Ministerial Order 2021-013 of the Minister of Health and Social Services
dated 13 March 2021

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 89-2021 dated 3 February 2021, until 19 February 2021 by Order in Council 103-2021 dated 10 February 2021, until 26 February 2021 by Order in Council 124-2021 dated 17 February 2021, until 5 March 2021 by Order in Council 141-2021 dated 24 February 2021, until 12 March 2021 by Order in Council 176-2021 dated 3 March 2021 and until 19 March 2021 by Order in Council 204-2021 dated 10 March 2021;


CONSIDERING that Order in Council 102-2021 dated 5 February 2021, amended by Ministerial Orders 2021-008 dated 20 February 2021, 2021-009 dated 25 February 2021 and 2021-010 dated 5 March 2021, 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 Orders in Council 689-2020 dated 25 June 2020 and 102-2021 dated 5 February 2021, as amended, also empower the Minister of Health and Social Services to order any modification or clarification to the measures provided for in the Orders;

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 some of the measures necessary to continue that protection;

ORDERS AS FOLLOWS:

amended in the fifth paragraph by moving the word "or" from the end of subparagraph 1 to the end of subparagraph 2 and adding the following subparagraph at the end:

"(3) if the persons are preschool children or elementary or secondary level students in general education for youth in the same group, when receiving any service provided by a school service centre, a school board or a private educational institution;"

THAT the operative part of Order in Council 102-2021 dated 5 February 2021, amended by Ministerial Orders 2021-008 dated 20 February 2021, 2021-009 dated 25 February 2021 and 2021-010 dated 5 March 2021, be further amended

(1) in the third paragraph,

(a) by striking out subparagraph e of subparagraph 7;

(b) in subparagraph 11,

i. by replacing subparagraph vii of subparagraph a by the following subparagraph:

"vii. engages in a physical activity or other activity requiring the face covering be removed, provided that a minimum distance of two metres is maintained between every person;"

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

"ii. on the grounds or in any building or room used for sport-study, arts-study, sport concentration programs and other special school projects of the same nature, extracurricular activities or school outings;"

(2) in the fourth paragraph,

(a) by inserting the following after subparagraph 3.1:

"(3.2) in spas and saunas,"
(a) the operator is required

i. to admit only patrons having made a reservation; and

ii. to keep a register of the names, telephone numbers and, if applicable, email addresses of every patron admitted into the establishment;

(b) to be admitted, a patron must disclose to the operator the information necessary for the purposes of the preceding subparagraph and furnish proof, as required;

(c) the information entered in the register as required by subparagraph ii of subparagraph a may only be communicated to a public health authority or a person authorized to act on the public health authority’s behalf for the purposes of an epidemiological investigation, and may not be used by any other person for any other purpose; and

(d) the information contained in the register required by subparagraph ii of subparagraph a must be destroyed 30 days following its entry;"

(b) in subparagraph 5,

i. in subparagraph a by moving the word "or" from the end of subparagraph ii to the end of subparagraph iii and adding the following subparagraph at the end:

"iv. as part of an extracurricular activity or school outing by students in general education for youth in the same group;";

ii. in subparagraph b by moving the word "or" from the end of subparagraph i to the end of subparagraph ii and adding the following subparagraph at the end:

"iii. as part of an extracurricular activity or school outing by students in general education for youth in the same group;";

(c) by replacing subparagraphs a and b of subparagraph 10 by the following subparagraphs:
"(a) students in the first and second cycles of elementary education in general education for youth in any building or room used by an educational institution or for the purposes of sport-study, arts-study, sports concentration and other special educational projects of the same nature, extracurricular activities or school outings, except if the students are in a room in which the educational and instructional services are provided, subject to the exceptions set out in subparagraphs iv to vii of subparagraph a of subparagraph 11 of the third paragraph; and

(b) students in the third cycle of elementary education in general education for youth, at all times, in any building or room used by an educational institution or for the purposes of sport-study, arts-study, sports concentration and other special educational projects of the same nature, extracurricular activities or school outings, subject to the exceptions set out in subparagraphs iv to vii of subparagraph a of subparagraph 11 of the third paragraph;"

(3) in the fifth paragraph,

(a) in subparagraph 2 by moving the word "and" from the end of subparagraph b to the end of subparagraph c and adding the following subparagraph at the end:

"(d) saunas and spas, except personal care provided therein;";

(b) in subparagraph 4,

i. by adding the following subparagraph at the end of subparagraph ii of subparagraph 0.a, after moving the word "or" from the end of subparagraph II to the end of subparagraph III:

"(IV) as part of an extracurricular activity or school outing by students in general education for youth in the same group;";

ii. by adding the following subparagraph at the end of subparagraph a, after moving the word "or" from the end of subparagraph ii to the end of subparagraph iii:
"iv. as part of an extracurricular activity or school outing by students in general education for youth in the same group;";

(c) by replacing subparagraph 10 by the following:

"(10) for school service centres, school boards and private educational institutions, students at the elementary school level in general education for youth must, at all times, in any building or room used by an educational institution or for the purposes of sport-study, arts-study, sports concentration and other special educational projects of the same nature, extracurricular activities or school outings, wear a face covering, namely a mask or tightly fitting cloth that covers the nose and the mouth, subject to the exceptions set out in subparagraphs iv to vii of subparagraph a of subparagraph 11 of the third paragraph;";

THAT this Order take effect on 15 March 2021.

Québec, 13 March 2021

CHRISTIAN DUBÉ
Minister of Health and Social Services