

Ministerial Orders

M.O., 2021

Ministerial Order number 2021-020 of the Minister of Health and Social Services dated 1 April 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 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 and until 9 April 2021 by Order in Council 489-2021 dated 31 March 2021;

CONSIDERING that Order in Council 433-2021 dated 24 March 2021 provides for, among other things, 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 Order in Council 489-2021 dated 31 March 2021 also 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 expedient to order certain measures to protect the health of the population;

ORDERS AS FOLLOWS:

THAT the operative part of Order in Council 433-2021 dated 24 March 2021 be amended,

(1) by replacing “in which they reside” in the eighth paragraph by “of their principal residence”;

(2) by replacing Schedules III and IV by the following:

“Schedule III – Orange zone territories

Saguenay—Lac-Saint-Jean Health Region;

Mauricie et Centre-du-Québec Health Region;

Estrie Health Region;

Abitibi-Témiscamingue Health Region.

Schedule IV – Red zone territories

Bas-Saint-Laurent Health Region;

Capitale-Nationale Health Region;

Montréal Health Region;

Outaouais Health Region;

Chaudière-Appalaches Health Region;

Laval Health Region;

Lanaudière Health Region;

Laurentides Health Region;

Montérégie Health Region.”;

THAT, in addition to the provisions of the sixth paragraph of Order in Council 433-2021 dated 24 March 2021, and despite any provision to the contrary, the following measures apply to the territories of Ville de Gatineau, the regional county municipality of Les-Collines-de-l’Outaouais and the Communauté métropolitaine de Québec:

(1) the measures specific to the curfew set out in subparagraphs 4, 5 and 7 of that paragraph apply, but between 8:00 p.m. and 5:00 a.m.;

(2) the restaurants, retail sales businesses and premises in which cultural, sports, outdoor or recreational activities are permitted if the activities have not been suspended by an Order in Council or a Ministerial Order made under section 123 of the Public Health Act (chapter S-2.2) may not admit the public between 7:30 p.m. and 5:00 a.m., except in the case of a pharmacy or a service station;

(3) all activity in a retail sales business is suspended, except as regards the following businesses:

(a) grocery and other food stores;

(b) pharmacies;

(c) hardware stores;

(d) service stations;

(e) food and pet products supply businesses;

(f) businesses dealing in products for agricultural operations;

(g) businesses dealing in products, parts and other material necessary for transportation and logistics services and for repair or maintenance of a vehicle, including vehicle repair and servicing centres, but excluding the sale of vehicles;

(h) flower shops;

(i) convenience stores;

(j) businesses dealing in products for agricultural operations;

(k) businesses dealing in articles for medical, orthopedic and eye care;

(l) businesses dealing in household and building cleaning products;

(m) department stores and other sales outlets offering customers a wide variety of goods, including food, drugstore or hardware products; and

(n) the Société des alcools du Québec and the Société québécoise du cannabis;

(4) all activity in businesses dealing in personal and beauty care and in pet grooming is suspended;

(5) in a pharmacy, only products essential to day-to-day life may be sold to customers;

(6) in a hardware store, only products required for outdoor maintenance, repair or construction may be sold to customers;

(7) in a department store or other sales outlet referred to in subparagraph *m* of subparagraph 3,

(a) only products usually sold in any of the businesses referred to in any of subparagraphs *a* to *h* of subparagraph 3 may be accessible or sold to customers, which excludes, in particular, toys, clothing, books, electronic devices, decorative items, kitchen articles and home appliances; and

(b) subparagraphs 5 and 6 apply to drugstore and hardware products offered to customers;

(8) customers in a shopping centre may travel through the common areas of the shopping centre only to directly access a business referred to in any of subparagraphs *a* to *n* of subparagraph 3 or other premises in which the activities have not been suspended;

(9) the suspension of the activities described in subparagraph 3 does not prevent a retail sales business from selling, online or by any other form of remote business, products usually available in its establishment, or curbside pick-up of remote purchases, the items purchased having to be given to the purchaser outside the establishment;

(10) the suspension of the activities described in subparagraph 3 also does not prevent, in a retail sales business, the continuation of services to repair computer and electronic equipment or the repair and rental of sports and outdoor equipment or tool rentals;

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

(a) museums, biodomes, planetariums, insectariums, botanical gardens, aquariums and zoos, except for activities that take place outdoors and require participants be moving, such as sports activities or activities on walking trails;

(b) saunas and spas;

(c) libraries, other than those managed by educational institutions, except loan desks and individual work rooms and spaces for;

(d) movie theatres and rooms in which performing arts are presented, including venues where the arts are broadcast; and

(e) physical training rooms;

(12) the public may not attend an indoor rehearsal, production or audio-visual filming or indoor recording of a performance;

(13) in a building housing a place of worship, a maximum of 25 persons for the entire building may be in attendance;

(14) for the days in the 2020-2021 school calendar year devoted to educational services, school service centres, school boards and private educational institutions,

(a) provide distance educational services to preschool children and students at the elementary level in general education for youth according to the minimum service provision set out in the Schedule;

(b) provide distance educational services to students at the secondary level in general education for youth according to the normal timetable; and

(c) provide distance educational services to students in adult general education and vocational training;

(15) the preceding subparagraph does not apply 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;

(16) for handicapped students or students with social maladjustments or learning disabilities attending specialized classes or groups that are not in a school or a class referred to in the preceding subparagraph, the educational institutions may provide classroom educational services, but must favour the distance educational services referred to in subparagraph 14;

(17) for the days in the 2020-2021 school calendar year, childcare services provided at school suspend their activities, except for childcare services provided to handicapped students or students with social maladjustments or learning disabilities in specialized schools or classes that are part of regional or supraregional schooling services;

(18) despite the preceding subparagraph, childcare services are organized by the school service centres and school boards and are provided to children in preschool education and students at the elementary level having one parent who

(a) holds employment or practises a profession in the health and social services network, including in a private professional practice, a community pharmacy and a pre-hospital emergency service;

(b) is in charge of or is employed by an intermediate resource, a family-type resource, a social economy enterprise providing home assistance, a private seniors' residence, a childcare centre, a day care centre or a home childcare service;

(c) provides services within the framework of the direct allowance home care mechanism – service employment paycheque;

(d) is a police officer, a firefighter, a correctional services officer or a special constable;

(e) is employed by a 9-1-1 emergency centre or a dispatch centre for a fire safety service or a police force;

(f) is employed by any of the following organizations and has been identified by the highest authority in the organization as a provider of services held to be essential in the context of the COVID-19 pandemic:

- i. the Red Cross;
- ii. Héma-Québec;
- iii. Transplant Québec;
- iv. the Régie de l'assurance maladie du Québec;
- v. the Institut national de santé publique du Québec;
- vi. a drug wholesaler accredited by the Minister of Health and Social Services;
- vii. a suicide prevention centre;
- viii. the government air service;
- ix. a waste collection or treatment service or a water treatment service; or
- x. the Commission des normes, de l'équité, de la santé et de la sécurité du travail;

(g) is an inspector, a veterinarian, an analyst or other agent appointed for the carrying into effect of the Food Products Act (chapter P-29);

(h) is a coroner;

(i) is employed by the Ministère de la Sécurité publique du Québec, is assigned to civil protection and has been identified by the highest authority in that department as a provider of services held to be essential in the context of the COVID-19 pandemic;

(j) is a member of the personnel assigned to responding to calls made by the population via the Government's COVID-19 telephone information line or is a member of the personnel assigned to overseeing the providing of that service at the Ministère du Travail, de l'Emploi et de la Solidarité sociale;

(k) is employed by a school service centre, a school board or a private educational institution;

(l) is employed by a specialized lodging resource for vulnerable persons and their close relatives (spousal abuse, addiction, homelessness, mental health);

(m) is a worker performing duties within the judicial system;

(n) provides home care services to elderly persons;

(o) is a person assigned to snow removal for sidewalks and road links; or

(p) is involved in the work of developing or manufacturing a COVID-19 vaccine or any of its components;

(19) for childcare services to be organized pursuant to the preceding subparagraph, each group is made up of a maximum of 10 children;

(20) all recreational or sports activities are suspended, unless they are carried out in a place where the activities are not otherwise suspended, in circumstances that do not involve a league, tournament or competition, by a group of not more than eight persons, to which another person may be added to guide or oversee the activity, provided that a minimum distance of two metres is maintained at all times between the persons, other than in the case of occupants of the same private residence, or its equivalent; and

(21) the universities, 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-level or university instructional services or ongoing training services must favour distance training for their educational services, unless the acquisition or evaluation of the knowledge in the student's program of studies requires the student's presence in the classroom;

THAT the second paragraph not operate to prevent basic necessity goods and services from being supplied in an emergency or as a consequence of a fire or other loss, nor the providing of care or health or social services;

THAT this Order come into force on 1 April 2021 at 8:00 p.m.

Québec, 1 April 2021

CHRISTIAN DUBÉ
Minister of Health and Social Services

104980

M.O., 2021

Ministerial Order number 2021-021 of the Minister of Health and Social Services dated 5 April 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;

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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