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## Part 2

# LAWS AND REGULATIONS

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23 December 2021 / Volume 153

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# NOTICE TO USERS

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The *Gazette officielle du Québec* is the means by which the Québec Government makes its decisions official. It is published in two separate editions under the authority of the Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail (chapter M-15.001) and the Regulation respecting the *Gazette officielle du Québec* (chapter M-15.001, r. 0.1).

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## Part 2 – LAWS AND REGULATIONS

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### Contents

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

Part 2 shall contain:

- (1) Acts assented to;
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- (6) any other document published in the French Edition of Part 2, where the Government orders that the document also be published in English.

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## Orders in Council

Gouvernement du Québec

### **O.C. 1624-2021, 22 December 2021**

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, 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, until 12 February 2021 by Order in Council 89-2021 dated 3 February 2021, until 19 February 2021 by Order in Council 103-2021 dated 10 February 2021, until 26 February 2021 by Order in Council 124-2021 dated 17 February 2021, until 5 March 2021 by Order in Council 141-2021 dated 24 February 2021, until 12 March 2021 by Order in Council 176-2021 dated 3 March 2021, until 19 March 2021 by Order in Council 204-2021 dated 10 March 2021, until 26 March 2021 by Order in Council 243-2021 dated 17 March 2021, until 2 April 2021 by Order in Council 291-2021 dated 24 March 2021, until 9 April 2021 by Order in Council 489-2021 dated 31 March 2021, until 16 April 2021 by Order in Council 525-2021 dated 7 April 2021, until 23 April 2021 by Order in Council 555-2021 dated 14 April 2021, until 30 April 2021 by Order in Council 570-2021 dated 21 April 2021, until 7 May 2021 by Order in Council 596-2021 dated 28 April 2021, until 14 May 2021 by Order in Council 623-2021 dated 5 May 2021, until 21 May 2021 by Order in Council 660-2021 dated 12 May 2021, until 28 May 2021 by Order in Council 679-2021 dated 19 May 2021, until 4 June 2021 by Order in Council 699-2021 dated 26 May 2021, until 11 June 2021 by Order in Council 740-2021 dated 2 June 2021, until 18 June 2021 by Order in Council 782-2021 dated 9 June 2021, until 25 June 2021 by Order in Council 807-2021 dated 16 June 2021, until 2 July 2021 by Order in Council 849-2021 dated 23 June 2021, until 9 July 2021 by Order in Council 893-2021 dated 30 June 2021, until 16 July 2021 by Order in Council 937-2021 dated 7 July 2021, until 23 July 2021 by Order in Council 1062-2021 dated 14 July 2021, until 30 July 2021 by Order in Council 1069-2021 dated 21 July 2021, until 6 August 2021 by Order in Council 1072-2021 dated 28 July 2021, until 13 August 2021 by Order in Council 1074-2021 dated 4 August 2021, until 20 August 2021 by Order in Council 1080-2021 dated 11 August 2021, until 27 August 2021 by Order in Council 1127-2021 dated 18 August 2021, until 3 September 2021 by Order in Council 1150-2021 dated 25 August 2021, until 10 September 2021 by Order in Council 1172-2021 dated 1 September 2021, until 17 September 2021 by Order in Council 1200-2021 dated 8 September 2021, until 24 September 2021 by Order in Council 1225-2021 dated 15 September 2021, until 1 October 2021 by Order in Council 1251-2021 dated 22 September 2021, until 8 October 2021 by Order in Council 1277-2021 dated 29 September 2021, until 15 October 2021 by Order in Council 1293-2021 dated 6 October 2021, until 22 October 2021 by Order in Council 1313-2021 dated 13 October

2021, until 29 October 2021 by Order in Council 1330-2021 dated 20 October 2021, until 5 November 2021 by Order in Council 1349-2021 dated 27 October 2021, until 12 November 2021 by Order in Council 1392-2021 dated 3 November 2021, until 19 November 2021 by Order in Council 1415-2021 dated 10 November 2021, until 26 November 2021 by Order in Council 1433-2021 dated 17 November 2021, until 3 December 2021 by Order in Council 1456-2021 dated 24 November 2021, until 10 December 2021 by Order in Council 1489-2021 dated 1 December 2021, until 17 December 2021 by Order in Council 1510-2021 dated 8 December 2021 and until 24 December 2021 by Order in Council 1540-2021 dated 15 December 2021;

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, 708-2020 dated 30 June 2020, 788-2020 dated 8 July 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, 1346-2020 dated 9 December 2020, 1419-2020 dated 23 December 2020, 2-2021 dated 8 January 2021, 102-2021 dated 5 February 2021, 135-2021 dated 17 February 2021, 433-2021 dated 24 March 2021, 735-2021 dated 26 May 2021, 799-2021 dated 9 June 2021, 885-2021 dated 23 June 2021, 1173-2021 dated 1 September 2021 and 1276-2021 dated 24 September 2021, 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

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2021, 2021-044 dated 14 June 2021, 2021-045 and 2021-046 dated 16 June 2021, 2021-047 dated 18 June 2021, 2021-048 dated 23 June 2021, 2021-049 dated 1 July 2021, 2021-050 dated 2 July 2021, 2021-051 dated 6 July 2021, 2021-052 dated 7 July 2021, 2021-053 dated 10 July 2021, 2021-054 dated 16 July 2021, 2021-055 dated 30 July 2021, 2021-057 dated 4 August 2021, 2021-058 dated 13 August 2021, 2021-059 dated 18 August 2021, 2021-060 dated 24 August 2021, 2021-061 dated 31 August 2021, 2021-062 dated 3 September 2021, 2021-063 dated 9 September 2021, 2021-065 dated 24 September 2021, 2021-066 dated 1 October 2021, 2021-067 dated 8 October 2021, 2021-068 dated 9 October 2021, 2021-069 dated 12 October 2021, 2021-070 dated 15 October 2021, 2021-071 and 2020-072 dated 16 October 2021, 2021-073 dated 22 October 2021, 2021-074 dated 25 October 2021, 2021-075 dated 26 October 2021, 2021-077 dated 29 October 2021, 2021-078 dated 2 November 2021, 2021-079, 2021-080 and 2021-081 dated 14 November 2021, 2021-082 dated 17 November 2021, 2021-083 dated 10 December 2021, 2021-085 and 2021-086 dated 13 December 2021, 2021-087 dated 14 December 2021, 2021-088 dated 16 December 2021, 2021-089 dated 19 December 2021, 2021-090 dated 20 December 2021 and 2021-091 dated 21 December 2021, 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 ten days;

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

THAT the public health emergency be renewed until 31 December 2021;

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, 505-2020 dated 6 May 2020, 566-2020 dated 27 May 2020, 615-2020 dated 10 June 2020, 651-2020 dated 17 June 2020, 885-2020 dated 19 August 2020, 943-2020 dated 9 September 2020, 964-2020 dated 21 September 2020, 135-2021 dated 17 February 2021, 885-2021 dated 23 June 2021, 1173-2021 dated 1 September 2021 and 1276-2021 dated 24 September 2021 and by Ministerial Orders 2020-004 dated 15 March 2020, 2020-007 dated 21 March 2020, 2020-008 dated 22 March 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, 2020-032 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, 2020-039 dated 22 May 2020, 2020-042 dated 4 June 2020, 2020-044 dated 12 June 2020, 2020-049 dated 4 July 2020, 2020-060 dated 28 August 2020, 2020-061 dated 1 September 2020, 2020-062 dated 4 September 2020, 2020-064 dated 17 September 2020, 2020-067 dated 19 September 2020, 2020-069 dated 22 September 2020, 2020-076 dated 5 October 2020, 2020-087 dated 4 November 2020, 2020-091 dated 13 November 2020, 2020-097 dated 1 December 2020, 2020-099 dated 3 December 2020, 2020-102 dated 9 December 2020, 2020-107 dated 23 December 2020, 2021-003 dated 21 January 2021, 2021-005 dated 28 January 2021, 2021-010 dated 5 March 2021, 2021-017 dated 26 March 2021, 2021-022 dated 7 April 2021, 2021-024 dated 9 April 2021, 2021-027 dated 16 April 2021, 2021-028 dated 17 April 2021, 2021-032 dated 30 April 2021, 2021-036 dated 15 May 2021, 2021-039 dated 28 May 2021 and 2021-040 dated 5 June 2021, 2021-049 dated 1 July 2021, 2021-050 dated 2 July 2021, 2021-051 dated 6 July 2021, 2021-052 dated 7 July 2021, 2021-053 dated 10 July 2021, 2021-054 dated 16 July 2021, 2021-055 dated 30 July 2021, 2021-057 dated 4 August 2021, 2021-058 dated 13 August 2021, 2021-059 dated 18 August 2021, 2021-060 dated 24 August 2021, 2021-061 dated 31 August 2021, 2021-062 dated 3 September 2021, 2021-063 dated 9 September 2021, 2021-065 dated 24 September 2021, 2021-066 dated 1 October 2021, 2021-067 dated 8 October 2021, 2021-069 dated 12 October 2021, 2021-071 and 2021-072 dated 16 October 2021, 2021-073 dated 22 October 2021, 2021-074 dated 25 October 2021, 2021-075 dated 26 October 2021, 2021-077 dated 29 October 2021 and 2021-078 dated 2 November 2021, 2021-079, 2021-080 and 2021-081 dated 14 November 2021, 2021-082 dated 17 November 2021, 2021-083 dated 10 December 2021, 2021-085 and 2021-086 dated 13 December 2021, 2021-087 dated 14 December 2021, 2021-088 dated 16 December 2021, 2021-089 dated 19 December 2021, 2021-090 dated 20 December 2021 and 2021-091 dated 21 December 2021, except to the extent that they were amended by those Orders in Council or Ministerial Orders, continue to apply until 31 December 2021 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*

105462



## Ministerial Orders

### M.O., 2021

#### Order 2021-088 of the Minister of Health and Social Services dated 16 December 2021

Public Health Act  
(chapter S-2.2)

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

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

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

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

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

CONSIDERING that the public health emergency has consistently been renewed since that date by various Orders in Council, including by Order in Council 1540-2021 dated 15 December 2021;

CONSIDERING that Order in Council 2021-081 dated 14 November 2021 provides among other things for certain measures applicable to health and social service providers who are not adequately protected against COVID-19;

CONSIDERING that Order in Council 1540-2021 dated 15 December 2021 empowers the Minister of Health and Social Services to take any of the measures provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Public Health Act;

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

ORDERS AS FOLLOWS:

THAT the operative part of Ministerial Order 2021-081 dated 14 November 2021 be amended

(1) by adding the following at the end of the fifth paragraph:

“(9) works exclusively (teleworks) from his or her domicile;”;

(2) by replacing “bonuses or lump-sums” in the portion before subparagraph 1 of the fifteenth paragraph by “bonuses, lump sums, allowances or financial compensations”;

(3) by inserting the following after the fifteenth paragraph:

“THAT a health and social service provider who is exempted from undergoing COVID-19 screening solely pursuant to subparagraph 9 of the fifth paragraph not be entitled to the bonuses, lump sums, allowances or financial compensations referred to in the preceding paragraph;”;

(4) by replacing “15 December 2021” in subparagraphs 1 and 3 of the sixteenth paragraph by “14 January 2022”.

Québec, 16 December 2021

CHRISTIAN DUBÉ  
*Minister of Health and Social Services*

105458

**M.O., 2021****Order 2021-089 of the Minister of Health and Social Services dated 19 December 2021**

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 has consistently been renewed since that date by various Orders in Council, including by Order in Council 1540-2021 dated 15 December 2021;

CONSIDERING that Order in Council 885-2021 dated 23 June 2021, amended by Ministerial Orders 2021-049 dated 1 July 2021, 2021-050 dated 2 July 2021, 2021-053 dated 10 July 2021, 2021-055 dated 30 July 2021, 2021-057 dated 4 August 2021, 2021-058 dated 13 August 2021, 2021-059 dated 18 August 2021, 2021-060 dated 24 August 2021, 2021-061 dated 31 August 2021, 2021-062 dated 3 September 2021, 2021-063 dated 9 September 2021, 2021-065 dated 24 September 2021, 2021-066 dated 1 October 2021, 2021-067 dated 8 October 2021, 2021-068 dated 9 October 2021, 2021-069 dated 12 October 2021, 2021-073 dated 22 October 2021, 2021-074 dated 25 October 2021, 2021-077 dated 29 October 2021, 2021-078 dated 2 November 2021, 2021-079 dated 14 November 2021, 2021-083 dated 10 December 2021, 2021-086 dated 13 December 2021 and 2021-087 dated 14 December 2021, provides for, among other things, certain special measures to apply throughout Québec;

CONSIDERING that Order in Council 1173-2021 dated 1 September 2021, amended by Order in Council 1276-2021 dated 24 September 2021, and by Ministerial

Orders 2021-067 dated 8 October 2021, 2021-079 and 2021-081 dated 14 November 2021 and 2021-082 dated 17 November 2021, provides that a person must be adequately protected to enter certain places or participate in certain activities;

CONSIDERING that those Orders in Council also empower the Minister of Health and Social Services to order any modification or clarification of the measures provided for in the Orders;

CONSIDERING that Order in Council 1540-2021 dated 15 December 2021 empowers the Minister of Health and Social Services to take any of the measures provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Public Health Act;

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

ORDERS AS FOLLOWS:

THAT the operative part of Order in Council 885-2021 dated 23 June 2021, amended by Ministerial Orders 2021-049 dated 1 July 2021, 2021-050 dated 2 July 2021, 2021-053 dated 10 July 2021, 2021-055 dated 30 July 2021, 2021-057 dated 4 August 2021, 2021-058 dated 13 August 2021, 2021-059 dated 18 August 2021, 2021-060 dated 24 August 2021, 2021-061 dated 31 August 2021, 2021-062 dated 3 September 2021, 2021-063 dated 9 September 2021, 2021-065 dated 24 September 2021, 2021-066 dated 1 October 2021, 2021-067 dated 8 October 2021, 2021-068 dated 9 October 2021, 2021-069 dated 12 October 2021, 2021-073 dated 22 October 2021, 2021-074 dated 25 October 2021, 2021-077 dated 29 October 2021, 2021-078 dated 2 November 2021, 2021-079 dated 14 November 2021, 2021-083 dated 10 December 2021, 2021-086 dated 13 December 2021 and 2021-087 dated 14 December 2021, be further amended

(1) by adding the following at the end of subparagraph 2 of the second paragraph:

“(d) “sales area” means the total area reserved for sale, services related to sales and for the public to have access to products and services, including circulation areas, spaces where payment is made and, if applicable, food preparation areas where a person assigned to that area is also responsible for serving clients;”;

(2) by replacing “in a tourist home or in a principal residence establishment” in subparagraph 3 of the third paragraph by “in an accommodation unit or dormitory in a tourist accommodation establishment”;

(3) by striking out subparagraphs 3 and 11 of the fifth paragraph;

(4) in the eleventh paragraph,

(a) by replacing subparagraph 5 by the following:

“(5) in a building housing a place of worship,

(a) the maximum attendance for all of the building is set at 50% of its usual capacity, without exceeding a maximum of 250 persons;

(b) a priest or minister or a person acting as a volunteer in such a place may remove his or her face covering when maintaining a minimum distance of two metres with any other person;

(c) the persons in the building remain in their places and do not move about;”;

(b) in subparagraph 7,

i. by inserting “, sports centre chalet, indoor place or building adjacent to a snowmobile or quad relay,” in the portion before subparagraph *a* after “restaurant”;

ii. in subparagraph *a*,

(I) by replacing subparagraph i by the following:

“i. the seating arrangement on the premises must be such that maximum space is left between the tables as long as a minimum distance of one metre is maintained between tables, unless a physical barrier able to limit contagion separates the tables;”;

(II) by adding the following at the end:

“iii. the capacity of the premises is set at 50% of the usual capacity;”;

iii. replacing subparagraph *f* by the following:

“(e) only persons seated at a table may be served or consume beverages;

(f) patrons may not serve themselves directly from a buffet or have access to a self-serve counter for covers or food;”;

(c) by replacing subparagraph 10 by the following:

“(10) in rooms and on terraces covered by a permit authorizing the sale or service of alcoholic beverages for consumption on the premises,

(a) dancing is prohibited;

(b) a distance of two metres must be maintained with the public during the presentation of a show;

(c) the holder of the permit may admit simultaneously, into each room and onto each terrace of the establishment where the permit is used, only a maximum of 50% of the number of persons that may be admitted under the permit, and may not tolerate the presence there of a number of persons greater than that maximum;

(11) except in a private residence or its equivalent, including the grounds, balcony or terrace of such a residence, it is prohibited for any person to organize or participate in a karaoke activity;”;

(d) by inserting the following after subparagraph 13:

“(14) in movie theaters and rooms or halls in which performing arts are presented, including broadcast venues, for a production, an audio-video filming, an indoor performance, as well as for an indoor training activity or sports event,

(a) maximum attendance in each theatre, room or hall is set at 50% of the usual capacity, unless the persons are preschool children or students at the elementary or secondary school level in general education for youth in the same school, when receiving any service provided by a school service centre, school board or private educational institution, or are children at a vacation camp or day camp, and persons accompanying the students or children;

(b) a distance of one empty seat must be left between each person, unless

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

ii. one of the persons is receiving a service or support from another person; or

iii. the persons are preschool children or students at the elementary or secondary school level in general education for youth in the same school, when receiving any service provided by a school service centre, school board or private educational institution, or children at a vacation camp or day camp;

(c) every member of the public remain seated in the assigned seat;

(d) the face covering worn by the public must be a procedural mask;”;

(e) by replacing subparagraphs 20 and 21 by the following:

“(18) the capacity of a spa or sauna is set at 50% of its usual capacity;

(19) in a physical training room,

(a) the maximum capacity is set at a maximum of 50% of its usual capacity;

(b) a minimum distance of two metres must be maintained between persons engaging in a physical activity;

(20) every competition, tournament or other event of the same nature organized for the playing of recreational or sports activities is suspended unless it is organized to be played outdoors or is part of a qualifying process for Olympic or Paralympic Games and world championships, and the following conditions are complied with by the athletes and supervisory staff:

(a) a protected environment is put in place that seeks to limit the risks of transmission between the athletes and supervisory staff and the general public, in accordance with a sanitary protocol approved by the Minister of Health and Social Services;

(b) 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;

(c) the capacity of every changing room is set at 50% of its usual capacity;

(21) all indoor recreational or sports activity is suspended, except in the following cases:

(a) it takes place, with or without supervision, alone or in groups of not more than 25 persons, provided that the following conditions are complied with:

i. the group remain separated, as applicable;

ii. in team sports, only the persons present in the area reserved for playing the sport are taken into consideration in determining the maximum number of persons;

iii. persons, other than spectators, outside the area reserved for playing the sport, must at all times maintain a minimum distance of two metres between other persons;

iv. the capacity of every changing room is set at 50% of its usual capacity;

(b) the activity is part of educational services provided to students in general education for youth;

(c) the activity is part of sport-study, art-study and sports concentration curriculums and other special school projects of the same nature provided as part of educational services in general education for youth by a school service centre, a school board or a private educational institution;

(d) the activity is part of vacation camp or day camp activities;

(e) the activity is part of the recreational and sports teaching curriculum in college or university teaching programs;

(f) the activity is professional or high-level sport for which training or practice requires a number of persons greater than the number referred to in subparagraph *a* and the following conditions are complied with by the athletes and supervisory staff:

i. a protected environment is put in place that seeks to limit the risks of transmission between the athletes and supervisory staff and the general public, in accordance with a sanitary protocol approved by the Minister of Health and Social Services;

ii. 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;

iii. the capacity of every changing room is set at 50% of its usual capacity;

(g) for choirs and amateur orchestras, the following conditions must be complied with:

i. as part of an extracurricular activity, it is performed by a group of not more than 100 persons;

ii. a distance of two metres is maintained

(I) between each singer and with any other person, if the singers are not wearing a procedural mask; and

(II) between each wind instrumentalist and with any other person;

iii. the musicians, other than wind instrumentalists, wear a procedural mask;

(21.1) the maximum occupancy of every commercial retail establishment to which the Act respecting hours and days of admission to commercial establishments (chapter H-2.1) applies is set at one customer per 20 square metres of sales area or at one customer if the sales area of the establishment is smaller than 20 square metres;

(21.2) the maximum occupancy of every shopping centre is set at one customer per 20 square metres of area accessible to customers;

(21.3) despite subparagraphs 21.1 and 21.2, this Order in Council does not operate to prevent a customer accompanied by minor-aged children or any other person who requires or to whom the customer provides assistance from entering an establishment whose maximum occupancy would not allow those persons to enter even in the absence of other customers;

(f) by replacing “in the eighteenth paragraph” in subparagraph 22 by “in subparagraphs 21.1 to 21.3”;

(g) by replacing subparagraph 24 by the following:

“(23) the capacity of a rented hall or community hall made available to any person is set at 50% of its usual capacity, without exceeding a maximum of 250 persons, in either of the following circumstances:

(a) for a gathering, a meeting, a funeral service, a marriage, a recognition ceremony or a graduation or other event of the same nature, in which the participants attend while remaining seated; or

(b) for the purposes of an organized activity that is 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 the activities of 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;

(23.1) the capacity of a room or hall used for a convention is set at 50% of its usual capacity;

(24) a maximum of 25 persons may be present in any indoor place, other than a private residence or its equivalent, if the place is being used for a marriage reception or funeral service;

(25) a maximum of 10 persons or the occupants of three private residences or the equivalent may be present in any indoor place, other than a private residence or the

equivalent, if the place is being used for the purpose of holding a social event that is not otherwise covered by this paragraph;”;

(h) in subparagraph 29,

i. by replacing the portion before subparagraph *a* by the following:

“students at the elementary and secondary school level in general education for youth who are present in any building or room used by a school service centre, school board or private educational institution situated must wear a procedural mask at all times, subject to the following exceptions:”;

ii. by replacing “paragraphe” in the French text of subparagraph *e* by “sous-paragraphe”;

(5) the twelfth paragraph by striking out the word “or” at the end of subparagraph 1 and by adding the following subparagraph at the end:

“(3) in any place under the person’s control or in any queue of persons waiting to enter the place, tolerate any person who does not comply with the physical distancing rules set out in this Order in Council;”;

(6) by replacing the thirteenth paragraph by the following:

THAT the operator of a shopping centre or a retail sales business and the organizer of an exhibition hall bringing together several exhibitors or retail sales businesses be required

(a) to take the necessary measures to ensure that the establishment, centre or hall and any queue of persons waiting to enter is monitored at all times so that the physical distancing rules set out in this Order in Council may be complied with;

(b) to display, at each entrance to the establishment, centre or hall, the maximum occupancy determined pursuant to subparagraph 21.1 or 21.2 of the eleventh paragraph;

THAT, despite subparagraph 1 of the twelfth paragraph, the operator of a shopping centre may admit a person who must travel through the common areas of the centre to access premises where health and social services or government services are provided, or as the case may be, administrative tribunals or courts of law are located;”;

(7) by striking out Schedule II;

THAT the operative part of Order in Council 1173-2021 dated 1 September 2021, amended by Order in Council 1276-2021 dated 24 September 2021, and by Ministerial Orders 2021-067 dated 8 October 2021, 2021-079 and 2021-081 dated 14 November 2021 and 2021-082 dated 17 November 2021, be further amended

(1) in the third paragraph,

(a) replacing subparagraph 11 by the following:

“(11) a gathering, meeting, recognition or graduation ceremony or other event of the same nature taking place indoors or attended by more than 500 persons outdoors;”;

(b) by striking out “by more than 250 persons indoors or” in subparagraph 14;

(c) by replacing subparagraphs 15 and 16 by the following:

“(15) a funeral service or marriage attended by more than 25 persons indoors or by more than 500 persons outdoors;

(16) a place of worship, other than for a funeral service or marriage, attended by 25 or fewer persons;”;

(d) by adding the following subparagraph at the end:

“(18) a spa or sauna, except to receive the personal care provided in the spa or sauna;”;

(2) by replacing “or food court in a shopping centre or food store” in the eighteenth paragraph by “, a food court in a shopping centre or food store or a place of worship”;

THAT the measures set out in this Order take effect on 20 December 2021.

Québec, 19 December 2021

CHRISTIAN DUBÉ  
*Minister of Health and Social Services*

105459

## M.O., 2021

### Order 2021-090 of the Minister of Health and Social Services dated 20 December 2021

Public Health Act  
(chapter S-2.2)

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

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

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

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

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

CONSIDERING that the public health emergency has consistently been renewed since that date by various Orders in Council, including by Order in Council 1540-2021 dated 15 December 2021;

CONSIDERING that Order in Council 885-2021 dated 23 June 2021, amended by Ministerial Orders 2021-049 dated 1 July 2021, 2021-050 dated 2 July 2021, 2021-053 dated 10 July 2021, 2021-055 dated 30 July 2021, 2021-057 dated 4 August 2021, 2021-058 dated 13 August 2021, 2021-059 dated 18 August 2021, 2021-060 dated 24 August 2021, 2021-061 dated 31 August 2021, 2021-062 dated 3 September 2021, 2021-063 dated 9 September 2021, 2021-065 dated 24 September 2021, 2021-066 dated 1 October 2021, 2021-067 dated 8 October 2021, 2021-068 dated 9 October 2021, 2021-069 dated 12 October 2021, 2021-073 dated 22 October 2021, 2021-074 dated 25 October 2021, 2021-077 dated 29 October 2021, 2021-078 dated 2 November 2021, 2021-079 dated 14 November 2021, 2021-083 dated 10 December 2021, 2021-086 dated 13 December 2021, 2021-087 dated 14 December 2021 and 2021-089 dated 19 December 2021, provides for, among other things, certain special measures to apply throughout Québec;



CONSIDERING that that Order in Council also empowers the Minister of Health and Social Services to order any modification or clarification of the measures provided for in the Order;

CONSIDERING that Order in Council 1540-2021 dated 15 December 2021 empowers the Minister of Health and Social Services to take any of the measures provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Public Health Act;

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

ORDERS AS FOLLOWS:

THAT an authorized provider within the meaning of the Act respecting the sharing of certain health information (chapter P-9.0001) be able, if mandated to that effect by the head of the health bureau of an institution, to use the access authorizations allowing receipt of information contained in the health information banks of the Québec Health Record laboratory domain for the purpose of verifying the COVID-19 screening results of any person who works or practises for the institution and to communicate the results to the health bureau.

THAT the eleventh paragraph of the operative part of Order in Council 885-2021 dated 23 June 2021, amended by Ministerial Orders 2021-049 dated 1 July 2021, 2021-050 dated 2 July 2021, 2021-053 dated 10 July 2021, 2021-055 dated 30 July 2021, 2021-057 dated 4 August 2021, 2021-058 dated 13 August 2021, 2021-059 dated 18 August 2021, 2021-060 dated 24 August 2021, 2021-061 dated 31 August 2021, 2021-062 dated 3 September 2021, 2021-063 dated 9 September 2021, 2021-065 dated 24 September 2021, 2021-066 dated 1 October 2021, 2021-067 dated 8 October 2021, 2021-068 dated 9 October 2021, 2021-069 dated 12 October 2021, 2021-073 dated 22 October 2021, 2021-074 dated 25 October 2021, 2021-077 dated 29 October 2021, 2021-078 dated 2 November 2021, 2021-079 dated 14 November 2021, 2021-083 dated 10 December 2021, 2021-086 dated 13 December 2021, 2021-087 dated 14 December 2021 and 2021-089 dated 19 December, be further amended

(1) by inserting the following after subparagraph 6:

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

(a) arcades and, for their indoor activities, biodomes, planetariums, insectariums, botanical gardens, aquariums, zoos, thematic sites, amusement centres and parks, recreational centres and water parks;

(b) bars and discotheques;

(c) casinos and gaming houses;

(d) movie theaters and rooms or halls in which performing arts are presented, including broadcast venues;

(e) microbreweries and distilleries, only for services in connection with consumption of beverages on the premises;

(f) restaurant dining rooms, but only from 10:00 p.m. to 5:00 a.m. the next day;

(g) food counters and food courts in any place where recreational or sports activities are carried on;

(h) physical training rooms;

(i) saunas and spas, except for personal care provided in the sauna or spa;

(j) any indoor place, other than a private residence or its equivalent, when being used for games of bowling, darts, billiard or other games of the same nature;”;

(2) by striking out “casino, gaming house, bar, discotheque, microbrewery, distillery,” in subparagraph 7;

(3) by striking out subparagraph *b* of subparagraph 10;

(4) by striking out subparagraph 12;

(5) by replacing subparagraph 14 by the following:

“(14) the public may not attend a production or indoor audio-visual filming, an indoor performance recording or an indoor training activity or sports event except for, in the latter two cases, a parent accompanying his or her minor child;”;

(6) by striking out subparagraphs 18 and 19;

(7) by replacing subparagraphs 22 to 25 by the following:

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

(a) in connection with an exhibition bringing together several exhibitors or retail sales businesses, in which case the measures set out in subparagraphs 21.1 to 21.3 must be complied with;



(b) for the purposes of an organized activity 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 the activities of 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, in which case the capacity of the hall is set at 50% of its usual capacity, without exceeding a maximum of 250 persons;

(c) for the purposes of an activity that is within the mission of a community organization whose activities are related to the health or social service sector;

(d) for a production or an audio-video filming or performance recording;

(e) for a recreational or sports activity carried on in compliance with subparagraph 21;

(f) for the purposes of a marriage or a funeral service, in which case a maximum of 25 persons may attend;

(g) for the purposes of holding an activity of a social nature not otherwise covered by this paragraph, in which case a maximum of 10 persons or the occupants of a maximum of three private residences or the equivalent may be present;

(23) despite the preceding subparagraph, the holding of activities remotely must be favoured;”;

(8) by inserting the following after subparagraph 26:

“(27) 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 working from home (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;”;

(9) by inserting the following after subparagraph 30:

“(31) for the days in the 2021-2022 calendar year, educational services for preschool education, elementary and secondary general education for youth and those for adult general education and vocational training provided by school service centres, school boards or private educational institutions are suspended, except for

(a) educational services pertaining to vocational training if the evaluation of the knowledge in the programs of study requires the student’s presence in the classroom or the acquisition of knowledge requires the student’s presence in the workplace as a trainee;

(b) educational services provided to handicapped students or students with social maladjustments or learning disabilities attending a specialized school or class that is part of regional or supraregional schooling services;

(32) activities relating to COVID-19 vaccination and COVID-19 self-test kit distribution taking place in schools and private educational institutions are maintained;

(33) activities relating to childcare provided at school are suspended;

(34) special school childcare services are organized by school service centres and school boards and are provided in preschool education and at the elementary level on a priority basis to children having a parent who cannot perform work from home;

(35) extracurricular activities at the preschool, elementary and secondary education level are suspended;

(36) university institutions, colleges established under the General and Vocational Colleges Act (chapter C-29), private educational institutions providing college instructional services and any other institution providing college or university instructional services or ongoing training services must organize distance training to provide their instructional services, unless the acquisition or evaluation of the knowledge in the student’s program of studies requires the student’s presence in the classroom or in the workplace as a trainee;”;

THAT the measures set out in this Order take effect on 20 December 2021.

Québec, 20 December 2021

CHRISTIAN DUBÉ  
*Minister of Health and Social Services*

105460

**M.O., 2021**

**Order 2021-091 of the Minister of Health and Social Services dated 21 December 2021**

Public Health Act  
(chapter S-2.2)

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

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

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

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

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

CONSIDERING that the public health emergency has consistently been renewed since that date by various Orders in Council, including by Order in Council 1540-2021 dated 15 December 2021;

CONSIDERING that that Order in Council empowers the Minister of Health and Social Services to take any of the measures provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Public Health Act;

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

ORDERS AS FOLLOWS:

THAT the seventh paragraph of the operative part of Ministerial Order 2020-022 dated 15 April 2020, amended by Ministerial Orders 2020-034 dated 9 May 2020, 2020-039 dated 22 May 2020, 2021-010 dated 5 March 2021, 2021-022 dated 7 April 2021 and 2021-024 dated 9 April 2021, be further amended by striking out “, is less than 70 years of age”;

THAT subparagraph 2 of the fifth paragraph of the operative part of Ministerial Order 2020-087 dated 4 November 2020, amended by Ministerial Order 2021-022 dated 7 April 2021, be further amended by striking out “under 70 years of age”;

THAT subparagraph 2 of the sixth paragraph of the operative part of Ministerial Order 2020-099 dated 3 December 2020, amended by Ministerial Orders 2021-005 dated 28 January 2021, 2021-022 dated 7 April 2021, 2021-024 dated 9 April 2021, 2021-027 dated 16 April 2021 and 2021-028 dated 17 April 2021, be further amended by striking out “under 70 years of age”.

Québec, 21 December 2021

CHRISTIAN DUBÉ  
*Minister of Health and Social Services*

105461

