



Part 2

LAWS AND REGULATIONS

20 January 2022 / Volume 154

Summary

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Orders in Council

Gouvernement du Québec

O.C. 51-2022, 19 January 2022

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

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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

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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 28 January 2022;

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, 2021-091 dated 21 December 2021, 2021-092 dated 22 December 2021, 2021-093 dated 23 December 2021, 2021-094 dated 30 December 2021, 2021-095 and 2021-096 dated

31 December 2021, 2022-001 dated 2 January 2022, 2022-002 dated 14 January 2022 and 2022-003 and 2022-004 dated 15 January 2022, except to the extent that they were amended by those Orders in Council or Ministerial Orders, continue to apply until 28 January 2022 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

105502

Gouvernement du Québec

O.C. 90-2022, 19 January 2022

Extension of the effect of the Act to establish a perimeter around certain places in order to regulate demonstrations in relation to the COVID-19 pandemic

WHEREAS the Act to establish a perimeter around certain places in order to regulate demonstrations in relation to the COVID-19 pandemic (2021, chapter 26) was assented to on 23 September 2021;

WHEREAS, under the first paragraph of section 5 of the Act, the Act comes into force on 23 September 2021 and ceases to have effect on 23 October 2021;

WHEREAS, under the second paragraph of section 5 of the Act, however, the Government may, before the expiry date, extend the effect of the Act for a period of 30 days and, on the same conditions, make any other extension;

WHEREAS, under the third paragraph of section 5 of the Act, despite the preceding paragraphs, the Act may not have effect beyond the date on which the public health emergency, declared by Order in Council 177-2020 dated 13 March 2020 and renewed in accordance with section 119 of the Public Health Act (chapter S-2.2), ends;

WHEREAS the effect of the Act to establish a perimeter around certain places in order to regulate demonstrations in relation to the COVID-19 pandemic was extended until 21 November 2021 by Order in Council 1344-2021 dated 20 October 2021, until 21 December 2021 by Order in Council 1454-2021 dated 17 November 2021 and until 20 January 2022 by Order in Council 1616-2021 dated 15 December 2021;

WHEREAS the public health emergency was renewed in accordance with section 119 of the Public Health Act until 28 January 2022 by Order in Council 51-2022 dated 19 January 2022;

WHEREAS it is expedient to extend the effect of the Act to establish a perimeter around certain places in order to regulate demonstrations in relation to the COVID-19 pandemic for a period of 30 days;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security:

THAT the effect of the Act to establish a perimeter around certain places in order to regulate demonstrations in relation to the COVID-19 pandemic (2021, chapter 26) be extended until 19 February 2022, unless the public health emergency declared by Order in Council 177-2020 dated 13 March 2020 and renewed in accordance with section 119 of the Public Health Act (chapter S-2.2) ends before that date.

YVES OUELLET
Clerk of the Conseil exécutif

105499

Ministerial Orders

M.O., 2022

Ministerial Order 2022-002 of the Minister of Health and Social Services dated 14 January 2022

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 4-2022 dated 12 January 2022;

CONSIDERING that Ministerial Order 2021-075 dated 26 October 2021 provides for the suspension of every election procedure in the municipalities of the northern villages of Ivujivik, Kangiqsualujuaq, Kangirsuk, Kuujuaq and Salluit;

CONSIDERING that Order in Council 4-2022 dated 12 January 2022 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 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 certain of the measures necessary to continue that protection;

ORDERS AS FOLLOWS:

THAT the suspension of the election procedures in the municipalities of the northern villages of Ivujivik, Kangirsuk and Salluit be lifted on 18 January 2022.

Québec, 14 January 2022

CHRISTIAN DUBÉ
Minister of Health and Social Services

105496

M.O., 2022

Ministerial Order 2022-003 of the Minister of Health and Social Services dated 15 January 2022

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 also provides that the Minister of Health and Social Services may order any 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 4-2022 dated 12 January 2022;

CONSIDERING that Ministerial Orders 2020-015 dated 4 April 2020, as amended by Ministerial Orders 2020-017 dated 8 April 2020, 2020-023 dated 17 April 2020, 2020-031 dated 3 May 2020, 2020-034 dated 9 May 2020 and 2020-038 dated 15 May 2020, and 2020-035 dated 10 May 2020, amended by Ministerial Orders 2020-044 dated 12 June 2020, 2020-064 dated 17 September 2020, 2020-067 dated 19 September 2020, 2021-036 dated 15 May 2021, 2021-055 dated 30 July 2021, 2021-071 dated 16 October 2021 and 2021-094 dated 30 December 2021, provides for, among other things, amendments to the national and local provisions of the collective agreements applicable in the health and social services network as well as to certain employment conditions applicable to non-unionized salaried personnel in the network;

CONSIDERING that Ministerial Order 2021-081 dated 14 November 2021, amended by Ministerial Order 2021-085 dated 13 December 2021, provides among other things for certain measures to apply to certain health and social service providers who are not adequately protected against COVID-19;

CONSIDERING that Order in Council 4-2022 dated 12 January 2022 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, for the purposes of this Order,

(1) “institution” means a public institution or a private institution under agreement within the meaning of the Act respecting health services and social services (chapter S-4.2) or the Act respecting health services and social services for Cree Native persons (chapter S-5);

(2) “salaried person” means a salaried person in an institution whose job title forms part of one of the following classes, as set out in the document entitled *Nomenclature des titres d’emploi, des libellés, des taux et des échelles de salaire du réseau de la santé et des services sociaux*;

(a) nursing and cardio-respiratory care personnel;

(b) paratechnical personnel and auxiliary services and trades personnel;

(c) office personnel and administrative technicians and professionals;

(d) health and social services technicians and professionals;

(3) “officer” means an officer within the meaning of section 3 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);

THAT a salaried person in an institution who works a full work shift in addition to all the hours scheduled in the regular work week, as provided for in the job title set out in the document entitled *Nomenclature des titres d’emploi, des libellés, des taux et des échelles de salaire du réseau de la santé et des services sociaux*, be remunerated at double time for the additional work shift;

THAT, for every full work shift worked in addition to all the hours scheduled in the regular work week, as provided for in the job title, a salaried person in an institution, other than a retired person or a temporary salaried person hired pursuant to Ministerial Order 2020-007 dated 21 March 2020, accumulate one half-day of vacation, representing 50% of a full work shift, that may be used as of 1 May 2022, without an expiry period;

THAT, for every full work shift worked in addition to all the hours scheduled in the regular work week, as provided for in the job title, a retired person or a temporary salaried person hired pursuant to Ministerial Order 2020-007 dated 21 March 2020 receive a lump sum equivalent to a one half-day of vacation, representing 50% of a full work shift;

THAT, for the purposes of the second, third and fourth paragraphs, regular work shifts, vacation days, statutory holidays, floating holidays, days of internal release for union activities, leaves for pregnancy-related medical visits, conversion of an evening or night bonus into paid leave and days on which the salaried person is absent owing to a request from the employer to self-isolate or because the person has received an isolation order from a public health authority, be considered for the purpose of calculating regular work week hours;

THAT a salaried person referred to in the third paragraph be able, as of 1 May 2022, to request that each half-day of vacation accumulated pursuant to that paragraph be paid, at straight time;

THAT a part-time salaried person in an institution receive a lump sum of \$100 per week if the person effectively works at least 30 hours without reaching the number of hours scheduled in the job title;

THAT, for the purposes of a person's eligibility for a lump sum provided for in the preceding paragraph, the hours effectively worked include regular hours, vacation days, statutory holidays, floating holidays, leaves for pregnancy-related medical visits, days of internal release for union activities and days on which the salaried person is absent owing to a request from the employer to self-isolate or because the person has received an isolation order from a public health authority;

THAT a part-time salaried person in an institution who works a second work shift immediately after the person's work shift be remunerated at double time for the additional work shift if, in the same week, the person has effectively worked, in an activity centre in which services are provided 24 hours per day and 7 days per week, another full evening, night or weekend work shift, at straight time, in addition to the hours normally scheduled for the person's position or temporary assignment, as applicable;

THAT, for the purposes of the preceding paragraph, regular hours, vacation days, statutory holidays, floating holidays, days of internal release for union activities, leaves for pregnancy-related medical visits and days on which the salaried person is absent owing to a request from the employer to self-isolate or because the person has received an isolation order from a public health authority, be considered for the purpose of calculating the hours normally scheduled for the person's position or temporary assignment, as applicable;

THAT a salaried person in an institution not be eligible for the measure set out in the ninth paragraph more than once per week;

THAT a salaried person in an institution be able to receive, where the service exists, for each work shift worked overtime, payment or reimbursement of actual and reasonable taxi travel expense between the person's domicile and place of work, to go to or return from work, or both, according to the needs of the salaried person;

THAT a salaried person in an institution not be required to pay parking expense if the parking space is available and managed by the institution, for the period from 16 January 2022 to 10 April 2022;

THAT the national and local provisions of the collective agreements applicable in the health and social services network, and the employment conditions that apply to unionizable non-unionized employees and to non-unionizable employees in the health and social services network be amended to allow for implementation of the measures set out in this Order;

THAT the measures set out in the preceding second, third, fifth, sixth, seventh, eighth, ninth, tenth and eleventh paragraphs apply, with the necessary modifications, to a person working for a private institution not under agreement, a palliative care hospice within the meaning of paragraph 2 of section 3 of the Act respecting end-of-life care (chapter S-32.0001), a private seniors' residence, an intermediate resource in the Support Program for the Autonomy of Seniors (SAPA) or a religious institution that maintains residential and long-term care facilities to receive its members or followers, and the person is performing duties equivalent to those of a salaried person;

THAT an officer who works for a private institution not under agreement or a palliative care hospice within the meaning of paragraph 2 of section 3 of the Act respecting end-of-life care (chapter S-32.0001) and who agrees to replace an officer or a non-executive employee outside his or her usual work schedule be remunerated as per the usual salary rate and that that rate be increased by 150% for each hour worked over 40 hours per week;

THAT an officer in an institution who agrees to replace an officer or a non-executive employee outside his or her usual work schedule be remunerated as per the usual salary rate and that that rate be increased by 150% for each hour worked over 40 hours per week;

THAT the second paragraph of the operative part of Ministerial Order 2020-015 dated 4 April 2020, amended by Ministerial Orders 2020-017 dated 8 April 2020, 2020-023 dated 17 April 2020, 2020-031 dated 3 May 2020, 2020-034 dated 9 May 2020 and 2020-038 dated 15 May 2020, be further amended

(1) by inserting "must self-isolate at the employer's request or because the person" in the second dash after "full-time salaried person who";

(2) by replacing the fifth dash by the following:

"—a salaried person who works a full work shift overtime is given during the work shift the option of a meal, when available, or financial compensation of \$15.00, other than a salaried person working from home and a salaried person who is eligible for a meal allowance during travel in accordance with the applicable provisions in collective agreements;"

THAT the operative part of Ministerial Order 2020-035, amended by Ministerial Orders 2020-044 dated 12 June 2020, 2020-064 dated 17 September 2020, 2020-067 dated 19 September 2020, 2021-036 dated 15 May 2021, 2021-055 dated 30 July 2021, 2021-071 dated 16 October 2021 and 2021-094 dated 30 December 2021, be further amended

(1) by replacing subparagraphs 3 and 3.1 of the first paragraph by the following:

“(3) in a hospital centre, a child and youth protection centre, a rehabilitation centre for young persons with adjustment problems and a local community service centre, for the facilities, activity centres and locations designated by the Minister of Health and Social Services, a salaried person receives a lump sum of \$100 per work week as well as the amounts provided for in subparagraph 2, on the same terms and conditions, if the person has one of the job titles listed in Schedule I to this Order or the person is assigned to administrative support in a clinical sector and has one of the job titles listed in Schedule II;”;

(2) by inserting the following after the first paragraph:

“THAT, despite the preceding paragraph, a salaried person eligible for the lump sums provided for in Ministerial Order 2021-032 dated 30 April 2021, amended by Ministerial Orders 2021-034 dated 8 May 2021, 2021-082 dated 17 November 2021 and 2021-093 dated 23 December 2021, not be eligible for those provided for in this Order;”;

(3) by adding the following Schedules:

“Schedule I

Planning, programming and research officer
 Human relations officer
 Intervention officer
 Intervention officer, team leader
 Medico-legal intervention officer
 Medico-legal intervention officer, team leader
 Psychiatric intervention officer
 Psychiatric intervention officer, team leader
 Service aid
 Social aid
 Cook’s helper
 Pathology assistant
 Rehabilitation assistant

Laboratory or radiology technical assistant
 Health care technical assistant
 Pharmacy technical assistant
 Senior pharmacy technical assistant
 Assistant head (laboratory)
 Assistant head respiratory therapist
 Assistant head physiotherapist
 Assistant head dietetics technician
 Assistant head medical electro-physiology technologist
 Assistant head radiology technologist
 Assistant head nurse or assistant to the immediate superior
 Audiologist
 Audiologist-speech therapist
 Health and social services aide
 Bacteriologist
 Biochemist
 Butcher
 Stretcher bearer
 Launderer
 Cafeteria cashier
 Candidate to the nursing profession
 Candidate to the nursing assistant profession
 Specialty nurse practitioner candidate
 Transfusion safety clinical officer
 Clinical teacher (inhalation therapy)
 Clinical teacher (physiotherapy)
 Transfusion safety technical officer

Unit supervising clerk (Institut Pinel)	Nurse on refresher period
Guidance counsellor	Nurse educator
Care counsellor nurse	Nurse
Technical coordinator (inhalation therapy)	Nurse (Institut Pinel)
Technical coordinator (laboratory)	Specialty nurse practitioner
Technical coordinator (radiology)	Nurse surgical first assistant
Medical electro-physiology technical coordinator	Biomedical engineer
Criminologist	Respiratory therapist
Cook	Clinical instructor (laboratory)
Cyto-technologist	Clinical instructor (radiology)
Dietician – Nutritionist	Specialized peacekeeping and security facilitator (Institut Pinel)
Educator	Storekeeper
Occupational therapist	Cleaner
Respiratory therapy extern	Baker/pastry cook
Nursing extern	Clinical perfusionist
Medical technology extern	Physiotherapist
Residence guard	Laundry attendant
Dental hygienist	Reception attendant
Nursing assistant, team leader	Housekeeping attendant (light duty)
Nursing assistant on refresher period	Housekeeping attendant (heavy duty)
Nursing assistant	Food service attendant
Nurse, team leader	Transport attendant
Nurse clinician assistant head nurse or nurse clinician assistant to the immediate superior	Physically handicapped beneficiaries transport attendant
Nurse clinician	Beneficiary attendant
Nurse clinician (Institut Pinel)	Beneficiary attendant, team leader
Clinical nurse specialist	Storeroom attendant
Outpost/northern clinic nurse	Attendant in a northern institution

Physiotherapy and/or occupational therapy attendant	Radiology technologist (Information and digital imaging system)
Reprocessing of medical devices attendant	Radiotherapy technologist
Operating room attendant	Specialized ultrasound technologist – independent practice
Presser	Specialized medical imaging technologist
Psycho-educator	Specialized radiotherapy technologist
Psychologist	Community worker
Child nurse / baby nurse	Social worker.
Revisor	
Medical secretary	Schedule II
Sociotherapist (Institut Pinel)	Administrative officer, Class 1 - administrative sector
Clinical specialist in laboratory medicine	Administrative officer, Class 1 - clerical sector
Clinical activities specialist	Administrative officer, Class 2 - administrative sector
Biological and health physics science specialist	Administrative officer, Class 2 - clerical sector
Institution guard	Administrative officer, Class 3 - administrative sector
Graduate medical laboratory technician	Administrative officer, Class 3 - clerical sector
Class “B” technician	Administrative officer, Class 4 - administrative sector
Food technician	Administrative officer, Class 4 - clerical sector”;
Clinical cytogenetics technician	THAT the operative part of Ministerial Order 2021-081 dated 14 November 2021, amended by Ministerial Orders 2021-085 dated 13 December 2021 and 2021-088 dated 16 December 2021, be further amended by adding the following subparagraph at the end of the fifteenth paragraph:
Dietetics technician	“(12) those provided for in Ministerial Order 2022-003 dated 15 January 2022;”;
Specialized education technician	
Cardio-respiratory physiology technician	
Social work technician	THAT the measures set out in this Order take effect on 16 January 2022.
Medical technologist	Québec, 15 January 2022
Medical electro-physiology technologist	CHRISTIAN DUBÉ
Medical imaging technologist (nuclear medicine)	<i>Minister of Health and Social Services</i>
Medical imaging technologist (radio-diagnostic field)	
Physiotherapy technologist	105497

M.O., 2022**Ministerial Order 2022-004 of the Minister of Health and Social Services dated 15 January 2022**

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 4-2022 dated 12 January 2022;

CONSIDERING that Ministerial Order 2020-008 dated 22 March 2020, amended by Order in Council 566-2000 dated 27 May 2020, and by Ministerial Orders 2020-033 dated 7 May 2020, 2020-044 dated 12 June 2020 and 2021-054 dated 16 July 2021, provides among other things for certain measures to apply to the collective agreements in the education sector;

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, 2021-089 dated 19 December 2021, 2021-090 dated 20 December 2021,

2021-092 dated 22 December 2021, 2021-096 dated 31 December 2021 and 2022-001 dated 2 January 2022, provides among other things for 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, 2021-082 dated 17 November 2021 and 2021-089 dated 19 December 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 4-2022 dated 12 January 2022 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 2020-008 dated 22 March 2020, amended by Order in Council 566-2000 dated 27 May 2020, and by Ministerial Orders 2020-033 dated 7 May 2020, 2020-044 dated 12 June 2020 and 2021-054 dated 16 July 2021, be further amended by adding the following subparagraphs at the end of the fourth paragraph:

“(5) the sections relating to the rules for forming student groups, except the rules concerning compensation for exceeding the maximum number of students per group, are amended to allow the employer to meet needs;

(6) the sections relating to the annual teacher workload are amended to allow the employer to meet needs;”;

THAT the second paragraph of the operative part of Order in Council 885-2020 dated 19 August 2020, amended by Order in Council 943-2020 dated 9 September 2020, be further amended by adding the following subparagraph:

“(3) students in a class where at least 60% of students are required to obey the isolation directives established by a public health authority because of COVID-19, as of the second day of the school calendar year after which that percentage has been reached;”;

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, 2021-087 dated 14 December 2021, 2021-089 dated 19 December 2021, 2021-090 dated 20 December 2021, 2021-092 dated 22 December 2021, 2021-096 dated 31 December 2021 and 2022-001 dated 2 January 2022, be further amended

(1) in the eleventh paragraph,

(a) by striking out subparagraphs 3.1 to 3.4;

(b) by replacing “any funeral service” in subparagraph 4 by “a funeral service being held indoors”;

(c) by striking out subparagraph 7;

(d) by adding the following after subparagraph 12:

“(13) subparagraph 6.1 does not apply in a cafeteria or the equivalent,

(a) in a school service centre, school board or private educational institution when it provides services to preschool children, students at the elementary level or secondary school level in general education for youth, students in vocational training or students in adult general education;

(b) in a university institution, college established under the General and Vocational Colleges Act (chapter C-29), private educational institution providing college instructional services and any other institution providing college or university instructional services or ongoing training services, only if

i. a distance of one metre is maintained between tables, unless a physical barrier able to limit contagion separates the tables; and

ii. no more than six persons are seated at the same table;

(c) used in connection with vacation camp or day camp activities, provided that a minimum distance of one metre is maintained between the children in different groups;”;

(e) by inserting the following after subparagraph *b* of subparagraph 21:

“(c) the activity is part of sport-study, art-study and sports concentration curriculums and other special school projects of the same nature provided to elementary and secondary students in general education for youth;”;

(f) by replacing subparagraph *b* of subparagraph 29 by the following:

“(b) the student may remove his or her procedural mask when receiving care or a service requiring the procedural mask be removed or playing a wind instrument;”;

(g) by replacing subparagraphs 31 to 38 by the following:

“(31) when a teacher of preschool children or students at the elementary level or secondary level in general education for youth in a school service centre, school board or private educational institution cannot be present at school because he or she is in isolation owing to COVID-19 but is able to work, at the request of the employer the teacher must provide the distance educational services from the place of isolation to the students present in the classroom who are supervised by an adult who also sees to technical support for the students;

(32) subparagraph 31 does not apply to teachers in a specialized school or class for handicapped students or students with social maladjustments or learning disabilities that is part of regional or supraregional schooling services;

(33) extracurricular activities at the preschool, elementary, secondary level in general education for youth, adult education and vocational training levels are suspended, except if they are provided remotely to students who are not in an educational institution;”;

(2) by inserting the following after the twelfth paragraph:

“THAT, despite subparagraph 4 of the preceding paragraph, a person may be present in such a place to carry on or take advantage of an activity that has not otherwise been suspended by an Order in Council or Ministerial Order;”;

(3) by striking out the Schedule;

THAT the third paragraph of 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, 2021-082 dated 17 November 2021 and 2021-089 dated 19 December 2021, be further amended

(1) by inserting the following after subparagraph 4:

“(4.1) a branch of the Société des alcools du Québec or the Société québécoise du cannabis;”;

(2) by striking out “taking place in a rented hall or community hall,” in subparagraph 14;

THAT the measures set out in this Order take effect on 17 January 2022 at 5:00 a.m., except those set out in subparagraph 1 of the fourth paragraph, which will take effect on 18 January 2022.

Québec, 15 January 2022

CHRISTIAN DUBÉ
Minister of Health and Social Services

105498

