

This is the administrative version of Order in Council No. 813-2020 made on July 22 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 requires 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 and until 29 July 2020 by Order in Council 811-2020 dated 22 July 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, 460-2020 dated 15 April 2020, 496-2020 dated 29 April 2020, 505-2020 dated 6 May 2020, 540-2020 dated 20 May 2020, 566-2020 dated 27 May 2020, 588-2020 dated 3 June 2020, 615-2020 dated 10 June 2020, 651-2020 dated 17 June 2020, 689-2020 dated 25 June 2020 and 708-2020 dated 30 June 2020, and by Ministerial Orders 2020-003 dated 14 March 2020, 2020-004 dated 15 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, 2020-013 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 and 2020-051 dated 10 July 2020, except to the extent that they were amended by those Orders in Council or Ministerial Orders, continue to apply until 29 July 2020 or until the Government or the Minister of Health and Social Services modifies or terminates them;

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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 purposes of this Order in Council, face covering mean a mask or tightly fitting cloth that covers the nose and the mouth;

THAT it be prohibited for an operator of a shared transportation service by bus, minibus, subway, boat, train or plane to admit a person who is not wearing a face covering, or to tolerate the presence in such means of transportation of a person not wearing a face covering, unless the person

- (1) is less than 12 years of age;
- (2) is a student at the preschool or elementary school level of the general education instructional services for youth and is who is in school transportation;
- (3) states that the wearing of a face covering is not possible because of the person's medical condition;
- (4) ordinarily works in the means of transportation;
- (5) is consuming food or a beverage in an area reserved for food services or the consumption of beverages;
- (6) removes the face covering momentarily to eat or drink, or for identification purposes;
- (7) is on a ferry, and remains inside his or her vehicle;

THAT the prohibitions provided for in the preceding paragraph also apply, subject to the same exceptions, to the driver of a motor vehicle used for remunerated passenger transportation otherwise that as part of the operation of a shared transportation service, except in the case of carpooling;

THAT a person whose usual work place is a means of transportation referred to in the second paragraph or a motor vehicle referred to in the third paragraph remain subject to the rules that apply in matters of occupational health and safety;

THAT any person who is guilty of an offence under section 139 of the Public Health Act (chapter S-2.2) by reason of the person contravening the rules set out in this Order in Council be liable to a fine of \$400 to \$6,000;

THAT Order in Council 810-2020 dated 15 July 2020 be amended by replacing subparagraph 4 of the second paragraph of the operative part by the following:

“(4) removes the face covering momentarily to eat or drink, or for identification purposes;”;

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 27 July 2020.