Ministerial Order 2020-091 of the Minister of Health and Social Services
dated 13 November 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 Ministerial Order 2020-066 dated 18 September 2020 provides among other things for special measures regarding the holding of school elections in Québec;

CONSIDERING that Order in Council 1168-2020 dated 11 November 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 following procedural modifications apply to the holding of school elections:

(1) the attestation of a staff member where a person referred to in the first paragraph of section 58.5.1 of the Act respecting school elections (chapter E-2.3), as it read on 7 February 2020, is domiciled confirming the person’s identity and place of residence may replace the documents to be submitted to the returning officer with an application made under that section;

(2) the following persons may submit an application to the returning officer under the first paragraph of section 58.5.1 of that Act:

(a) a person returning from a trip abroad less than 14 days earlier;

(b) a person who has received a COVID-19 diagnosis and is still considered to be a carrier of the disease;

(c) a person showing COVID-19 symptoms;

(d) a person having been in contact with a suspected, probable or confirmed COVID-19 case less than 14 days earlier;

(e) a person waiting for the results of a COVID-19 screening test;
(3) in addition to the day referred to in section 89 of the Act respecting school elections, an advance poll may also be held on the eighth day before polling day;

(4) an advance polling station may open at 9:30 a.m.;

(5) an additional polling day may also be held on the day before polling day;

(6) every polling station must open at 10:00 a.m. or 11:00 a.m. and close at 7:00 p.m. or 8:00 p.m., so as to stagger peak periods in the polling station;

(7) an elector may vote using his or her own pencil;

(8) the Regulation respecting voting by mail (chapter E-2.2, r. 3) apply to school elections, and voting by mail replace every mobile polling station and be offered to every elector who would have been eligible to vote in such a station, even if the elector is able to move about, and to every elector mentioned in subparagraph 2;

(9) voting by mail be exercised according to the terms and conditions determined in the Regulation respecting voting by mail with, for the electors referred to in subparagraph 8, the following modifications made to facilitate the voting process:

(a) the returning officer must take the necessary means in a timely manner so that electors are suitably informed of the right to vote by mail;

(b) an elector's application to exercise the right to vote by mail may be made verbally and is valid only for the purposes of the election for which it is made;

(c) the envelope containing all the materials necessary for voting by mail may be sent by the returning officer to electors as of the twenty-seventh day before polling day;
(d) the instructions for voting sent to the elector in the envelope containing all the materials necessary for voting by mail are to indicate that it is not necessary to send a photocopy of an identification document with the ballot papers if the elector’s signature is affixed on the envelope identified as "ENV-2" and the elector’s date of birth and, in the case of the elector mentioned in subparagraph 2, the number of a document mentioned in the second paragraph of section 114 of the Act respecting school elections are written on the envelope;

(e) an application to the returning officer to obtain ballot papers that have not been received may be made as of the tenth day before polling day;

(f) an elector who would have been eligible for mobile voting and is unable to mark his or her ballot paper may be assisted by a staff member of the facility where the elector is domiciled without the staff member being required to declare on the elector’s declaration that the staff member has not already assisted another elector during the poll;

(g) for the purposes of the Regulation respecting voting by mail, a reference to the Act respecting elections and referendums in municipalities (chapter E-2.2) and to its sections 99, 131, 171, 204, 215 and 233 is, respectively, a reference to the Act respecting school elections and to its sections 38, 58.3, 85, 106, 114 and 133;

THAT the last paragraph of the operative part of Order in Council 1039-2020 dated 7 October 2020 be replaced by the following:

“THAT, for the purpose of holding sittings of boards of directors and commissioners respectively provided for in subparagraph 27 of the tenth paragraph of the operative part of Order in Council 1020-2020 dated 30 September 2020, as amended, every school service center and school board whose part of the territory of that school service center or school board is covered by that paragraph be covered by that subparagraph.”;

THAT the following be revoked:

(1) Ministerial Order 2020-066 dated 18 September 2020;

Québec, 13 November 2020

CHRISTIAN DUBÉ
Minister of Health and Social Services