

Ministerial Orders

M.O., 2022

Ministerial Order 2022-019 of the Minister of Health and Social Services dated 25 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 181-2022 dated 23 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, 2022-015 dated 11 February 2022 and 2022-018 dated 19 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, 2022-017 dated 15 February 2022 and 2022-018 dated 19 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 181-2022 dated 23 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, 2022-015 dated 11 February 2022 and 2022-018 dated 19 February 2022, be further amended

(1) by striking out subparagraph *d* of subparagraph 2 of the second paragraph;

(2) in the eleventh paragraph,

(a) by striking out subparagraph 4, subparagraph *a* of subparagraphs 5 and 6 and subparagraph 6.1;

(b) in subparagraph 7,

i. by inserting “casino, gaming house, bar, discotheque, microbrewery, distillery,” in the portion before subparagraph *a* before “restaurant”;

ii. by replacing “11:00 p.m.” in subparagraph *f* by “midnight”;

iii. by striking out subparagraph *g*;

(c) by replacing subparagraph 8 by the following:

“(8) the holder of a permit authorizing the sale or service of alcoholic beverages for consumption on the premises

(a) 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;

(b) may operate under the permit only from 8:00 a.m. to midnight;

(9) the measures set out in subparagraph 8 apply, with the necessary modifications, to holders of a small-scale production permit, a small-scale beer producer’s permit or a brewer’s permit, when they allow the consumption of alcoholic beverages on the premises in accordance with their permit to produce alcoholic beverages;”;

(d) by replacing subparagraph *a* of subparagraph 14 by the following:

“(a) maximum attendance in each theatre, room or hall with a usual capacity greater than 10,000 persons is set at 50% of that usual capacity;”;

(e) by inserting “, billiard or darts” in subparagraph 19 after “bowling”;

(f) by replacing subparagraphs 20 and 21 by the following:

“(21) for all indoor recreational or sports activity, the capacity of the changing room, if any, is set at 50% of its usual capacity;”;

(g) in subparagraph 22,

i. by replacing subparagraph iii of subparagraph *a* by the following:

“iii. for a recreational or sports activity;

iv. 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;

v. 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;

vi. for a production or an audio-video filming or performance recording, if the usual capacity of the hall is 10,000 persons or fewer;”;

ii. by replacing subparagraphs *b* to *d* by the following:

“(d) for a production or an audio-video filming or performance recording, if the usual capacity of the hall is greater than 10,000 persons, maximum attendance is set at 50% of that usual capacity;”;

(h) by striking out subparagraphs 23 to 27;

(3) by striking out subparagraph 4 of the twelfth paragraph;

(4) by striking out the thirteenth paragraph;

THAT the third paragraph of 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, 2022-017 dated 15 February 2022 and 2022-018 dated 19 February 2022, be further amended

(1) by inserting “held indoors” at the end of subparagraph 8;

(2) by striking out “or attended by more than 500 persons outdoors” at the end of subparagraph 11;

(3) by striking out “or by more than 500 persons outdoors” at the end of subparagraph 13;

(4) by replacing “subparagraph c” in subparagraph 13.1 by “subparagraph e”;

(5) by striking out subparagraphs 14 and 17;

THAT the measures set out in this Order take effect on 28 February 2022, except the measure set out in subparagraph 4 of the second paragraph, which takes effect on 25 February 2022.

Québec, 25 February 2022

CHRISTIAN DUBÉ
Minister of Health and Social Services

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