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
This is the administrative version of Order in Council No. 947-2020 made on September 11, 2020. In the event of discrepancy, the version to be published in the Gazette officielle du Québec takes precedence.

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 Order in Council 810-2020 dated 15 July 2020, amended by Orders in Council 813-2020 dated 22 July 2020 and 885-2020 dated 19 August 2020 and by Ministerial Order 2020-059 dated 26 August 2020, and Order in Council 813-2020 dated 22 July 2020, amended by Order in Council 885-2020 dated 19 August 2020, provide among other things that it is prohibited for an operator of a public place or shared transportation service and a driver of a motor vehicle used for remunerated passenger transportation to admit a person not wearing a face covering or to tolerate the presence in such means of transportation of a person not wearing a face covering, subject to exceptions;

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" be understood to mean a mask or tightly fitting cloth that covers the nose and the mouth;

THAT it be prohibited for any person not wearing a face covering

(1) to enter a public place within the meaning of Order in Council 810-2020 dated 15 July 2020, as amended, or be present in a public place, unless the person is covered by an exception under the second paragraph of the operative part of that Order in Council;

(2) to enter an immovable, excluding a residential immovable, whether it be a public place or not, or be present in an entrance hall, a reception area or an elevator in the immovable, unless the person is covered by an exception under any of subparagraphs 1 to 4 or 6 to 9 of the second paragraph of the operative part of Order in Council 810-2020 dated 15 July 2020, as amended; or

(3) to enter a bus, minibus, subway, boat, train or plane used in connection with the operation of a shared transportation service, or a motor vehicle used for remunerated passenger transportation, excluding carpooling, or be present in such means of transportation, unless the person is covered by an exception under the second paragraph of the operative part of Order in Council 813-2020 dated 23 July 2020, as amended;
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 the second paragraph of the operative part of this Order in Council be liable to a fine of $400 to $6000;

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 12 September 2020.