

Orders-in-Council

Gouvernement du Québec

O.C. 222-2020, 20 March 2020

CONCERNING renewal of the public health emergency under section 119 of Public Health Act and certain measures to protect the health of the population

WHEREAS the World Health Organization declared a coronavirus disease (COVID-19) 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 said Act to protect the health of the population;

WHEREAS the pandemic constitutes a serious threat to the health of the population and requires the immediate application of certain measures provided for in section 123 of that Act;

WHEREAS, under the first paragraph of section 119 of the said Act, the public health emergency declared by the Government is effective for a maximum period of 10 days at the expiry of which it may be renewed, as many times as necessary, for a maximum period of 10 days or, with the consent of the National Assembly, for a maximum period of 30 days;

WHEREAS under section 120 of that Act, upon a declaration of a public health emergency, the nature of the threat, the area concerned and the effective period of the public health emergency must be specified, and the Minister of Health and Social Services may be authorized to exercise one or more of the powers specified in section 123 of the said Act;

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

WHEREAS under section 123 of the said Act, the Government may, without delay and without further formality, to protect the health of the population:

— order the closing of educational institutions or of any other place of assembly;

— require the assistance of any government department or body capable of assisting the personnel deployed;

— order any other measure necessary to protect the health of the population;

WHEREAS, by way of Order in Council No. 177-2020 dated 13 March 2020, the Government declared a health emergency and took certain measures to protect the population;

WHEREAS the Minister made order No. 2020-003 dated 14 March 2020, order No. 2020-004 dated 15 March 2020, order No. 2020-005 dated 17 March and order No. 2020-006 dated 19 March 2020;

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

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

THAT the public health emergency be renewed until 29 March 2020;

THAT the measures provided for by the Order in Council and the orders continue to apply until 29 March 2020 or until the Government or the Minister of Health and Social Services amend or terminate them, except for the following measures:

(1) in the case of Order in Council No. 177-2020 dated 13 March 2020, the measure concerning assemblies of more than 250 people;

(2) in the case of order No. 2020-004 dated 15 March 2020, the measure concerning collective agreements that apply to public service employees and the measure modifying collective and other agreements that are in effect between school boards and all unions;

THAT, during the public health emergency and in accordance with section 123 of the Public Health Act (chapter S-2.2), the following measures be taken to protect the health of the population, despite any inconsistent provisions:

— all indoor and outdoor assemblies are prohibited, except:

(1) if required, in a workplace, for the exercise of an activity which is not covered by a suspension provided for by order or order in council, including those subsequently made;

(2) if required to obtain a service or good from an individual, institution or enterprise or other body whose activities are not suspended by an order or order in council, including those subsequently made, or to provide a service or good to one of them;

(3) in a means of transportation;

(4) in the case of an outdoor assembly, in one of the following situations:

(a) if the persons assembled are the occupants of a single private residence or of that which serves that purpose;

(b) if a person receives a service or support from another person;

(c) if a minimum distance of two metres is maintained between the persons assembled;

(5) in a private residence or that which serves that purpose, between the occupants and any other person who provides them with a service or whose support is required.

For the purpose of paragraphs 1 to 3, assembled persons must, as much as possible, maintain a minimum distance of two metres between them;

Furthermore, for the purposes of paragraph 5, persons providing a service or support must, to the extent possible, maintain a minimum distance of two metres with the occupants;

— any person on whom is imposed a prison sentence to be served intermittently under section 732 of the Criminal Code has authorization to be released for medical reasons for the purpose of protecting the health of the population, on the conditions determined by the director of the correctional facility where the person is serving their sentence;

— the time periods for bringing an action relating to matters heard by the Administrative Tribunal of Québec, the Administrative Labour Tribunal, the Financial Markets Administrative Tribunal, the Commission de la fonction publique and the jurisdictional section of the Commission d'accès à l'information are suspended until the period of the declaration of a public health emergency expires, except for the matters deemed urgent by the chair of one of those bodies or by a member the chair designates for that purpose. However, the suspension does not apply to an action relating to an application for certification under section 22 of the Labour Code (chapter C-27);

— the time period prescribed by section 150 of the Police Act (chapter P-13.1) to lodge a complaint regarding police ethics is suspended until the period of the declaration of a public health emergency expires;

— as regards matters within the jurisdiction of the Comité de déontologie policière, the Commission municipale du Québec, the Commission des transports du Québec, the Régie des alcools, des courses et des jeux and the Régie des marchés agricoles et alimentaires du Québec, the following are suspended for that period:

— the time period for filing an application to renew a licence or other authorization of a similar nature;

— the time period for paying costs or fees;

— the time period for submitting observations;

— the time period for filing an application for revision or review of a decision.

However, the suspension does not apply to the periodical review of a recognition provided for in section 243.19 of the Act respecting municipal taxation (chapter F-2.1);

THAT the Minister of Health and Social Services is empowered to order any other measure necessary to protect the health of the population, pursuant to subparagraph 8 of the first paragraph of section 123 of the said Act.

YVES OUELLET,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 223-2020, 24 March 2020

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

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;