

Ministerial Orders

M.O., 2021

Ministerial Order 2021-010 of the Minister of Health and Social Services dated 5 March 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 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 and until 12 March 2021 by Order in Council 176-2021 dated 3 March 2021;

CONSIDERING that Order in Council 102-2021 dated 5 February 2021, amended by Ministerial Orders 2021-008 dated 20 February 2021 and 2021-009 dated 25 February 2021, provides for, among other things, despite any provision to the contrary of an Order in Council or a Ministerial Order made under section 123 of the Public Health Act, certain special measures applicable in certain territories;

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

CONSIDERING that Ministerial Order 2020-022 dated 15 April 2020, amended by Ministerial Orders 2020-034 dated 9 May 2020 and 2020-039 dated 22 May 2020, provides, among other things, that certain professional orders may issue, without cost and to allow temporary practise of the profession governed by the order, a special public health emergency student authorization to a person registered in the program of college or university studies leading to a diploma giving access to the permit of the order, on the condition that the person not have more than the equivalent of one full-time session remaining to complete the program;

CONSIDERING that Order in Council 176-2021 dated 3 March 2021 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 operative part of Order in Council 102-2021 dated 5 February 2021, amended by Ministerial Orders 2021-008 dated 20 February 2021 and 2021-009 dated 25 February 2021, be further amended

(1) by striking out subparagraphs *c* and *d* of subparagraph 11 of the third paragraph;

(2) in the fourth paragraph,

(a) by replacing subparagraph 1 by the following:

“(1) in places of worship,

(a) a maximum of 100 persons may be in attendance, except for a funeral service or a marriage, in which case the limit and conditions set out in subparagraph 4 of the third paragraph are applicable;

(b) a minimum distance of 2 metres is maintained between the persons in attendance, even when the persons remain where they are and do not move about, unless

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

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

(c) the face covering worn by the public must be a procedural mask and be retained at all times, subject to the exception provided for in subparagraph 1, 2 or 4 of the second paragraph of the operative part of Order in Council 810-2020 dated 15 July 2020, amended by Orders in Council 813-2020 dated 22 July 2020, 885-2020 dated 19 August 2020 and 1020-2020 dated 30 September 2020, and by Ministerial Orders 2020-059 dated 26 August 2020 and 2020-064 dated 17 September 2020; and

(d) the persons who momentarily remove their procedural mask to eat or drink pursuant to subparagraph 4 of the second paragraph of Order in Council 810-2020 dated 15 July 2020, as amended, remain silent;”;

(b) by replacing subparagraphs *a* and *b* of subparagraph 2 by the following subparagraphs:

“(a) the following persons may be seated at the same table, as applicable:

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

ii. a maximum of two persons, accompanied by their minor children;

(b) despite the preceding subparagraph, any person may be seated at the same table as the persons referred to in subparagraph *a* if the person

i. is present to provide a service or support required by a person because of the person’s state of health or for safety purposes, if applicable;

ii. is a person who needs or to whom they provide assistance, if applicable;”;

(c) by inserting the following after subparagraph 3:

“(3.1) when performing arts are presented, including at a rehearsal or broadcasting session, in a room in which a meal is also served,

(a) the meal cannot be served at the same time as the presentation;

(b) the measures that apply to restaurants apply during the meal; and

(c) the measures that apply to the rooms in which performing arts are presented, including areas where a rehearsal or broadcasting takes place, apply during the presentation;”;

(d) by moving the word “and” from the end of subparagraph 8 to the end of subparagraph 9 and adding the following subparagraph at the end:

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

(a) students in the first and second cycles of elementary education in general education for youth in any building or room used by an educational institution or for the purposes of sport-study, arts-study and sports concentration and other special educational projects of the same nature, except if the students are in a room in which the educational and instructional services are provided, subject to the exceptions set out in subparagraphs iv to vii of subparagraph *a* of subparagraph 11 of the third paragraph; and

(b) students in the third cycle of elementary education in general education for youth, at all times, in any building or room used by an educational institution or for the purposes of sport-study, arts-study and sports concentration and other special educational projects of the same nature, subject to the exceptions set out in subparagraphs iv to vii of subparagraph *a* of subparagraph 11 of the third paragraph;”;

(3) in the fifth paragraph,

(a) by replacing subparagraph 1 by the following:

“(1) in places of worship,

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

(b) a minimum distance of 2 metres is maintained between the persons in attendance, even when the persons remain where they are and do not move about, unless

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

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

(c) the face covering worn by the public must be a procedural mask and be retained at all times, subject to the exception provided for in subparagraph 1, 2 or 4 of the second paragraph of the operative part of Order in Council 810-2020 dated 15 July 2020, amended by Orders in Council 813-2020 dated 22 July 2020, 885-2020 dated 19 August 2020 and 1020-2020 dated 30 September 2020, and by Ministerial Orders 2020-059 dated 26 August 2020 and 2020-064 dated 17 September 2020; and

(d) the persons who momentarily remove their procedural mask to eat or drink pursuant to subparagraph 4 of the second paragraph of Order in Council 810-2020 dated 15 July 2020, as amended, remain silent;”;

(b) by moving the word “and” from the end of subparagraph 8 to the end of subparagraph 9 and adding the following subparagraph at the end:

“(10) for school service centres, school boards and private educational institutions, students at the elementary school level in general education for youth must, at all times, in any building or room used by an educational institution or for the purposes of sport-study, arts-study and sports concentration and other special educational projects of the same nature, wear a face covering, namely a mask or tightly fitting cloth that covers the nose and the mouth, subject to the exceptions set out in subparagraphs iv to vii of subparagraph *a* of subparagraph 11 of the third paragraph;”;

(4) by replacing Schedules II and III by the following:

**“SCHEDULE II
ORANGE ZONE TERRITORIES**

Bas-Saint-Laurent Health Region;

Saguenay—Lac-Saint-Jean Health Region;

Capitale-Nationale Health Region;

Mauricie et Centre-du-Québec Health Region;

Estrie Health Region;

Outaouais Health Region;

Abitibi-Témiscamingue Health Region;

Côte-Nord Health Region;

Nord-du-Québec Health Region;

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

Chaudière-Appalaches Health Region;

SCHEDULE III
RED ZONE TERRITORIES

Montréal Health Region;

Laval Health Region;

Lanaudière Health Region;

Laurentides Health Region;

Montérégie Health Region.”;

THAT the operative part of Ministerial Order 2020-022 dated 15 April 2020, amended by Ministerial Orders 2020-034 dated 9 May 2020 and 2020-039 dated 22 May 2020, be further amended by adding the following subparagraphs at the end of the first paragraph:

“(6) the Ordre des psychoéducateurs et psychoéducatrices du Québec;

(7) the Ordre professionnel des criminologues du Québec.”;

THAT the measures set out in the first paragraph of this Order take effect on 8 March 2021.

Québec, 5 March 2021

CHRISTIAN DUBÉ,
Minister of Health and Social Services

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