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;

extent that they were amended by those Orders in Council or Orders, continue to apply until 16 September 2020 or until the Government or the Minister of Health and Social Services modifies or terminates them;


WHEREAS the current situation of the COVID-19 pandemic allows for the easing of certain measures set in place to protect the health of the population, while maintaining some of the measures necessary to continue that protection;

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

THAT the prohibition of any direct physical contact during a combat sport provided for in the thirteenth paragraph in the operative part of Order in Council 689-2020 dated 25 June 2020, amended by Orders in Council 817-2020 dated 5 August 2020 and 885-2020 dated 19 August 2020, and by Ministerial Orders 2020-051 dated 10 July 2020, 2020-053 dated 1 August 2020, 2020-059 dated 26 August 2020 and 2020-061 dated 1 September 2020, be lifted as regards a professional combat sport;

THAT the Régie des alcools, des courses et des jeux must refuse to issue a valid organizer's permit for a sports event required by section 40 of the Act respecting safety in sports (chapter S-3.1), if the applicant fails to provide the board with the following documents:

(1) a copy of the health protocol adopted and to be in place at the sports event for which the permit is being applied for; and

(2) proof that the health protocol has been approved by the public health director of the region in which the sports event is to take place;
THAT the Régie des alcools, des courses et des jeux or the person it mandates have the powers available under sections 46.2.1 and 46.2.2 of the Act respecting safety in sports (chapter S-3.1) and section 53 of the Regulation respecting combat sports (chapter S-3.1, r. 11), to ensure compliance with the health protocol referred to in the preceding paragraph and to sanction any breach of it;

THAT no employer may dismiss, suspend or transfer an employee covered by the definition in subparagraph 10 of section 1 of the Act respecting labour standards (chapter N-1.1), including an employee to which section 3 of that Act applies, practise discrimination or take reprisals against or impose any other sanction on the employee if he or she is absent from work for a maximum period of 14 continuous days and the absence is due to the fact that the employee self-isolates pursuant to a guidance or order issued by a public health authority and the employee is not able to work;

THAT the second paragraph in the operative part of Order in Council 885-2020 dated 19 August 2020 be replaced by the following:

"THAT distance educational services be provided by school service centres, school boards and private educational institutions to the following preschool students and students at the elementary and secondary school level of the general education instructional services for youth:

(1) students whose health condition or that of a person with whom they reside puts them at risk of serious complications if they contract COVID-19, where a physician recommends that they not attend school; and

(2) students whose class is the subject of a guidance or isolation order from a public health authority issued because of a COVID-19 case involving an employee or student at the educational institution concerned, and in that case, be provided as of no later than two days after the guidance or order is issued;";

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.