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


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
(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.