



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-SECOND LEGISLATURE

Bill 105
(2021, chapter 26)

**An Act to establish a perimeter
around certain places in order to
regulate demonstrations in relation to
the COVID-19 pandemic**

**Introduced 23 September 2021
Passed in principle 23 September 2021
Passed 23 September 2021
Assented to 23 September 2021**

**Québec Official Publisher
2021**

EXPLANATORY NOTES

This Act proposes to regulate demonstrations in relation to the COVID-19 pandemic by prohibiting them within a 50-metre radius of the grounds of certain places, including places where COVID-19 testing or vaccination services are provided, facilities maintained by a health and social services institution, facilities of holders of a childcare centre or day care centre permit issued under the Educational Childcare Act and educational institutions providing preschool, elementary, secondary or college-level education. The Act also prohibits organizing or inciting anyone to organize such demonstrations.

The Act contains penal provisions for contravening its provisions and allows a judge of the Superior Court to grant an injunction to prevent any act prohibited by them.

Lastly, the provisions of the Act will cease to have effect on 23 October 2021. However, the Act provides that the Government may, before the expiry date, extend the effect of the Act for a period of 30 days at a time. Nevertheless, it may not have effect beyond the date on which the public health emergency declared on 13 March 2020 ends.

Bill 105

AN ACT TO ESTABLISH A PERIMETER AROUND CERTAIN PLACES IN ORDER TO REGULATE DEMONSTRATIONS IN RELATION TO THE COVID-19 PANDEMIC

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. No one may be less than 50 metres from the grounds of the following places in order to demonstrate, in any manner, in connection with health measures ordered under section 123 of the Public Health Act (chapter S-2.2), COVID-19 vaccination or any other recommendation issued by public health authorities in relation to the COVID-19 pandemic:

- (1) a place where COVID-19 testing or vaccination services are provided;
- (2) a facility maintained by a health and social services institution;
- (3) a facility of the holder of a childcare centre or day care centre permit issued under the Educational Childcare Act (chapter S-4.1.1); or
- (4) an educational institution providing preschool, elementary, secondary, vocational, adult or college-level education.

The prohibition under the first paragraph also applies within a 50-metre perimeter around any mobile clinic providing services referred to in subparagraph 1.

This section must not be interpreted as having the effect of prohibiting demonstrations in relation to the conditions of employment of the personnel of the places referred to in the first and second paragraphs.

2. No one may organize or incite anyone to organize a demonstration that would contravene section 1.

3. Anyone who contravenes the provisions of section 1 or 2 commits an offence and is liable to a fine of \$1,000 to \$6,000.

Anyone who, in connection with public health measures ordered under section 123 of the Public Health Act, COVID-19 vaccination or any other recommendation issued by public health authorities in relation to the COVID-19 pandemic, threatens or intimidates a person who is going to, trying to access or leaving a place referred to in section 1, commits an offence and is liable to a fine of \$2,000 to \$12,000.

For a subsequent offence, the fines prescribed in the first and second paragraphs are doubled.

4. A judge of the Superior Court may grant an injunction to prevent any act prohibited by section 1 or 2.

5. This Act comes into force on 23 September 2021 and ceases to have effect on 23 October 2021.

However, the Government may, before the expiry date, extend the effect of the Act for a period of 30 days. On the same conditions, the Government may make any other extension.

Despite the preceding paragraphs, this Act may not have effect beyond the date on which the public health emergency, declared by Order in Council 177-2020 dated 13 March 2020 and renewed in accordance with section 119 of the Public Health Act, ends.