

Order 2020-014 of the Minister of Health and Social Services dated 2 April 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 Order in Council 223-2020 dated 24 March 2020, which provides various measures to protect the health of the population;

CONSIDERING that that Order in Council authorizes the Minister of Health and Social Services to amend the Schedule to the Order in Council to add or delete priority services or to make clarifications;

CONSIDERING that the Minister of Health and Social Services amended the Schedule to that Order in Council by Order 2020-010 dated 27 March 2020, Order 2020-011 dated 28 March 2020 and Order 2020-013 dated 1 April 2020;

CONSIDERING that the public health emergency was renewed to 29 March 2020 by Order in Council 222-2020 dated 20 March 2020 and to 7 April 2020 by Order in Council 388-2020 dated 29 March 2020;

CONSIDERING that the latter Order in Council empowers the Minister of Health and Social Services to take any measure provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Public Health Act;

CONSIDERING Order 2020-012 dated 30 March 2020, in which the Minister of Health and Social Services orders that all retail commercial establishments be closed to the public on Sunday, except for pharmacies, convenience stores, service stations, restaurants for drive-through, take-out and delivery, as well as grocery stores for orders placed online or by telephone and delivery;

CONSIDERING that it is expedient to order certain measures to protect the health of the population;

ORDERS AS FOLLOWS:

THAT a municipality must, before declaring a local public health emergency for a reason related to the COVID-19 pandemic situation, obtain the authorization from the national public health director and it must, in the exercise of the powers provided for in section 47 of the Civil Protection Act (chapter S-2.3), comply with any condition that the director may set out during the health emergency, including any restriction to the exercise of one or more of those powers;

THAT, for any body subject to the rules governing the making of contracts applicable to the municipal sector, tenders be opened in the presence of two witnesses who have no interest in the contract, in the absence of those who submitted tenders or any other member of the public, and that the body produce an audiovisual recording of the opening of the tenders that the body makes available, as soon as possible, in the electronic tendering system;

THAT every sale of an immovable at a public auction for failure to pay municipal or school taxes be postponed until the end of the public health emergency, on the date set in a public notice given by the municipality; the sale may not take place before the expiry of 15 days following that notice;

THAT the Schedule of Order in Council 223-2020 dated 24 March 2020, amended by Order 2020-010 dated 27 March 2020, Order 2020-011 dated 28 March 2020 and Order 2020-013 dated 1 April 2020, be further amended by adding “, including smoke shops that are not specialized points of sale of tobacco” at the end of paragraph c of the heading “**6. Priority commercial enterprises**”;

THAT the last paragraph of the operative part of Order 2020-012 dated 30 March 2020 be replaced by the following:

“THAT all retail commercial establishments be closed to the public on Sunday, except for pharmacies, convenience stores, service stations, restaurants for drive-through, take-out and delivery, as well as grocery stores for orders placed online or by telephone, pick-up and delivery.”.

Québec, 2 2020

DANIELLE MCCANN
Minister of Health and Social Services