to section 123 of the Public Health Act (chapter S-2.2), the following measures apply to the territories listed in Schedules II and III of this Order in Council:

(1) in a private residence or its equivalent, including the grounds of such a residence, only the occupants may be present in the residence;

(2) in an accommodation unit in a tourist accommodation establishment, including the grounds of such a unit, if applicable, only the occupants of the same private residence or its equivalent may be present in the unit;

(3) despite subparagraphs 1 and 2;

(a) a person may be present in a private residence, its equivalent or in an accommodation unit in a tourist accommodation establishment, including the grounds of such a residence or accommodation unit if the person is present to receive or provide a service or support, as applicable, and is not an occupant of the residence or unit;

(b) a person residing alone may have another person visit his or her private residence or its equivalent, including the grounds of such a residence;

(4) a maximum of 25 persons may participate in a funeral service, on the following conditions:

(a) the organizer is required to enter in a register the names, telephone numbers and, if applicable, email addresses of all participants;

(b) each participant is required to disclose to the organizer the information necessary for the keeping of the register;

(c) the information entered in the register may only be communicated to a public health authority or a person authorized to act on the public health authority's behalf for the purposes of an epidemiological investigation, and may not be used by any other person for any other purpose; and

(d) the information must be destroyed 30 days following its entry;

(5) the public may not attend an interior production or audio-video filming, interior recording of a performance or interior training session or interior sports event;

(6) in any room used for the purposes of restaurant services, other than a restaurant or a food court in a shopping centre or food store, a maximum of six persons may be seated at the same table, except

(a) if they are occupants of the same private residence or its equivalent;

(b) in a cafeteria, or its equivalent, in a school service centre, a school board or a private educational institution when it provides services to preschool children or to students at the elementary or secondary school level in general education for youth, on the condition that a minimum two-metre distance is maintained between the children and students of the different groups;

(7) the activities in the following places are suspended:

(a) bars and discotheques;

(b) microbreweries and distilleries, only for their services for consumption of food or beverages on the premises;

(c) casinos and gaming houses;

(d) arcades and, for their indoor activities, thematic sites, amusement centres and parks, recreational centres and water parks;

(e) saunas and spas, except personal care provided therein;

(f) movie theatres and rooms in which performing arts are presented, including venues where the arts are broadcast;

(g) youth hostels;

(h) any indoor place, other than a private residence or its equivalent, when it is used

i. for the holding of an event-based or social activity; or

ii. for games of bowling, darts, billiard or other games of the same nature;

(8) it is prohibited for the operator of a shopping centre to tolerate any person loitering in the common areas of such a centre;

(9) no person may be present in a rented hall or a community hall made available to any person, except in the following cases:

(a) a maximum of 250 persons for an organized activity that

i. is within the framework of the mission of a community organization whose activities are related to the health and social services sector;

ii. is essential to the continuation of the activities of an educational institution, other than an event-based or social activity; or

iii. is necessary for an audiovisual production or filming or the recording of a show or musical performance;

(b) a maximum of 50 persons for an organized activity essential to the continuation of the activities of a court of justice, arbitrator, government department or public body or the holding of polling organized by a consular post or a diplomatic mission, other than an event-based or social activity; and

(c) a maximum of 25 persons for an organized activity essential to the continuation of activities that are a part of the operation of an enterprise or the activities of an association of employees, professionals, managerial staff, senior administrators or employers, other than an event-based or social activity;

(10) despite the preceding subparagraph, activities at a distance must be favoured;

(11) for school service centres, school boards and private educational institutions, the following persons must wear a face covering, either a mask or tightly fitting cloth that covers the nose and the mouth:

(a) any person on the grounds used by an educational institution when that institution is offering services to students at the secondary school level in general education for youth, unless the person

- i. is less than 10 years of age and is not a student;
- ii. is a preschool child or a student in cycle one or cycle two of the elementary school level in general education for youth;
- iii. works or carries on a profession therein, in which case the person remains subject to the rules applicable with respect to occupational health and safety;
- iv. is seated and is consumes food or a beverage;
- v. states that the wearing of a face covering is not possible because of his or her medical condition;
- vi. receives care or is provided a service requiring the face covering be removed, in which case the person may remove the face covering for the duration of the care or service; or
- vii. engages in an activity service requiring the face covering be removed as part of a special study program or school project, provided that a minimum distance of two metres is maintained between every person;

(b) students at the secondary school level in general education for youth, at all times, subject to the exceptions set out for in subparagraphs iv to vii of the preceding subparagraph;

- i. in a building or room used by an educational institution; and
- ii. on the grounds or in any building or room used for sport-study, arts-study and sport concentration programs and other special school projects of the same nature;

(c) students in the first and second cycles of elementary education in general education for youth in any building or room used by an educational institution or for the purposes of sport-study, arts-study and sports concentration and other special educational projects of the same nature except if the students are in a room in which the educational and instructional services are provided, and subject to the exceptions set out in subparagraphs iv to vii of subparagraph a;

(d) students in the third cycle of elementary education in general education for youth, at all times, in any building or room used by an educational institution or for the purposes of sport-study, arts-study and sports concentration and other special educational projects of the same nature, subject to the exceptions set out in subparagraphs iv to vii of subparagraph a; and

(e) vocational training students and students in adult general education, in a building or room used by an educational institution, subject to the exceptions set out in subparagraphs iv to vi of subparagraph a;

(12) elementary and secondary students in general education for youth, general adult education students and vocational training students using school transportation must wear a face covering at all times, subject to the exceptions set out in subparagraphs iv to vi of subparagraph a of subparagraph 11;

(13) for secondary students in general education for youth, general adult education students and vocational training students to which subparagraphs 11 and 12 apply, the face covering must be a procedural mask;

(14) educational institutions must reduce by 50% the number of hours of classroom educational services for each of their Secondary 3, 4 and 5 students; distance educational services must be provided to those students to pursue achievement of the objectives of the study programs and, to that end, distance educational services must be favoured;

(15) the preceding subparagraph does not apply to handicapped students and students with social maladjustments or learning disabilities attending schools, classes or specialized groups;

(16) for university institutions, colleges established under the General and Vocational Colleges Act (chapter C-29), private educational institutions providing college instruction services and any other institution providing college or university instructional services, the students must wear a procedural mask at all times when in any building or room used by the institution, subject to the exceptions set out in subparagraphs iv to vi of subparagraph a of subparagraph 11;

(17) it is prohibited to organize or participate in a gathering in an outdoor public place to which Order in Council 817-2020 dated 5 August 2020 applies, except in the following situations:

(a) in connection with services for preschool children or students at the elementary or secondary school level in general education for youth provided by a school service centre, a school board or a private educational institution; and

(b) in connection with a recreational or sports activity carried on in compliance with subparagraph *b* of subparagraph 5 of the fourth paragraph or subparagraph *a* of subparagraph 4 of the fifth paragraph;

(18) all the employees of enterprises, organizations or bodies or of the public administration who perform administrative duties or office work continue to do so by teleworking, from their private residence or its equivalent, except employees whose presence is essential to maintaining the activities of the enterprise, organization or body or public administration;

(19) manufacturing, primary processing and construction industry enterprises must reduce their activities to pursue only those activities necessary to fulfil their commitments;

(20) every public sitting of a municipal body must be held without the public being present but must 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;

(21) 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 is replaced by a written consultation, announced beforehand through a public notice of a duration of 15 days;

(22) no sale at public auction of an immovable for non-payment of municipal or school taxes may take place;

(23) every public sitting of a governing board of an educational institution must be held without the public being present but must 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;

(24) every public sitting of a governing board of a school service centre or a council of commissioners of a school board must be held without the public being present but must be publicized in the manner provided for in the preceding subparagraph;

(25) every school service centre and every school board having any part of territory that is subject to Schedule II or III is covered by the preceding subparagraph; and

(26) every procedure that is part of the decision-making process of an educational body and that involves the movement or gathering of persons as part of a consultation meeting is, for the residents of the territories referred to in this

paragraph, replaced by a written consultation, announced beforehand through a public notice of a duration of 15 days;

THAT in addition to the provisions of the preceding paragraph and despite any provision to the contrary of an Order in Council or a Ministerial Order made pursuant to section 123 of the Public Health Act (chapter S-2.2), the following measures apply to the territories listed in Schedule II to this Order in Council;

(1) a maximum of 25 persons may be in attendance at a place of worship;

(2) in a restaurant, a food court in a shopping centre or food store,

(a) a maximum of two persons, accompanied by their minor children, or any other person who needs or to whom they provide assistance, as applicable, may be seated at the same table; and

(b) despite the preceding subparagraph, any person present to provide a service or support required by a person because of the person's state of health or for safety purposes may be seated at the same table;

(3) in addition to the provisions of the preceding subparagraph, the following conditions apply in a restaurant:

(a) the operator of the restaurant is required,

i. for consumption on the premises other than fast food service, to admit patrons only if the patrons have a reservation;

ii. to admit, for consumption on the premises, only patrons who are able to establish they are allowed to be present, in particular pursuant to the seventh paragraph; and

iii. to keep a register of the names, telephone numbers and, if applicable, email addresses of every patron admitted for consumption on the premises;

(b) to be admitted for consumption on the premises, a patron must disclose to the operator the information necessary for the purposes of the preceding subparagraph and furnish proof, as required;

(c) the information entered in the register as required by subparagraph *iii* of subparagraph *a* may only be communicated to a public health authority or a person authorized to act on the public health authority's behalf for the purposes of an epidemiological investigation, and may not be used by any other person for any other purpose; and

(d) the information contained in the register required by subparagraph *iii* of subparagraph *a* must be destroyed 30 days following its entry;

(4) for users housed in a facility of an institution in which a residential and long-term care centre is operated, only the following visits are authorized:

(a) visits necessary for humanitarian purposes or to obtain services required by their state of health; and

(b) visits by a family caregiver if the caregiver understands the risks inherent in the visits and undertakes to respect the guidelines recommended by the public health authorities and those imposed by the persons responsible for the living environment;

(5) all recreational and sports activity is suspended unless

(a) it is carried out indoors in a place where the activities are not otherwise suspended, in any of the following situations;

i. without supervision, alone or with another person provided that, in the latter case, a minimum distance of two metres is maintained at all times between the persons;

ii. by the occupants of the same private residence or its equivalent; or

iii. as part of a course in or at which only the occupants of the same private residence or its equivalent participate or attend, and a minimum distance of two metres is maintained at all times between the instructor and the other persons;

(b) it is carried out outdoors in a place where the activities are not otherwise suspended, in either of the following situations,

i. in circumstances that do not involve a league, tournament or competition, by a group of not more than 8 persons to which another person may be added to guide or oversee the activity, and a minimum distance of two metres is maintained at all times between the persons, unless the persons are occupants of the same private residence or its equivalent; or

ii. by the occupants of the same private residence or its equivalent;

(c) it is part of the physical education and health, sport-study, arts-study and sport concentration programs and other special school projects of the same nature provided as part of general education instructional services for youth by

a school service centre, a school board or a private educational institution, provided that a minimum distance of two metres is maintained between students of different groups;

(d) it is part of the recreational and sports training offered in college or university instructional programs; and

(e) for professional or high-level sport, during the training of a team grouping, composed of athletes and supervisory staff, and while playing the sport between team groupings, the conditions set out in subparagraph *iii* of subparagraph *a* of subparagraph 4 of the second paragraph are complied with;

(6) between 9:30 p.m. and 5:00 a.m., no person may be outside the person's residence or its equivalent, or its grounds, unless the person establishes that he or she is outside

(a) to perform employment work or provide professional services required to continue the activities or services that are not suspended under an Order in Council or Ministerial Order made under 123 of the Public Health Act (chapter S-2.2), including transportation of goods necessary to pursue those activities or services;

(b) to obtain, in a pharmacy, pharmaceutical, hygiene or health products, or a professional service;

(c) to receive educational services of an institution providing general adult education and vocational training or the instructional services of a university, a college established under the General and Vocational Colleges Act, a private educational institution providing college instructional services or any other institution providing college-level or university instructional services;

(d) to obtain care or services required by the person's state of health;

(e) to give blood or other human biological materials to Héma-Québec;

(f) to provide assistance to a person in need, to provide a service or support for safety or security purposes, to see to the care of a child or vulnerable person, to visit a person at the end of life, or for an emergency;

(g) to comply with a court judgment or a summons to appear before a court, or to allow the exercise of custody or parental access rights;

(h) to take a bus providing interregional or inter-provincial service, a train, a plane or a boat operating ferry service between Matane-Baie-Comeau-Godbout, Harrington Harbour-Chevery, Rivière Saint-Augustin or Île

d'Entrée-Cap-aux-Meules or the Société des traversiers du Québec network maritime service to Îles-de-la-Madeleine or Île d'Anticosti and the Lower St-Lawrence, or at the end of the trip, to continue on to destination;

(i) to obtain, in a service station, a product or service required for the proper functioning of a vehicle, or food products other than alcoholic beverages, but only in connection with one of the exceptions set out in subparagraphs *a* to *h*;

(j) for the needs of the person's dog, within a maximum one-kilometre radius from the person's residence or its equivalent; or

(k) to accompany a person requiring assistance in a situation authorized under subparagraphs *a* to *i*;

(7) restaurants, retail sales businesses, personal and beauty care enterprises and premises in which cultural, sports, outdoor or recreational activities are permitted if the activities have not been suspended by an Order in Council or a Ministerial Order made under section 123 of the Public Safety Act may not admit the public between 9:00 p.m. and 5:00 a.m., except in the case of a pharmacy or a service station;

(8) between 9:30 p.m. and 5:00 a.m., no pharmacy or service station may sell products or offer services other than those referred to in subparagraphs *b* and *i* of subparagraph 6; and

(9) subparagraph 6 does not apply to homeless persons;

THAT, in addition to the provisions of the third paragraph and despite any provision to the contrary of an Order in Council or a Ministerial Order made pursuant to section 123 of the Public Health Act (chapter S-2.2), the following measures apply to the territories listed in Schedule III to this Order in Council,

(1) a maximum of 10 persons may be in attendance at a place of worship, except for a funeral service, in which case the limit and conditions set in subparagraph 4 of the third paragraph are applicable;

(2) the activities carried on in the following places are suspended:

(a) restaurants and food courts in shopping centres and food stores, except for deliveries, take-outs or drive-through orders; and

(b) physical training rooms;

(3) for university institutions, colleges established under the General and Vocational Colleges Act, private educational institutions providing college instruction services and any other institution providing college or university instructional services, classroom attendance is limited to 50% of student capacity for teaching activities other than practical activities and evaluation;

(4) all recreational and sports activity is suspended unless

(a) it is carried out indoors in a place where the activities are not otherwise suspended, in any of the following situations;

i. by the occupants of the same private residence or its equivalent;

ii. as part of a course in or at which only the occupants of the same private residence or its equivalent participate or attend, and a minimum distance of two metres is maintained at all times between the instructor and the other persons; or

iii. in circumstances that do not involve a league, tournament or competition, by a group of not more than 4 persons to which another person may be added to guide or oversee the activity, and a minimum distance of two metres is maintained at all times between the persons, unless the persons are occupants of the same private residence or its equivalent;

(b) it is part of the physical education and health, sport-study, arts-study and sport concentration programs and other special school projects of the same nature provided as part of general education instructional services for youth by a school service centre, a school board or a private educational institution, provided that a minimum distance of two metres is maintained between students of different groups;

(c) it is part of the recreational and sports training offered in college or university instructional programs; and

(d) for professional or high-level sport, during the training of a team grouping, composed of athletes and supervisory staff, and while playing the sport between team groupings, the conditions set out in subparagraph *iii* of subparagraph *a* of subparagraph 4 of the second paragraph are complied with;

(5) in every indoor place or in any building adjacent to a snowmobile or quad-bike stopover, users are prohibited from consuming a meal;

(6) for users housed in a facility of an institution in which a residential and long-term care centre is operated, for users taken in charge by an intermediate resource or by a family-type resource under the Support for Elderly Autonomy Program or for residents of a private seniors' residence, only the following visits are authorized:

(a) visits necessary for humanitarian purposes or to obtain care or services required by their state of health; or

(b) visits by a family caregiver if the caregiver understands the risks inherent in the visits and undertakes to respect the guidelines recommended by the public health authorities and those imposed by the persons responsible for the living environment;

(7) a parent who elects not to send his or her child to his or her educational childcare provider is required to pay the contribution in order to keep the place intended for the child for as long as the educational childcare agreement is in force;

(8) the measures relating to the curfew set out in subparagraphs 6, 8 and 9 of the fourth paragraph apply, but from 8:00 p.m. to 5:00 a.m.; and

(9) restaurants, retail sales businesses, personal and beauty care enterprises and premises in which cultural, sports, outdoor or recreational activities are permitted if the activities have not been suspended by an Order in Council or a Ministerial Order made under section 123 of the Public Safety Act may not admit the public between 7:30 p.m. and 5:00 a.m., except in the case of a pharmacy or a service station;

THAT this Order in Council not operate to prevent basic necessity goods and services from being supplied, in an emergency or as a consequence of a fire or other loss, nor the providing of care or health or social services;

THAT the rules applicable in a territory referred to in the third, fourth or fifth paragraph continue to apply to the residents of that territory when they travel to a territory where the applicable rules are not as strict as the rules applicable in the territory in which they reside, and the residents may not be in a place whose activities have been suspended;

THAT no person may

(1) admit into any place the person controls a number of persons greater than the maximum number of persons authorized to be present in the place under this Order in Council;

(2) be present in a place when the maximum number of persons authorized to be present in the place under this Order in Council has been exceeded; or

(3) be present in a place whose activities have been suspended under this Order in Council;

THAT, despite subparagraph 3 of the preceding paragraph, a person may be present in such a place to carry on an activity that has not otherwise been suspended under an Order in Council or Ministerial Order or to take advantage of it;

THAT the following be revoked:

(1) the first, second, third, fourth, fifth, ninth, tenth, eleventh and twelfth paragraphs of the operative part of Order in Council 1020-2020 dated 30 September 2020, amended by Ministerial Orders 2020-074 dated 2 October 2020, 2020-077 dated 8 October 2020, 2020-079 dated 15 October 2020, 2020-080 dated 21 October 2020, 2020-081 dated 22 October 2020, 2020-084 dated 27 October 2020, 2020-085 dated 28 October 2020, 2020-086 dated 1 November 2020, 2020-087 dated 4 November 2020, 2020-090 dated 11 November 2020, 2020-091 dated 13 November 2020, 2020-093 dated 17 November 2020, 2020-104 dated 15 December 2020, 2020-105 dated 17 December 2020, 2020-106 dated 20 December 2020, 2021-001 dated 15 January 2021, 2021-003 dated 21 January 2021, 2021-004 dated 27 January 2021 and 2021-005 dated 28 January 2021, and by Orders in Council 1039-2020 dated 7 October 2020 and 2-2021 dated 8 January 2021;

(2) the third paragraph of the operative part of Order in Council 1039-2020 dated 7 October 2020;

(3) Order in Council 1145-2020 dated 28 October 2020;

(4) Ministerial Order 2020-105 dated 17 December 2020; and

(5) Order in Council 2-2021 dated 8 January 2021;

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 8 February 2021.

YVES OUELLET,
Clerk of the Conseil exécutif

SCHEDULE I**GREEN OR YELLOW ZONE TERRITORIES**

Nunavik Health Region;

Terres-cries-de-la-Baie-James Health Region

SCHEDULE II**ORANGE ZONE TERRITORIES**

Gaspésie—Îles-de-la-Madeleine Health Region;

Bas-Saint-Laurent Health Region;

Côte-Nord Health Region;

Abitibi-Témiscamingue Health Region;

Nord-du-Québec Health Region;

Saguenay—Lac-Saint-Jean Health Region

SCHEDULE III**RED ZONE TERRITORIES**

Capitale-Nationale Health Region;

Mauricie et Centre-du-Québec Health Region;

Estrie Health Region;

Montréal Health Region;

Outaouais Health Region;

Chaudière-Appalaches Health Region;

Laval Health Region;

Lanaudière Health Region;

Laurentides Health Region;

Montérégie Health Region

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