

Ministerial Orders

M.O., 2022

Ministerial Order 2022-010 of the Minister of Health and Social Services dated 27 January 2022

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 also provides that the Minister of Health and Social Services may order any measure needed to ensure that the health and social services network has the necessary human resources;

CONSIDERING that the public health emergency has consistently been renewed since that date by various Orders in Council, including by Order in Council 94-2022 dated 26 January 2022;

CONSIDERING that Ministerial Order 2020-087 dated 4 November 2020, amended by Ministerial Orders 2021-022 dated 7 April 2021 and 2021-091 dated 21 December 2021, provides among other things that the national medical director of pre-hospital emergency services may issue, without cost or requirement to complete an integration or training program, a special public health emergency authorization allowing samples necessary for COVID-19 screening tests to be taken, on certain conditions;

CONSIDERING that Order in Council 94-2022 dated 26 January 2022 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 advisable to order certain measures to protect the health of the population;

ORDERS AS FOLLOWS:

THAT the fifth paragraph of the operative part of Ministerial Order 2020-087 dated 4 November 2020, amended by Ministerial Orders 2021-022 dated 7 April 2021 and 2021-091 dated 21 December 2021, be further amended by adding the following at the end:

“(4) first responders not referred to in subparagraph 3, on the condition they have undergone training for the purpose provided under the authority of the director of nursing care of a health and social services institution and are under the supervision of a nurse, physician, respiratory therapist, nursing assistant or medical technologist, who must be present on the premises where the sample is taken;”.

Québec, 27 January 2022

CHRISTIAN DUBÉ
Minister of Health and Social Services

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M.O., 2022

Ministerial Order 2022-011 of the Minister of Health and Social Services dated 29 January 2022

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 has consistently been renewed since that date by various Orders in Council, including by Order in Council 94-2022 dated 26 January 2022;

CONSIDERING that Order in Council 964-2020 dated 21 September 2020 provides for the remuneration of teachers retired since 1 July 2015 holding a teaching licence who return to work to provide preschool education or teach at the elementary or secondary level;

CONSIDERING that Order in Council 885-2021 dated 23 June 2021, amended by Ministerial Orders 2021-049 dated 1 July 2021, 2021-050 dated 2 July 2021, 2021-053 dated 10 July 2021, 2021-055 dated 30 July 2021, 2021-057 dated 4 August 2021, 2021-058 dated 13 August 2021, 2021-059 dated 18 August 2021, 2021-060 dated 24 August 2021, 2021-061 dated 31 August 2021, 2021-062 dated 3 September 2021, 2021-063 dated 9 September 2021, 2021-065 dated 24 September 2021, 2021-066 dated 1 October 2021, 2021-067 dated 8 October 2021, 2021-068 dated 9 October 2021, 2021-069 dated 12 October 2021, 2021-073 dated 22 October 2021, 2021-074 dated 25 October 2021, 2021-077 dated 29 October 2021, 2021-078 dated 2 November 2021, 2021-079 dated 14 November 2021, 2021-083 dated 10 December 2021, 2021-086 dated 13 December 2021, 2021-087 dated 14 December 2021, 2021-089 dated 19 December 2021, 2021-090 dated 20 December 2021, 2021-092 dated 22 December 2021, 2021-096 dated 31 December 2021, 2022-001 dated 2 January 2022 and 2022-004 dated 15 January 2022, provides among other things for certain special measures to apply throughout Québec;

CONSIDERING that Order in Council 94-2022 dated 26 January 2022 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 the current situation of the COVID-19 pandemic allows for the easing of certain measures set in place to protect the health of the population, while maintaining certain of the measures necessary to continue that protection;

ORDERS AS FOLLOWS:

THAT the first paragraph of the operative part of Order in Council 964-2020 dated 21 September 2020 be amended by striking out “since 1 July 2015”;

THAT the eleventh paragraph of the operative part of Order in Council 885-2021 dated 23 June 2021, amended by Ministerial Orders 2021-049 dated 1 July 2021,

2021-050 dated 2 July 2021, 2021-053 dated 10 July 2021, 2021-055 dated 30 July 2021, 2021-057 dated 4 August 2021, 2021-058 dated 13 August 2021, 2021-059 dated 18 August 2021, 2021-060 dated 24 August 2021, 2021-061 dated 31 August 2021, 2021-062 dated 3 September 2021, 2021-063 dated 9 September 2021, 2021-065 dated 24 September 2021, 2021-066 dated 1 October 2021, 2021-067 dated 8 October 2021, 2021-068 dated 9 October 2021, 2021-069 dated 12 October 2021, 2021-073 dated 22 October 2021, 2021-074 dated 25 October 2021, 2021-077 dated 29 October 2021, 2021-078 dated 2 November 2021, 2021-079 dated 14 November 2021, 2021-083 dated 10 December 2021, 2021-086 dated 13 December 2021, 2021-087 dated 14 December 2021, 2021-089 dated 19 December 2021, 2021-090 dated 20 December 2021, 2021-092 dated 22 December 2021, 2021-096 dated 31 December 2021, 2022-001 dated 2 January 2022 and 2022-004 dated 15 January 2022, be further amended

(1) by replacing subparagraphs 1 and 1.1 by the following:

“(1) in a private residence or its equivalent, or in an accommodation unit or dormitory in a tourist accommodation establishment, a maximum of four persons may be present, unless the persons are occupants of a maximum of two private residences or the equivalent;”;

(2) by replacing subparagraph 3 by the following:

“(3) despite subparagraphs 1 and 2, a person may be present in a private residence or its equivalent, or in an accommodation unit or dormitory in a tourist accommodation establishment, including the grounds, balcony or terrace of such a residence or accommodation unit, if the person is present to receive or provide a service or support, as applicable, and is not an occupant of the residence or unit;”;

(3) in subparagraph 6.1,

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

“(a) arcades and, for their indoor activities, thematic sites, amusement centres and parks, recreational centres and water parks;

(a.1) recreational centres for their indoor activities, unless the activities carried on are part of sport-study, art-study and sports concentration curriculums and other special school projects of the same nature provided to students at the elementary and secondary school level in general education for youth;”;

(b) by striking out “or food” in subparagraph *e*;

- (c) by replacing subparagraphs *f* and *g* by the following:
- “(f) restaurant dining rooms, but only from midnight to 5:00 a.m. the next day;”;
- (d) by adding the following subparagraph at the end:
- “(l) any indoor place, other than a private residence or its equivalent, when it is used for an event-based or social activity that is not otherwise covered by this Order in Council;”;
- (4) by inserting the following after subparagraph 6.1:
- “(7) in a restaurant, sports centre chalet, indoor place or building adjacent to a snowmobile or quad relay, food court in a shopping centre or food store, or in any other room used for the purposes of restaurant services,
- (a) indoors,
- i. the seating arrangement on the premises must be such that maximum space is left between the tables as long as a minimum distance of one metre is maintained between tables, unless a physical barrier able to limit contagion separates the tables;
- ii. a maximum of four persons may be seated at the same table, unless the persons are occupants of a maximum of two private residences or the equivalent;
- iii. the capacity of the premises is set at 50% of the usual capacity;
- (b) outdoors,
- i. the seating arrangement on the premises must be such that a minimum distance of one metre is maintained between tables, unless a physical barrier able to limit contagion separates the tables;
- ii. a maximum of four persons may be seated at the same table, unless the persons are occupants of a maximum of two private residences or the equivalent;
- (c) despite subparagraph ii of subparagraphs *a* and *b*, a person may be seated at the same table as the persons referred to in those subparagraphs if the person
- i. is present to provide a service or support required by a person because of his or her state of health or for safety purposes, if applicable; or
- ii. is a person who requires or to whom they provide assistance, if applicable;
- (d) only persons seated at a table may be served or consume beverages;
- (e) patrons may not serve themselves directly from a buffet or have access to a self-serve counter for covers or food;
- (f) restaurant service terminates at 11:00 p.m.;
- (g) no alcoholic beverage may be served unless it is served with food;
- (h) dancing is prohibited;
- (8) the holder of a permit authorizing the sale or service of alcoholic beverages for consumption on the premises may admit simultaneously, into each room of the establishment where the permit is used, only a maximum of 50% of the number of persons that may be admitted under the permit, and may not tolerate the presence there of a number of persons greater than that maximum;”;
- (5) by striking out subparagraph 12;
- (6) by replacing “6.1” in subparagraph 13 by “7”;
- (7) by striking out the following:
- “(13) subparagraph 7 does not apply in a cafeteria, or its equivalent,
- (a) in a school service centre, a school board or a private educational institution when it provides services to preschool children or to students at the elementary or secondary school level in general education for youth; or
- (b) used in connection with vacation camp or day camp activities, provided that a minimum distance of one metre is maintained between the children in different groups;”;
- (8) by inserting the following after subparagraph 14:
- “(15) the indoor capacity of a biodome, planetarium, insectarium, botanical garden, aquarium and zoo is set at 50% of its usual capacity;”;
- (9) in subparagraph 21,
- (a) by inserting the following after subparagraph *a*:
- “(a.1) it is organized in a place where the activities are not otherwise suspended for a group of persons under 18 years of age, on the following conditions:
- i. not more than 25 persons are present in the area reserved for the recreation or game playing;

ii. if a team sport is played, games against another group are prohibited;

iii. the capacity of the changing room, if any, is set at 50% of its usual capacity;”;

(b) by inserting the following after subparagraph c:

“(c.1) the activity is part of extracurricular activities provided to students in general education for youth of the same institution;”;

(c) by inserting the following after subparagraph e:

“(e.1) the activity involves training of players on a sports team of a university, a college established under the General and Vocational Colleges Act (chapter C-29) or a private educational institution providing college instructional services if the team is not formed as part of the instructional services, and it plays the sport as an inter-collegiate or interuniversity sport;”;

(10) by replacing “in an outdoor public place” in subparagraph 26.1 by “on the same site of an outdoor public place”;

(11) by inserting the following after subparagraph 28:

“(28.1) despite the preceding paragraph, the students of universities, colleges, private colleges and other institutions providing college or university instructional services, and institutions providing educational services and vocational training, adult education services or ongoing training services must wear a procedural mask when playing any sports activity in any building or room used by the institution;”;

(12) by striking out subparagraph 33;

THAT the measures set out in this Order take effect on 31 January 2022.

Québec, 29 January 2022

CHRISTIAN DUBÉ
Minister of Health and Social Services

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