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


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,

(1) “face covering” means a mask or tightly fitting cloth that covers the nose and the mouth;

(2) “public place” means the part of the following places accessible to the public, insofar as it is enclosed or partially covered and is not an accommodation unit:

(a) a retail business, a shopping centre, or a building or room where a service enterprise is operated, including a personal care or beauty care enterprise;

(b) a restaurant or a bar;

(c) a place of worship;

(d) a place where activities or services of a cultural or entertainment nature are offered;

(e) a place where sports are played or recreational activities are carried on;

(f) a rental hall or other place used to hold events, including conventions and conferences, or to hold receptions;

(g) a place where municipal or government services are available;

(h) a common area, including an elevator, of a tourist accommodation establishment;

(i) a building or room used by an educational institution, excluding an institution providing preschool education services or elementary or secondary school general education instructional services for youth;

In the event of discrepancy, the version to be published in the Gazette officielle du Québec takes precedence.

That it be prohibited for an operator of a public place to allow a person who is not wearing a face covering to enter the public place, or to tolerate the presence in the public place of a person not wearing a face covering, unless the person

(1) is less than 12 years of age;

(2) states that the wearing of a face covering is not possible because of the person’s medical condition;

(3) is in the public place receiving care, being provided a service or engaging in a physical or other activity requiring the face covering be removed, in which case the person may remove the face covering for the duration of the care, service or activity;

(4) removes the face covering momentarily for identification purposes;

(5) works or practises his or her profession in the public place;

(6) is a member of the public or a student in a place referred to in the sixth paragraph in the operative part of Order in Council 689-2020 dated 25 June 2020, so long as the conditions set out in that paragraph are respected;

(7) is in a courtroom and is not covered by the preceding subparagraph, or is in a jury room;

(8) is consuming food or a beverage in a restaurant, in a food court at a shopping centre or food store, in a bar or in any other room used for the purposes of restaurant services or the consumption of beverages; or

(9) is seated in a place, excluding a place of worship, and complies with one of the following conditions:

(j) a train or bus station, a ferry terminal, a subway station or an airport; and

(k) a private health consulting room or office.
This is the administrative version of Order in Council No.810-2020 made on July 15 2020. In the event of discrepancy, the version to be published in the Gazette officielle du Québec takes precedence.

(a) a distance of two metres is maintained between any other person who is neither an occupant of the same private residence or its equivalent nor a person providing a service or support; or

(b) the person is separated by a physical barrier able to limit contagion of any person who is neither an occupant of the same private residence or its equivalent nor a person providing a service or support;

THAT, despite subparagraph 5 of the preceding paragraph,

(1) it be prohibited for an operator to allow entry into an immovable, excluding a residential immovable, whether or not it is a public place, of any person, even one who works or practises his or her profession there, if the person is not wearing a face covering, or to tolerate the presence of the person in an entrance hall, a reception area or an elevator of the immovable if the person is not wearing a face covering;

(2) a person who works or practises his or her profession in a public place 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 $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 18 July 2020.