

**Ministerial Order 2021-090 of the Minister of Health and Social Services  
dated 20 December 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 that Order in Council provides that the Minister of Health and Social Services may order any other measure needed to ensure that the health and social services network has the necessary human resources;

CONSIDERING that the public health emergency has consistently been renewed since that date by various Orders in Council, including by Order in Council 1540-2021 dated 15 December 2021;

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 and 2021-089 dated 19 December 2021, provides for, among other things, certain special measures to apply throughout Québec;

CONSIDERING that that Order in Council also empowers the Minister of Health and Social Services to order any modification or clarification of the measures provided for in the Order;

CONSIDERING that Order in Council 1540-2021 dated 15 December 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 advisable to order certain measures to protect the health of the population;

#### ORDERS AS FOLLOWS:

THAT an authorized provider within the meaning of the Act respecting the sharing of certain health information (chapter P-9.0001) be able, if mandated to that effect by the head of the health bureau of an institution, to use the access authorizations allowing receipt of information contained in the health information banks of the Québec Health Record laboratory domain for the purpose

of verifying the COVID-19 screening results of any person who works or practises for the institution and to communicate the results to the health bureau.

THAT the eleventh paragraph of 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 and 2021-089 dated 19 December, be further amended

(1) by inserting the following after subparagraph 6:

"(6.1) activities carried on in the following places are suspended:

(a) arcades and, for their indoor activities, biodomes, planetariums, insectariums, botanical gardens, aquariums, zoos, thematic sites, amusement centres and parks, recreational centres and water parks;

(b) bars and discotheques;

(c) casinos and gaming houses;

(d) movie theaters and rooms or halls in which performing arts are presented, including broadcast venues;

(e) microbreweries and distilleries, only for services in connection with consumption of beverages on the premises;

(f) restaurant dining rooms, but only from 10:00 p.m. to 5:00 a.m. the next day;

(g) food counters and food courts in any place where recreational or sports activities are carried on;

(h) physical training rooms;

(i) saunas and spas, except for personal care provided in the sauna or spa;

(j) any indoor place, other than a private residence or its equivalent, when being used for games of bowling, darts, billiard or other games of the same nature;"

(2) by striking out "casino, gaming house, bar, discotheque, microbrewery, distillery," in subparagraph 7;

(3) by striking out subparagraph *b* of subparagraph 10;

(4) by striking out subparagraph 12;

(5) by replacing subparagraph 14 by the following:

"(14) the public may not attend a production or indoor audio-visual filming, an indoor performance recording or an indoor training activity or sports event except for, in the latter two cases, a parent accompanying his or her minor child;"

(6) by striking out subparagraphs 18 and 19:

(7) by replacing subparagraphs 22 to 25 by the following:

"(22) no person may be present in a rented hall or community hall made available to anyone, except in the following cases:

(a) in connection with an exhibition bringing together several exhibitors or retail sales businesses, in which case the measures set out in subparagraphs 21.1 to 21.3 must be complied with;

(b) for the purposes of an organized activity 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, in which case the capacity of the hall is set at 50% of its usual capacity, without exceeding a maximum of 250 persons;

(c) for the purposes of an activity that is within the mission of a community organization whose activities are related to the health or social service sector;

(d) for a production or an audio-video filming or performance recording;

(e) for a recreational or sports activity carried on in compliance with subparagraph 21;

(f) for the purposes of a marriage or a funeral service, in which case a maximum of 25 persons may attend;

(g) for the purposes of holding an activity of a social nature not otherwise covered by this paragraph, in which case a maximum of 10 persons or the occupants of a maximum of three private residences or the equivalent may be present;

(23) despite the preceding subparagraph, the holding of activities remotely must be favoured;"

(8) by inserting the following after subparagraph 26:

"(27) all the employees of enterprises, organizations or bodies or of the public administration who perform administrative duties or office work continue to do so by working from home (teleworking), from their private residence or its equivalent, except employees whose presence is essential to maintaining the activities of the enterprise, organization or body or public administration;"

(9) by inserting the following after subparagraph 30:

"(31) for the days in the 2021-2022 calendar year, educational services for preschool education, elementary and secondary general education for

youth and those for adult general education and vocational training provided by school service centres, school boards or private educational institutions are suspended, except for

(a) educational services pertaining to vocational training if the evaluation of the knowledge in the programs of study requires the student's presence in the classroom or the acquisition of knowledge requires the student's presence in the workplace as a trainee;

(b) educational services provided to handicapped students or students with social maladjustments or learning disabilities attending a specialized school or class that is part of regional or supraregional schooling services;

(32) activities relating to COVID-19 vaccination and COVID-19 self-test kit distribution taking place in schools and private educational institutions are maintained;

(33) activities relating to childcare provided at school are suspended;

(34) special school childcare services are organized by school service centres and school boards and are provided in preschool education and at the elementary level on a priority basis to children having a parent who cannot perform work from home;

(35) extracurricular activities at the preschool, elementary and secondary education level are suspended;

(36) university institutions, colleges established under the General and Vocational Colleges Act (chapter C-29), private educational institutions providing college instructional services and any other institution providing college or university instructional services or ongoing training services must organize distance training to provide their instructional services, unless the acquisition or evaluation of the knowledge in the student's program of studies requires the student's presence in the classroom or in the workplace as a trainee;"

THAT the measures set out in this Order take effect on 20 December 2021.

Québec, 20 December 2021

CHRISTIAN DUBÉ  
Minister of Health and Social Services