

Ministerial Orders

M.O., 2020

Order 2020-013 of the Minister of Health and Social Services dated 1 April 2020

Public Health Act
(chapter S-2.2)

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

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

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

CONSIDERING subparagraph 4 of the first paragraph of section 123 of the Act, which provides that, despite any provision to the contrary, while the public health emergency is in effect, the Minister, if she has been so empowered, may, without delay and without further formality, to protect the health of the population, prohibit entry into all or part of the area concerned or allow access to an area only to certain persons and subject to certain conditions, or order, for the time necessary where there is no other means of protection, the evacuation of persons from all or any part of the area or their confinement and, if the persons affected have no other resources, provide for their lodging, feeding, clothing and security needs;

CONSIDERING that the territory of the health regions has been delineated pursuant to section 339 of the Act respecting health services and social services (chapter S-4.2) and section 43 of the Act respecting health services and social services for Cree Native persons (chapter S-5);

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

CONSIDERING Order in Council 223-2020 dated 24 March 2020 which provides various measures to protect the health of the population;

CONSIDERING that that Order in Council authorizes the Minister of Health and Social Services to amend the Schedule to the Order in Council to add or delete priority services or to make clarifications;

CONSIDERING that the Minister of Health and Social Services amended the Schedule to that Order in Council by Order 2020-010 dated 27 March 2020 and by Order 2020-011 dated 28 March 2020;

CONSIDERING that Order 2020-011 also provides measures concerning access to certain health regions;

CONSIDERING that the public health emergency was renewed to 29 March 2020 by Order in Council 222-2020 dated 20 March 2020 and to 7 April 2020 by Order in Council 388-2020 dated 29 March 2020;

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

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

ORDERS AS FOLLOWS:

THAT the Schedule to Order in Council 223-2020 dated 24 March 2020, amended by Order 2020-010 dated 27 March 2020 and Order 2020-011 dated 28 March 2020, be further amended

(1) by inserting “and horticultural” in paragraph *a* of the heading “**5. Priority manufacturing activities**” after “market-garden vegetable”;

(2) by adding the following paragraph at the end of the heading “**11. Priority services in the field of transportation and logistics**”:

“j. Bicycle repair shops”;

THAT the requirement for a party to disburse the judicial fees payable to file a pleading in a matter deemed urgent by a court be suspended if the party is unable to make use of the means set in place by the Minister of Justice for their payment;

THAT administrative justices of the peace and officers of justice referred to in the Courts of Justice Act (chapter T-16) exercising functions with the Superior Court and the Court of Québec, and the employees of those courts, have concurrent territorial jurisdiction with those of all the other judicial districts in Québec;

THAT, if it is impossible to file a pleading in a judicial district, it be possible to file the pleading in any other judicial district; in such a case, the judicial district and the locality of the courthouse where the pleading should have been filed must be indicated in the pleading;

THAT the pleading be deemed to have been filed in the judicial district and locality of the courthouse where it should have been filed;

THAT, if it is impossible to hear a matter in a judicial district, the hearing be transferred automatically or at the request of a party to any other district or, in criminal matters, if ordered by a court in accordance with the Criminal Code.

THAT access to the health regions of Bas-Saint-Laurent, Saguenay – Lac-Saint-Jean, Abitibi-Témiscamingue, Outaouais, Côte-Nord, Nord-du-Québec, Gaspésie – Îles-de-la-Madeleine, Nunavik and Terres-Cries-de-la-Baie-James, to the territories of the regional county municipalities of Autray, Joliette, Matawinie and Montcalm for the Lanaudière health region, to the territories of the regional county municipalities of Antoine-Labelle, Argenteuil, Les-Pays-d'en-Haut and Les Laurentides for the Laurentides health region and to the territory of the urban agglomeration of La Tuque for the Mauricie et Centre-du-Québec health region be restricted to the following persons:

- (1) persons who have their principal residence there;
- (2) persons who transport goods into those regions to enable all activity carried on in work environments that has not been suspended by Order in Council 223-2020 dated 24 March 2020 or by any other Order in Council or Ministerial Order amending it to continue to be carried on;
- (3) persons whose travel is necessary for humanitarian purposes;
- (4) persons whose travel is necessary to obtain care or services required by their state of health or to provide such care or services to a person requiring them;
- (5) persons who work or practise their profession in work environments in which the activities have not been suspended by to Order in Council 223-2020 dated 24 March 2020 or by any other Order in Council or Ministerial Order amending it;

(6) persons who must enter to comply with an order contained in a decision or judgment of a court or to exercise custody or parental access rights contained in an agreement;

(7) persons who arrive directly from any of those regions or territories, except the territory of Ville de Gatineau, which may be accessed only by persons arriving from the territory of the regional county municipality of Les Collines-de-l'Outaouais, and the territory of that regional county municipality which may be accessed only by persons arriving from the territory of Ville de Gatineau;

(8) employees of the federal public service whose place of work is situated in one of those regions or territories and whose presence at that place of work is required by the employer;

(9) persons transporting goods in transit in Québec;

THAT the persons entering any of those regions or territories to return to their principal residence self-isolate for a period of 14 days upon their return, except persons who travelled outside to go to work or for reasons described in paragraphs 3 and 4 and persons who are in a situation described in paragraph 6 or 7;

THAT, despite the foregoing, any person showing COVID-19-related symptoms, in particular cough, fever, difficulty breathing, sore throat or loss of sense of smell, be prohibited from entering any of those regions or territories, unless entering is for the purpose of obtaining health or social services required by their state of health;

THAT, despite the foregoing, a director of public health, a person authorized to act on the director's behalf or a physician be able to authorize a person to enter any of those regions or territories on the conditions the authorizing person determines;

THAT this Order not apply to the territory of the municipality of Rapide-des-Joachims;

THAT the measures set out in this Order replace, as of noon on 1 April 2020, the measures concerning access to certain health regions set out in Order 2020-011 dated 28 March 2020.

Québec, 1 April 2020

DANIELLE McCANN,
Minister of Health and Social Services

104347