

Ministerial Orders

M.O., 2022

Ministerial Order 2022-018 of the Minister of Health and Social Services dated 19 February 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 149-2022 dated 16 February 2022;

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, 2022-004 dated 15 January 2022, 2022-011 dated 29 January 2022, 2022-012 dated 4 February 2022, 2022-013 dated 5 February 2022 and 2022-015 dated 11 February 2022, provides among other things for certain special measures to apply throughout Québec;

CONSIDERING that Order in Council 1173-2021 dated 1 September 2021, amended by Order in Council 1276-2021 dated 24 September 2021, and by Ministerial Orders 2021-067 dated 8 October 2021, 2021-079 and 2021-081 dated 14 November 2021, 2021-082 dated 17 November 2021, 2021-089 dated 19 December 2021, 2022-004 dated 15 January 2022, 2022-007 dated 23 January 2022, 2022-013 dated 5 February 2022, 2022-015 dated 11 February 2022 and 2022-017 dated 15 February 2022, provides that a person must be adequately protected to enter certain places or participate in certain activities;

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

CONSIDERING that Order in Council 149-2022 dated 16 February 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 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, 2022-004 dated 15 January 2022, 2022-011 dated 29 January 2022, 2022-012 dated 4 February 2022, 2022-013 dated 5 February 2022 and 2022-015 dated 11 February 2022, be further amended

(1) in the eleventh paragraph,

(a) in subparagraph 4,

i. by replacing “250” in subparagraph *a* by “500”;

ii. by replacing subparagraph *b* by the following:

“(b) a turnover of persons is permitted for a viewing, or in the presence of ashes, and when condolences are received, on the condition that the number of persons present at the same time never exceeds a maximum of 50 persons;”;

(b) by replacing “250” in subparagraph *a* of subparagraph 5 by “500”;

(c) in subparagraph 6.1,

i. by striking out subparagraphs *a* and *a.1*;

ii. by striking out “bowling,” in subparagraph *j*;

iii. by striking out subparagraph *l*;

(d) by striking out “without exceeding a maximum of 500 persons” in subparagraph *a* of subparagraph 14;

(e) by replacing “in the recreational centres referred to in subparagraph ii of subparagraph *a.1* of subparagraph 6.1” in subparagraph 19 by “for bowling or other games of the same nature, and for arcades and, for their indoor activities, thematic sites, amusement centres and parks, recreational centres and water parks”, and by replacing “centre” by “place”;

(f) by replacing subparagraphs 21.1 to 22 by the following:

“(22) in a rented hall or a community hall made available to anyone,

(a) no capacity limits are set in the following cases:

i. for an exhibition bringing together several exhibitors or retail sales businesses, in which case the measures set out in the fourteenth paragraph must be complied with;

ii. for an activity that is within the mission of a community organization whose activities are related to the health or social service sector;

iii. for a recreational or sports activity taking place in compliance with subparagraph 21;

(b) the capacity of the hall is set at 50% of its usual capacity, without exceeding a maximum of 500 persons for a gathering, a convention, a meeting, a funeral service, a marriage, a recognition ceremony or a graduation or other event of the same nature, in which the participants attend while remaining seated;

(c) the capacity of the hall is set at 50% of its usual capacity, without exceeding a maximum of 250 persons for an organized activity that is necessary to the continuation of the activities, other than event-based or social activities, that are a part of the operation of an enterprise or the activities of an educational institution, court of justice, arbitrator, association of employees, professionals, managerial staff, senior administrators or employers, a consular post, diplomatic mission, government department or public body;

(d) the capacity of the hall is set at 50% of its usual capacity for a production or an audio-video filming or performance recording;

(e) the capacity of the hall is set at 50 persons in all other cases;”;

(g) by replacing “250” in subparagraph 26.1 by “500”;

(2) by striking out subparagraph 2 of the fourteenth paragraph;

(3) by striking out the fifteenth paragraph;

THAT the operative part of Order in Council 1173-2021 dated 1 September 2021, amended by Order in Council 1276-2021 dated 24 September 2021, and by

Ministerial Orders 2021-067 dated 8 October 2021, 2021-079 and 2021-081 dated 14 November 2021, 2021-082 dated 17 November 2021, 2021-089 dated 19 December 2021, 2022-004 dated 15 January 2022, 2022-007 dated 23 January 2022, 2022-013 dated 5 February 2022, 2022-015 dated 11 February 2022 and 2022-017 dated 15 February 2022, be further amended

(1) in the third paragraph,

(a) by inserting the following after subparagraph 13:

“(13.1) an activity taking place in a rented hall or a community hall, in a case referred to in subparagraph *c* of subparagraph 22 of the eleventh paragraph of Order in Council 885-2021 dated 23 June 2021, as amended;”;

(b) by striking out subparagraph 15;

(c) by inserting “or in a place of worship” at the end of subparagraph 15.1;

(d) by striking out subparagraph 16;

(2) by striking out “or at a place of worship” in the seventeenth paragraph;

THAT the measures set out in this Order take effect on 21 February 2022.

Québec, 19 February 2022

CHRISTIAN DUBÉ
Minister of Health and Social Services

105559