

*This is the administrative version of Order in Council No.540-2020 made on May 20 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 a COVID-19 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 real and grave threat to the health of the population that requires the immediate application of certain measures provided for in section 123 of the Act;

WHEREAS, by Order in Council 177-2020 dated 13 March 2020, the Government declared a public health emergency throughout Québec for a period of 10 days;

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 and until 27 May 2020 by Order in Council 531-2020 dated 20 May 2020;

WHEREAS the 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, 223-2020 dated 24 March 2020, 460-2020 dated 15 April 2020, 496-2020 dated 29 April 2020, 500-2020 dated 1 May 2020, 505-2020 dated 6 May 2020 and 530-2020 dated 19 May 2020, and by Ministerial Orders 2020-003 dated 14 March 2020, 2020-004 dated 15 March 2020, 2020-005 dated 17 March 2020, 2020-007 dated 21 March 2020, 2020-008 dated 22 March 2020, 2020-009 dated 23 March 2020, 2020-010 dated 27 March 2020, 2020-011 dated 28 March 2020, 2020-012 dated 30 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, 2020-018 dated 9 April 2020, 2020-019 and 2020-020 dated 10 April 2020, 2020-021 dated 14 April 2020, 2020-022 dated 15 April 2020, 2020-023 dated 17 April 2020, 2020-025 dated 19 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 and 2020-038 dated 15 May 2020, except to the extent that they were amended by those Orders in Council or Orders, continue to apply to 27 May 2020 or until the Government or the Minister of Health and Social Services modifies or terminates them;

WHEREAS Order in Council 177-2020 dated 13 March 2020 orders in particular the suspension of educational and instructional services of educational institutions;

WHEREAS, by Order in Council 505-2020 dated 6 May 2020, the Government lifted the suspension applicable to certain educational and instructional services of educational institutions under Order in Council 177-2020 dated 13 March 2020 and ordered that educational support services be organized and provided to certain students, except for the territory of the Communauté urbaine de Montréal;

WHEREAS, by Ministerial Order 2020-034 dated 9 May 2020, the exceptions provided for in Order in Council 505-2020 dated 6 May 2020 concerning the territory of the Communauté urbaine de Montréal also apply to the territory of Municipalité régionale de comté de Joliette;

WHEREAS Order in Council 223-2020 dated 24 March 2020 orders in particular the suspension of all activities carried on in work environments, except with

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respect to work environments providing the priority services listed in the Schedule to that Order in Council;

WHEREAS the Schedule to that Order in Council was amended by Ministerial Orders 2020-010 dated 27 March 2020, 2020-011 dated 28 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, 2020-018 dated 9 April 2020, 2020-021 dated 14 April 2020, 2020-023 dated 17 April 2020, 2020-025 dated 19 April 2020 and 2020-027 dated 22 April 2020, and by Orders in Council 500-2020 dated 1 May 2020, 505-2020 dated 6 May 2020 and 539-2020 dated 20 May 2020;

WHEREAS, by Orders in Council 500-2020 dated 1 May 2020, 505-2020 dated 6 May 2020, 530-2020 dated 19 May 2020 and 539-2020 dated 20 May 2020, the Government lifted the suspension applicable to certain activities carried on in work environments under Order in Council 223-2020 dated 24 March 2020;

WHEREAS during the public health emergency, despite any provisions to the contrary, the Government or the Minister of Health and Social Services, if she has been so empowered, may, without delay and without further formality, take any measure 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 the current COVID-19 pandemic situation makes it possible to relax certain measures taken to protect the health of the population while maintaining certain measures necessary to continue to protect it;

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

THAT the measures applicable to students in vocational training and to students in adult general education provided for in the fifth and sixth paragraphs of the operative part of Order in Council 505-2020 dated 6 May 2020 that do not apply to educational institutions situated in the territory of the Communauté métropolitaine de Montréal and, under Ministerial Order 2020-034 dated 9 May 2020, in the territory of Municipalité régionale de comté de Joliette now apply to those territories;

THAT, for students in adult general education, the suspension of educational and instructional services of educational institutions provided for in Order in

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Council 177-2020 dated 13 March 2020, amended by Order in Council 505-2020 dated 6 May 2020, be lifted with respect to writing examinations other than ministerial examinations;

THAT, for secondary school students admitted to pre-work training of the work-oriented training path and enrolled in a *centre de formation en entreprise et récupération*, educational support services be organized and provided by the school boards, provided the number of students be limited to 15 per group;

THAT the suspension applicable to activities carried on in work environments under Order in Council 223-2020 dated 24 March 2020, amended by Orders in Council 500-2020 dated 1 May 2020, 505-2020 dated 6 May 2020, 530-2020 dated 19 May 2020 and 539-2020 dated 20 May 2020, be lifted with respect to school boards and private educational institutions, to the extent required for providing educational support services and educational and instructional services that must be organized and provided under this Order in Council;

THAT Orders in Council 177-2020 dated 13 March 2020, amended by Order in Council 505-2020 dated 6 May 2020, 223-2020 dated 24 March 2020, amended by Orders in Council 500-2020 dated 1 May 2020, 505-2020 dated 6 May 2020, 530-2020 dated 19 May 2020 and 539-2020 dated 20 May 2020, and 505-2020 dated 6 May 2020 be amended accordingly;

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 from 25 May 2020.

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