

*This is the administrative version of Order in Council No 1346-2020 made on December 9 2020. In the event of discrepancy, the version to be published in the Gazette officielle du Québec takes precedence.*

Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation

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WHEREAS the World Health Organization declared COVID-19 to be a pandemic on 11 March 2020;

WHEREAS, under section 118 of the Public Health Act (chapter S-2.2), 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;

WHEREAS the pandemic constitutes a serious and real threat to the health of the population that continues to require the immediate application of certain measures provided for in section 123 of the Act;

WHEREAS, while the public health emergency is in effect, despite any provision to the contrary, the Government or the Minister of Health and Social Services, if the Minister has been so empowered, may, without delay and without further formality, take any of the measures provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Act to protect the health of the population;

WHEREAS, by Order in Council 177-2020 dated 13 March 2020, the Government declared a public health emergency and took certain measures to protect the health of the population;

WHEREAS 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 460-2020 dated 15 April 2020, until 29 April 2020 by Order in Council 478-2020 dated 22 April 2020, until 6 May 2020 by Order in Council 483-2020 dated 29 April 2020, until 13 May 2020 by Order in Council 501-2020 dated 6 May 2020, until 20 May 2020 by Order in Council 509-2020 dated 13 May 2020, until 27 May 2020 by Order in Council 531-2020 dated 20 May 2020, until 3 June 2020 by Order in Council 544-2020 dated 27 May 2020, until 10 June 2020 by Order in Council 572-2020 dated 3 June 2020, until 17 June 2020 by Order in Council 593-2020 dated 10 June 2020, until 23 June 2020 by Order in Council 630-2020 dated 17 June 2020, until 30 June 2020 by Order in Council 667-2020 dated 23 June 2020, until 8 July 2020 by Order in Council 690-2020 dated 30 June 2020, until 15 July 2020 by Order in Council 717-2020 dated 8 July 2020, until 22 July 2020 by Order in Council 807-2020 dated 15 July 2020, until 29 July 2020 by Order in Council 811-2020 dated 22 July 2020, until 5 August 2020 by Order in Council 814-2020 dated 29 July 2020, until 12 August 2020 by Order in Council 815-2020 dated 5 August 2020, until 19 August 2020 by Order in Council 818-2020 dated 12 August 2020, until 26 August 2020 by Order in Council 845-2020 dated 19 August 2020, until 2 September 2020 by Order in Council 895-2020 dated 26 August 2020, until 9 September 2020 by Order in Council 917-2020 dated 2 September 2020, until 16 September 2020 by Order in Council 925-2020 dated 9 September 2020, until 23 September 2020 by Order in Council 948-2020 dated 16 September 2020, until 30 September 2020 by Order in Council 965-2020 dated 23 September 2020, until 7 October 2020 by Order in Council 1000-2020 dated 30 September 2020, until 14 October 2020 by Order in Council 1023-2020 dated 7 October 2020, until 21 October 2020 by Order in Council 1051-2020 dated 14 October 2020, until 28 October 2020 by Order in Council 1094-2020 dated 21 October 2020, until 4 November 2020 by Order in Council 1113-2020 dated 28 October 2020, until 11 November 2020 by Order in Council 1150-2020 dated 4 November 2020, until 18 November 2020 by Order in Council 1168-2020 dated 11 November 2020, until 25 November 2020 by Order in Council 1210-2020 dated 18 November 2020, until 2 December 2020 by Order in Council 1242-2020 dated 25 November 2020, until 9 December 2020 by Order in Council 1272-2020 dated 2 December 2020 and until 18 December 2020 by Order in Council 1308-2020 dated 9 December 2020;

WHEREAS that latter Order in Council provides that the measures provided for by Orders in Council 177-2020 dated 13 March 2020, 222-2020 dated 20 March 2020, 460-2020 dated 15 April 2020, 505-2020 dated 6 May 2020, 566-2020 dated 27 May 2020, 615-2020 dated 10 June 2020, 651-2020 dated 17 June 2020, 689-2020 dated 25 June 2020, 810-2020 dated 15 July 2020, 813-2020 dated 22 July 2020, 817-2020 dated 5 August 2020, 885-2020 dated 19 August 2020, 913-2020 dated 26 August 2020, 943-2020 dated 9 September 2020, 947-2020 dated 11 September 2020, 964-2020 dated 21 September 2020, 1020-2020 dated 30 September 2020, 1039-2020 dated 7 October 2020 and 1145-2020 dated

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28 October 2020, and by Ministerial Orders 2020-004 dated 15 March 2020, 2020-007 dated 21 March 2020, 2020-008 dated 22 March 2020, 2020-013 dated 1 April 2020, 2020-014 dated 2 April 2020, 2020-015 dated 4 April 2020, 2020-016 dated 7 April 2020, 2020-017 dated 8 April 2020, 2020-019 and 2020-020 dated 10 April 2020, 2020-022 dated 15 April 2020, 2020-023 dated 17 April 2020, 2020-026 dated 20 April 2020, 2020-027 dated 22 April 2020, 2020-028 dated 25 April 2020, 2020-029 dated 26 April 2020, 2020-030 dated 29 April 2020, 2020-031 dated 3 May 2020, 2020-032 dated 5 May 2020, 2020-033 dated 7 May 2020, 2020-034 dated 9 May 2020, 2020-035 dated 10 May 2020, 2020-037 dated 14 May 2020, 2020-038 dated 15 May 2020, 2020-039 dated 22 May 2020, 2020-041 dated 30 May 2020, 2020-042 dated 4 June 2020, 2020-043 dated 6 June 2020, 2020-044 dated 12 June 2020, 2020-045 dated 17 June 2020, 2020-047 dated 19 June 2020, 2020-048 dated 26 June 2020, 2020-049 dated 4 July 2020, 2020-050 dated 7 July 2020, 2020-051 dated 10 July 2020, 2020-058 dated 17 August 2020, 2020-059 dated 26 August 2020, 2020-060 dated 28 August 2020, 2020-061 dated 1 September 2020, 2020-062 dated 4 September 2020, 2020-063 dated 11 September 2020, 2020-064 dated 17 September 2020, 2020-067 dated 19 September 2020, 2020-069 dated 22 September 2020, 2020-074 dated 2 October 2020, 2020-076 dated 5 October 2020, 2020-078 dated 10 October 2020, 2020-079 dated 15 October 2020, 2020-080 dated 21 October 2020, 2020-081 dated 22 October 2020, 2020-084 dated 27 October 2020, 2020-085 dated 28 October 2020, 2020-086 dated 1 November 2020, 2020-087 dated 4 November 2020, 2020-088 dated 9 November 2020, 2020-090 dated 11 November 2020, 2020-091 dated 13 November 2020, 2020-093 dated 17 November 2020, 2020-094 dated 22 November 2020, 2020-096 dated 25 November 2020, 2020-097 dated 1 December 2020, 2020-099 and 2020-100 dated 3 December 2020 and 2020-101 dated 5 December 2020, except to the extent that they were amended by those Orders in Council or Orders, continue to apply until 18 December 2020 or until the Government or the Minister of Health and Social Services modifies or terminates them;

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

IT IS ORDERED, therefore, on the recommendation of the Minister of Health and Social Services:

THAT, for the days of the 2020-2021 school year devoted to educational services, the school service centres, school boards and private educational institutions

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(1) organize and offer educational services enabling learning to be continued at a distance to children in preschool education and students at the elementary level in general education for youth;

(2) provide distance educational services to students at the secondary level in general education for youth to further the achievement of the objectives of the study programs and, for that purpose, favour the use of distance teaching services; and

(3) provide distance educational services to adult general education and vocational training students;

THAT the preceding paragraph not apply to handicapped students or students with social maladjustments or learning disabilities attending a specialized school or in a specialized class forming part of regional or supraregional schooling services;

THAT, for handicapped students or students with social maladjustments or learning disabilities attending classes or specialized groups outside a school or class referred to in the preceding paragraph, the educational institutions may offer classroom educational services, but favour the use of the distance educational services described in the first paragraph of the operative part of this Order in Council;

THAT, for the days of the 2020-2021 school year, childcare services provided at school suspend their activities, except for childcare services provided to handicapped children or children with social maladjustments or learning disabilities in specialized schools or classes forming part of regional or supraregional schooling services;

THAT, despite the preceding paragraph, childcare services be organized by school service centres and school boards and be provided to children in preschool education and students at the elementary level having one parent who

(1) holds employment or practises a profession in the health and social services network, including in a private professional practice, a community pharmacy and a pre-hospital emergency service;

(2) is in charge of or is employed by an intermediate resource, a family-type resource, a social economy enterprise providing home assistance, a private seniors' residence, a childcare centre, a day care centre or a home childcare provider;

(3) provides services within the framework of the direct allowance home care mechanism – service employment paycheque;

(4) is a police officer, a firefighter, a correctional services officer or a special constable;

(5) is employed by a 9-1-1 emergency centre or a dispatch centre for a fire safety service or a police force;

(6) is employed by any of the following organizations and has been identified by the highest authority in the organization as a provider of services held to be essential in the context of the COVID-19 pandemic:

(a) the Red Cross;

(b) Héma-Québec;

(c) Transplant Québec;

(d) the Régie de l'assurance maladie du Québec;

(e) the Institut national de santé publique du Québec;

(f) a drug wholesaler accredited by the Minister of Health and Social Services;

(g) a suicide prevention centre;

(h) the government air service; or

(i) a waste collection or treatment service or a water treatment service;

(7) is an inspector, a veterinarian, an analyst or other agent appointed for the carrying into effect of the Food Products Act (chapter P-29);

(8) is a coroner;

(9) is employed by the Ministère de la Sécurité publique du Québec, is assigned to civil protection and has been identified by the highest authority in that department as a provider of services held to be essential in the context of the COVID-19 pandemic;

(10) is a member of the personnel assigned to responding to calls made by the population via the Government's COVID-19 telephone information line or is a member of the personnel assigned to overseeing the providing of that service at the Ministère du Travail, de l'Emploi et de la Solidarité sociale;

(11) is employed by a woman's shelter;

(12) is a worker performing duties within the judicial system;

(13) provides home care services to elderly persons; or

(14) is employed by a school service centre, a school board or a private educational institution;

THAT, for the childcare services that must be organized under the preceding paragraph, each group be composed of a maximum of 10 children;

THAT the Minister of Health and Social Services be empowered to order any modification or clarification of the measures provided for in this Order in Council;

THAT this Order in Council take effect on 17 December 2020.