

Ministerial Orders

M.O., 2021

Ministerial Order number 2021-026 of the Minister of Health and Social Services dated 14 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, 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 and until 23 April 2021 by Order in Council 555-2021 dated 14 April 2021;

CONSIDERING that Order in Council 433-2021 dated 24 March 2021, amended by Ministerial Orders 2021-019 dated 28 March 2021, 2021-020 dated 1 April 2021, 2021-023 dated 7 April 2021 and 2021-025 dated 11 April 2021, and Ministerial Order 2021-020 dated 1 April 2021 provide for, among other things, certain special measures to apply to certain territories;

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

CONSIDERING that Ministerial Order 2021-023 dated 7 April 2021, amended by Ministerial Order 2021-025 dated 11 April 2021, provides that certain persons may not be present in certain territories;

CONSIDERING that Order in Council 555-2021 dated 14 April 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 second paragraph of the operative part of Ministerial Order 2021-020 dated 1 April 2021 be amended by replacing “Ville de Gatineau, the regional county municipality of Les-Collines-de-l’Outaouais and the Communauté métropolitaine de Québec” in the portion before subparagraph 1 by “the Outaouais, Chaudière-Appalaches and Capitale-Nationale Health Regions, except the regional county municipalities of Charlevoix, Charlevoix-Est and Portneuf”;

THAT the operative part of Order in Council 433-2021 dated 24 March 2021, amended by Ministerial Orders 2021-019 dated 28 March 2021, 2021-020 dated 1 April 2021, 2021-023 dated 7 April 2021 and 2021-025 dated 11 April 2021, be further amended

(1) by replacing subparagraph 20.1 of the fifth paragraph by the following:

“(20.1) a face covering must be worn by every person at all times and for the entire duration of any recreational or sports activity, except in the following cases:

(a) when the only participants in the activity are the occupants of the same private residence or its equivalent or the persons who may be present in such a residence pursuant to subparagraph 3 of this paragraph;

(b) when the exceptions set out in subparagraphs 1, 2 and 4 of the second paragraph of Order in Council 810-2020 dated 15 July 2020, as amended, are applicable;

(c) for swimming and water sports;

(d) outside, when the exceptions set out in subparagraph 9 of the second paragraph of Order in Council 810-2020 dated 15 July 2020, as amended, are applicable;

(e) if the persons participating in the activity never come closer than two metres to each other;”;

(2) in the sixth paragraph,

(a) by replacing subparagraph *a* of subparagraph 19 by the following subparagraph:

“(a) it is carried out indoors, in either of the following situations:

i. at home, as part of a course in or at which only the occupants of the same private residence or its equivalent participate or attend, provided that a minimum distance of two metres is maintained at all times between the instructor and the other persons; or

ii. on a rink, in a pool or in a place where tennis or badminton may be played, in any of the following situations:

(I) alone or with another person provided that, in the latter case, a minimum distance of two metres is maintained at all times between the persons;

(II) by the occupants of the same private residence or its equivalent; or

(III) as part of a course in or at which only the occupants of the same private residence or its equivalent participate or attend, provided that a minimum distance of two metres is maintained at all times between the instructor and the other persons;”;

(b) by replacing subparagraph 19.1 by the following:

“(19.1) a face covering must be worn by every person at all times and for the entire duration of any recreational or sports activity, except in the following cases:

(a) when the only participants in the activity are the occupants of the same private residence or its equivalent or the persons who may be present in such a residence pursuant to subparagraph 3 of this paragraph;

(b) when the exceptions set out in subparagraphs 1, 2 and 4 of the second paragraph of Order in Council 810-2020 dated 15 July 2020, as amended, are applicable;

(c) for swimming and water sports;

(d) outside, when the exceptions set out in subparagraph 9 of the second paragraph of Order in Council 810-2020 dated 15 July 2020, as amended, are applicable;

(e) if the persons participating in the activity never come closer than two metres to each other;”;

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

“Schedule II – Yellow zone territories

Nord-du-Québec Health Region;

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

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;

Côte-Nord Health Region.”;

THAT the third paragraph of the operative part of Ministerial Order 2021-023 dated 7 April 2021, amended by Ministerial Order 2021-025 dated 11 April 2021, be further amended by inserting “or to study,” after “go to work”;

THAT no person may be present in the territory of the Abitibi-Témiscamingue or Côte-Nord Health Region, other than the following persons:

(1) persons who have their principal or their secondary residence in one of the territories but in the latter case, only for the purposes of maintenance;

(2) persons who transport goods in the territories;

(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 furnish such care or services to a person who requires the care or services;

(5) persons who work, carry on their profession or attend an educational institution in the territory;

(6) persons who must enter the territory to comply with a court judgment or a summons to appear before a court, or to allow the exercise of custody or parental access rights;

(7) employees in the federal public service whose place of work is situated in one of the territories and whose presence at the place of work is required by the employer;

(8) persons engaged in the transporting of goods in transit in Québec;

THAT the persons entering one of the territories from a territory listed in Schedule III or IV of Order in Council 433-2021 dated 24 March 2021 and its subsequent amendments, to return to their principal residence self isolate for 14 days upon their return, except persons who travelled to go to work or to study, or for reasons referred to in subparagraphs 3 and 4, and persons who are in a situation described in subparagraph 6;

THAT, despite the preceding, a public health director, a person authorized to act on the director’s behalf or a physician may authorize a person to enter one of those territories on the conditions he or she determines;

THAT the fourth, fifth and sixth paragraphs not apply to persons who are able to establish they were already present in one of the territories concerned before 14 April 2021, until such time as they leave the territory;

THAT this Order take effect on 14 April 2021 at 7:30 p.m.

Québec, 14 April 2021

CHRISTIAN DUBÉ
Minister of Health and Social Services

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