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 that Order in Council provides, in particular, that the Minister of Health and Social Services and health and social services institutions may,
without delay and without further formality, to protect the health of the population, incur such expenses as they consider necessary, in particular to purchase supplies, equipment or medication or to proceed with construction work;

This is the administrative version of Order in Council No. 135-2021 made on February 17, 2021. In the event of discrepancy, the version to be published in the Gazette officielle du Québec takes precedence.

"- the Minister of Health and Social Services and health and social services institutions may, without delay and without further formality, to protect the health of the population, enter into contracts as they consider necessary, in particular to purchase supplies, equipment or medication or to proceed with construction work, provided the contracts

(1) are entered into without delay;

(2) are limited to what is necessary to meet pressing needs;

(3) are short-term;

(4) do not include an option for renewal or an increase in the quantity;

(5) in the case of delivery order contracts or task order contracts, in addition to the conditions set out above, indicate, respectively, the quantities of goods likely to be purchased, the extent of the services required or, in the case of construction work, the monetary value of the required work;";

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.