

**Ministerial Order 2020-105 of the Minister of Health and Social Services
dated 17 December 2020**

Public Health Act
(chapter S-2.2)

Ordering of measures to protect the health
of the population amid the COVID-19 pandemic
situation

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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 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 and until 25 December 2020 by Order in Council 1351-2020 dated 16 December 2020;

CONSIDERING that Order in Council 1020-2020 dated 30 September 2020, amended by Ministerial Orders 2020-074 dated 2 October 2020, 2020-077 dated 8 October 2020, 2020-079 dated 15 October 2020, 2020-080 dated 21 October 2020, 2020-081 dated 22 October 2020, 2020-084 dated 27 October 2020, 2020-085 dated 28 October 2020, 2020-086 dated 1 November

2020, 2020-087 dated 4 November 2020, 2020-090 dated 11 November 2020, 2020-091 dated 13 November 2020, 2020-093 dated 17 November 2020 and 2020-104 dated 15 December 2020, and by Order in Council 1039-2020 dated 7 October 2020, provides for, among other things, despite any provision to the contrary of an Order in Council or a Ministerial Order made under section 123 of the Public Health Act, certain special measures applicable in certain territories;

CONSIDERING that Order in Council 1346-2020 dated 9 December 2020 provides among other things for the organization and providing, by school service centres and school boards, of childcare services for preschool children and students at the elementary level having one parent who holds employment or practises a profession described in the Order in Council;

CONSIDERING that Orders in Council 1020-2020 dated 30 September 2020, as amended, and 1346-2020 dated 9 December 2020 provide that the Minister of Health and Social Services be empowered to order any modification or clarification of the measures provided for by those Orders in Council;

CONSIDERING that Order in Council 1351-2020 dated 16 December 2020 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 tenth paragraph of the operative part of Order in Council 1020-2020 dated 30 September 2020, amended by Ministerial Orders 2020-074 dated 2 October 2020, 2020-077 dated 8 October 2020, 2020-079 dated 15 October 2020, 2020-080 dated 21 October 2020, 2020-081 dated 22 October 2020, 2020-084 dated 27 October 2020, 2020-085 dated 28 October 2020, 2020-086 dated 1 November 2020, 2020-087 dated 4 November 2020, 2020-090 dated 11 November 2020, 2020-091 dated 13 November 2020, 2020-093 dated 17

November 2020 and 2020-104 dated 15 December 2020, and by Order in Council 1039-2020 dated 7 October 2020, be further amended

(1) in subparagraph 5,

(a) by adding ", except for their outdoor activities requiring participants be in motion, such as sports-related activities or walking circuits" at the end of subparagraph e;

(b) by replacing subparagraph *f* by the following:

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

(c) by replacing subparagraph *l* by the following:

"(l) any indoor place, other than a private residence or its equivalent, in the following cases:

i. when it is used for the holding of an event-based or social activity;

or

ii. when it is used for games of bowling, darts, billiard or other games of the same nature;"

(2) by inserting the following in subparagraph 21 after subparagraph *b*:

"(b.1) it is carried out outdoors in a place where the activities are not otherwise suspended, in circumstances that do not involve a league, tournament or competition, by a group of not more than 8 persons to which another person may be added to guide or oversee the activity, and a minimum distance of two metres is maintained at all times between the persons, unless the persons are occupants of the same private residence or its equivalent;

(b.2) it is carried out indoors, as part of a course in or at which only the occupants of the same private residence or its equivalent participate or attend, in a place where the activities are not otherwise suspended, and a minimum

distance of two metres is maintained at all times between the instructor and the other persons;";

THAT the fifth paragraph of the operative part of Order in Council 1346-2020 dated 9 December 2020 be amended

(1) by adding the following subparagraph at the end of subparagraph 6:

"(j) the Commission des normes, de l'équité, de la santé et de la sécurité du travail;";

(2) by adding the following subparagraphs at the end:

"(15) is a person assigned to snow removal for sidewalks and road links;

(16) is involved in the work of developing or manufacturing a COVID-19 vaccine or any of its components;".

THAT, despite the preceding paragraphs of the operative part of this Order in Council and any other provision to the contrary in an Order in Council or Ministerial Order made under section 123 of the Public Health Act (chapter S-2.2),

(1) the measures set out in the ninth paragraph of the operative part of Order in Council 1020-2020 dated 30 September 2020 and its subsequent amendments apply to the territories of the following health regions:

(a) Abitibi-Témiscamingue;

(b) Côte-Nord;

(c) Gaspésie-Îles-de-la-Madeleine, only for the Communauté maritime des Îles-de-la-Madeleine;

(d) Nord-du-Québec;

(e) Nunavik; and

(f) Terres-cries-de-la-Baie-James;

(2) the measures set out in the tenth paragraph of the operative part of Order in Council 1020-2020 dated 30 September 2020 and its subsequent amendments apply to the territories of the following health regions:

(a) Bas-Saint-Laurent;

(b) Saguenay—Lac-Saint-Jean

(c) Capitale-Nationale;

(d) Mauricie et Centre-du-Québec;

(e) Estrie;

(f) Montréal;

(g) Outaouais;

(h) Gaspésie—Îles-de-la-Madeleine, other than the Communauté maritime des Îles-de-la-Madeleine;

(i) Chaudière-Appalaches;

(j) Laval;

(k) Lanaudière;

(l) Laurentides; and

(m) Montérégie;

(3) a person residing alone or only with his or her minor dependent children may, in the person's private residence or its equivalent, including the grounds, be visited by the occupants of only one other private residence, or visit, with the minor dependent children, that private residence or its equivalent, including the grounds; and

(4) a person and the person's dependent children, if any, when forming a couple with another person who does not share the residence, may be visited by that other person and that person's dependent children, if any, in the private residence or its equivalent, including the grounds;

THAT all the employees of enterprises, organizations or bodies of the public administration who perform administrative duties or office work continue to do so by teleworking, from their private residence or its equivalent, except employees whose presence is essential to maintaining the business of the enterprise, organization or body.

Québec, 17 December 2020

CHRISTIAN DUBÉ
Minister of Health and Social Services