Ministerial Order 2021-036 of the Minister of Health and Social Services
dated 15 May 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

CONSIDERING that Ministerial Order 2020-035 dated 10 May 2020, amended by Ministerial Orders 2020-044 dated 12 June 2020, 2020-064 dated 17 September 2020 and 2020-067 dated 19 September 2020, provides for, among other things, an amendment to the national and local provisions of the collective agreements applicable in the health and social services network as well as certain employment conditions applicable to non-unionized salaried personnel in the network;

CONSIDERING that Ministerial Order 2021-017 dated 26 March 2021, amended by Ministerial Order 2021-028 dated 17 April 2021, provides for, among other things, certain measures to apply to certain service providers of a health and social services institution, an intermediary resource, a family-type resource or a private seniors' residence, and to personnel placement agencies;

CONSIDERING that Ministerial Order 2021-020 dated 1 April 2021, amended by Ministerial Orders 2021-026 dated 14 April 2021, 2021-028 dated 17 April 2021, 2021-031 dated 28 April 2021 and 2021-034 dated 8 May 2021, provides for emergency measures to apply in certain territories;

CONSIDERING that Order in Council 660-2021 dated 12 May 2021 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 second paragraph of the operative part of Ministerial Order 2020-035 dated 10 May 2020, amended by Ministerial Orders 2020-044 dated 12 June 2020, 2020-064 dated 17 September 2020 and 2020-067 dated 19 September 2020, be further amended by inserting "floating holidays," in subparagraph a of subparagraph 1 after "public holidays,"

THAT the operative part of Ministerial Order 2021-017 dated 26 March 2021, amended by Ministerial Order 2021-028 dated 17 April 2021, be further amended by replacing the twenty-third paragraph by the following:

"THAT the sixth, seventh, eighth, ninth, tenth, eleventh, thirteenth, sixteenth, seventeenth and eighteenth paragraphs not apply in respect of the following persons:

(1) a service provider assigned before 17 April 2021 to a body in the health and social services sector situated in one of the health regions listed in the seventh paragraph;

(2) a service provider or a personnel placement agency whose contract was entered into before 13 March 2020 through a joint procurement group and that, as applicable, with the Centre d'acquisitions gouvernementales,

(a) exercises a renewal option under the contract; or

i. the new contract entered into must be for a maximum duration not to exceed one year; and

ii. the conditions of the new contract, including any rate schedule, must be identical to the conditions set out in the original contract or, if applicable, in the most recent contract renewal;"

THAT the second paragraph of the operative part of Ministerial Order 2021-020 dated 1 April 2021, amended by Ministerial Orders 2021-026 dated 14 April 2021, 2021-028 dated 17 April 2021, 2021-031 dated 28 April 2021 and 2021-034 dated 8 May 2021, be further amended

(1) by replacing "the Bas-Saint-Laurent Health Region, except the regional county municipalities of La Matanie, La Matapédia and La Mitis, the Estrie Health Region, but only for the regional county municipality of Granit, the Outaouais Health Region, except the regional county municipalities of La Vallée-de-la-Gatineau and Papineau" in the portion before subparagraph 1 by "the Bas-Saint-Laurent Health Region, but only for the regional county municipalities of Kamouraska, Les Basques, Rivière-du-Loup and Témiscouata, the Estrie Health Region, but only for the regional county municipality of Granit";

(2) by replacing "or tool rentals" in subparagraph 10 by ", the purchasing of individual life jackets or other boating safety accessories, or tool rentals";

THAT subparagraph b of subparagraph 14 of the second paragraph of the operative part of Ministerial Order 2021-020 dated 1 April 2021 and its subsequent amendments not apply to school service centres, school boards and private educational institutions with respect to their institutions situated in the territory of the regional county municipalities of Granit, Beauce-Sartigan, Les Etchemins and Robert-Cliche.

THAT this Order come into force on 15 May 2021, except for the measures set out in subparagraph 1 of the third paragraph and in the fourth paragraph, which come into force on 17 May 2021.
Québec, 15 May 2021

CHRISTIAN DUBÉ
Minister of Health and Social Services