

*This is the administrative version of Order in Council No 1020-2020 made on September 30 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, until 29 July 2020 by Order in Council 811-2020 dated 22 July 2020, until 5 August 2020 by Order in Council 814-2020 dated 29 July 2020, until 12 August 2020 by Order in Council 815-2020 dated 5 August 2020, until 19 August 2020 by Order in Council 818-2020 dated 12 August 2020, until 26 August 2020 by Order in Council 845-2020 dated 19 August 2020, until 2 September 2020 by Order in Council 895-2020 dated 26 August 2020, until 9 September 2020 by Order in Council 917-2020 dated 2 September 2020, until 16 September 2020 by Order in Council 925-2020 dated 9 September 2020, until 23 September 2020 by Order in Council 948-2020 dated 16 September 2020, until 30 September 2020 by Order in Council 965-2020 dated 23 September 2020 and until 7 October 2020 by Order in Council 1000-2020 dated 30 September 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, 505-2020 dated 6 May 2020, 566-2020 dated 27 May 2020, 615-2020 dated 10 June 2020, 651-2020 dated 17 June 2020, 689-2020 dated 25 June 2020, 810-2020 dated 15 July 2020, 813-2020 dated 22 July 2020, 817-2020 dated 5 August 2020, 885-2020 dated 19 August 2020, 913-2020 dated 26 August 2020, 943-2020 dated 9 September 2020 and 947-2020 dated 11 September 2020, and by Ministerial Orders 2020-004 dated 15 March 2020, 2020-007 dated 21 March 2020, 2020-008 dated 22 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

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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, 2020-051 dated 10 July 2020, 2020-053 dated 1 August 2020, 2020-058 dated 17 August 2020, 2020-059 dated 26 August 2020, 2020-060 dated 28 August 2020, 2020-061 dated 1 September 2020, 2020-062 dated 4 September 2020, 2020-063 dated 11 September 2020, 2020-064 dated 17 September 2020, 2020-066 dated 18 September 2020, 2020-067 dated 19 September 2020, 2020-068 dated 20 September 2020, 2020-069 dated 22 September 2020 and 2020-072 dated 25 September 2020, except to the extent that they were amended by those Orders in Council or Ministerial Orders, continue to apply until 7 October 2020 or until the Government or the Minister of Health and Social Services modifies or terminates them;

WHEREAS Order in Council 689-2020 dated 25 June 2020, amended by Orders in Council 817-2020 dated 5 August 2020, 885-2020 dated 19 August 2020 and 943-2020 dated 9 September 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, as well as 817-2020 dated 5 August 2020, provide for certain measures that apply to certain gatherings;

WHEREAS Orders in Council 810-2020 dated 15 July 2020, amended by Orders in Council 813-2020 dated 23 July 2020 and 885-2020 dated 19 August 2020, and by Ministerial Orders 2020-059 dated 26 August 2020, 2020-064 dated 17 September 2020, 813-2020 dated 23 July 2020, amended by Order in Council 885-2020 dated 19 August 2020, and 947-2020 dated 11 September 2020 provide that any person who contravenes certain rules set out therein concerning the wearing of a face covering is liable to a fine of \$400 to \$6,000;

WHEREAS Ministerial Orders 2020-068 dated 20 September 2020, 2020-069 dated 22 September 2020 and 2020-072 dated 25 September 2020 provide, despite any provision to the contrary of an Order in Council or a Ministerial Order made under section 123 of the Public Health Act, certain special measures applicable in certain territories;

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 in a private residence, its equivalent or an accommodation unit of a tourist accommodation establishment, including the grounds of such a residence or accommodation unit, not more than 10 persons may be assembled, except if the persons are occupants of the same private residence or its equivalent;

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THAT, despite the first paragraph of the operative part of this Order in Council, any person present to receive or offer a service or support, as the case may be, and who is not an occupant may be present in a private residence, its equivalent or an accommodation unit of a tourist accommodation establishment, including the grounds of such a residence or accommodation unit;

THAT the following constitute a service or support for the purposes of this Order in Council:

(1) a service or support required by a person because of the person's state of health or for safety purposes, for personal care or esthetics purposes, for commercial or professional purposes, for the purposes of childcare or vulnerable persons, respite, domestic help, help for activities of daily living, pedagogy or education;

(2) a maintenance, repair or residential renovation service;

(3) a visit for the sale or lease of a residence;

(4) any other service or support of the same nature;

THAT a maximum of 250 persons may

(1) attend a place of worship, a courtroom, a movie theater or rooms in which performing arts are presented, including venues where the arts are performed and broadcast;

(2) attend an interior production or audio-video filming, interior recording of a performance or interior training session or sports event;

(3) gather in a rented hall or a community hall available to any person for an assembly, a congress, a meeting or any other event of the same nature, in which participants remain seated;

THAT a maximum of 50 persons may gather in a rented hall or a community hall in cases other than those provided for in the preceding paragraph;

THAT the persons gathered to exercise their right to peacefully demonstrate

(1) wear a face covering, that is, a mask or tightly fitting cloth that covers the nose and the mouth;

(2) maintain between them a distance of 2 metres with any person, except if a person receives a service or support from another person;

THAT the organizer of a gathering for the purposes of exercising the right to peacefully demonstrate be required to take measures to inform participants that they must wear a face covering;

THAT the persons participating in a gathering in an outdoor public place referred to in Order in Council 817-2020 dated 5 August 2020 maintain between them a distance of 2 metres with any person, except

a) if they are occupants of the same private residence or its equivalent;

(b) if a person receives a service or support from another person;

THAT, despite the preceding paragraphs of the operative part of this Order in Council and any other provision to the contrary of an Order in Council or a Ministerial Order made pursuant to section 123 of the Public Health Act (chapter S-2.2), the following measures apply to the territories of the Bas-Saint-Laurent, Mauricie-et-Centre-du-Québec, Estrie, Outaouais, Gaspésie—Îles-de-la-Madeleine health regions, the Lanaudière, Laurentides and Montérégie health regions, except the municipalities that are part of the Communauté métropolitaine de Montréal and Municipalité régionale de comté de La Rivière-du-Nord, the Chaudière-Appalaches health region, only for the regional county municipalities of Les Etchemins, Montmagny and L'Islet, and the Capitale-Nationale health region, only for the regional county municipalities of Charlevoix, Charlevoix-Est and Portneuf:

(1) in a private residence, its equivalent or an accommodation unit of a tourist accommodation establishment, including the grounds of such a residence or accommodation unit, not more than 6 persons may be assembled, except if the persons are occupants of the same private residence or its equivalent;

(2) despite subparagraph 1, any person present to receive or offer a service or support, as the case may be, and who is not an occupant may be present in a private residence, its equivalent or an accommodation unit of a tourist accommodation establishment, including the grounds of such a residence or accommodation unit;

(3) a maximum of 25 persons may gather in a rented hall or a community hall at the disposal of any person, except in the cases provided for in the fourth paragraph of the operative part of this Order in Council;

(4) in a restaurant, a food court in a shopping centre or food store, at casino or gaming house tables, in a bar or in any other room used for the purposes of restaurant services or the consumption of alcohol, a maximum of 6 persons may be seated

at the same table, except if they are occupants of a same private residence or its equivalent;

(5) despite subparagraph 4, any person present to offer a service or support may be seated at a table in a restaurant, a food court in a shopping centre or food store, at casino or gaming house tables, in a bar or in any other room used for the purposes of restaurant services or the consumption of alcohol;

(6) for users housed in a facility of an institution in which a residential and long-term care centre is operated, only the following visits be authorized:

(a) visits necessary for humanitarian purposes or to obtain care or services required by their state of health;

(b) visits by a family caregiver who provides significant aid to the user or resident, if the caregiver understands the risks inherent in the visits and undertakes to respect the guidelines recommended by the public health authorities and those imposed by the persons responsible for the living environment;

(7) a permit authorizing the sale or service of alcoholic beverages for consumption on the premises may be used only from 8 a.m. to 11 p.m., in the rooms and on the terraces indicated on the permit;

(8) no consumption of alcoholic beverages be authorized between midnight and 8 a.m. in the rooms and on the terraces indicated on a permit authorizing the sale or service of such beverages for consumption on the premises, or a small-scale production permit, a small-scale beer producer's permit or a brewer's permit, when they allow the consumption of alcoholic beverages on the premises, in accordance with their permit to produce alcoholic beverages;

(9) the limit of 250 persons for gatherings in outdoor public places provided for in Order in Council 817-2020 dated 5 August 2020 be reduced to 25 persons, except as part of services dispensed to students at the preschool level or the elementary or secondary school level of the general education instructional services for youth offered by a school service centre, a school board or a private educational institution;

THAT, despite the preceding paragraphs of the operative part of this Order in Council and any other provision to the contrary of an Order in Council or a Ministerial Order made pursuant to section 123 of the Public Health Act, the following measures apply to the territories of the Communauté métropolitaine de Montréal, Municipalité régionale de comté de La Rivière-du-Nord, the Chaudière-Appalaches health region, except regional county municipalities of Les Etchemins, Montmagny and L'Islet, and the Capitale-Nationale health region, except the regional county municipalities of Charlevoix, Charlevoix-Est and Portneuf:

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(1) in a private residence or its equivalent, including the grounds of such a residence, only the occupants may be assembled;

(2) in an accommodation unit of a tourist accommodation establishment, including the grounds of such a unit, if applicable, only the occupants of the same residence or its equivalent may be assembled;

(3) despite subparagraphs 1 and 2,

(a) any person present to receive or offer a service or support, as the case may be, and who is not an occupant may be present in a private residence, its equivalent or an accommodation unit of a tourist accommodation establishment, including the grounds of such a residence or unit;

(b) a person residing alone may welcome another person in his or her private residence or its equivalent, including the grounds of such a residence;

(4) a maximum of 25 persons may

(a) participate in a funeral, in which case

i. the organizer must enter in a register the names, telephone numbers and, if applicable, the email addresses of all participants;

ii. a participant is required to disclose the information necessary for the keeping of the register;

iii. the information entered in the register may only be communicated to a public health authority or a person authorized to act on the public health authority's behalf for conducting an epidemiological investigation and may not be used by any other person for any other purpose;

iv. the information must be destroyed 30 days following its entry;

(b) attend a place of worship;

(5) the activities carried out in the following places be suspended:

(a) restaurants and food courts in shopping centres and food stores, except for deliveries, take-outs or drive-through orders;

(b) bars and discotheques;

(c) microbreweries and distilleries, only for their services for consumption of food or beverages on the premises;

(d) casinos and gaming houses;

(e) museums, biodomes, planetariums, insectariums, botanical gardens, aquariums and zoos;

(f) arcades, amusement centres and parks as well as water parks;

(g) saunas and spas, except personal care provided therein;

(h) libraries other than those in educational institutions, except lending desks;

(i) movie theatres and rooms in which performing arts are presented, including venues where the arts are broadcast;

(j) youth hostels;

(6) in any other room used for the purposes of restaurant services, a maximum of 6 persons may be seated at the same table, except if the persons are the occupants of the same private residence or its equivalent;

(7) the public may not attend an interior production or audio-video filming, interior recording of a performance or interior training session or amateur sports event;

(8) no person may gather in a rented hall or a community hall available to any person, except for the purposes of the activities organized as part of the mission of a community organization;

(9) for users lodged in a facility in an institution where a residential and long-term care centre is operated, for users taken in charge by an intermediate resource or by a family-type resource under the Support for Elderly Autonomy Program or for residents of a private seniors' residence, only the following visits be authorized:

(a) visits necessary for humanitarian purposes or to obtain care or services required by their state of health;

(b) visits by a family caregiver who provides significant aid to the user or resident, if the caregiver understands the risks inherent in the visits and undertakes to respect the guidelines recommended by the public health authorities and those imposed by the persons responsible for the living environment;



(10) it be prohibited to organize or take part in a gathering in an outdoor public place referred to in Order in Council 817-2020 dated 5 August 2020, except as part of services dispensed to students at the preschool level or the elementary or secondary school level of the general education instructional services for youth offered by a school service centre, a school board or a private educational institution;

(11) a parent who elects not to send his or her child to his or her educational childcare provider is required to pay the contribution in order to keep the place intended for the child for as long as the educational childcare agreement is in force;

THAT the rules applicable in a territory referred to in the tenth paragraph of the operative part continue to apply to residents of that territory outside that territory and the residents may not attend a place whose activities have been suspended in the territory in which they reside;

THAT the preceding paragraph not apply to a person going to another territory to study, work or practise his or her profession;

THAT subparagraph 2 of the fifth paragraph of the operative part of Order in Council 817-2020 dated 5 August 2020 be amended by striking out “, to the extent possible,”;

THAT the following be revoked:

(1) the third and seventh paragraphs of the operative part of Order in Council 689-2020 dated 25 June 2020, as amended;

(2) the second paragraph of the operative part of Ministerial Order 2020-069 date 22 September 2020;

(3) the fourth paragraph of the operative part of Order in Council 810-2020 dated 15 July 2020, amended by Orders in Council 813-2020 dated 23 July 2020, 885-2020 dated 19 August 2020 and by Ministerial Orders 2020-059 dated 26 August 2020 and 2020-064 dated 17 September 2020;

(4) the fifth paragraph of the operative part of Order in Council 813-2020 dated 23 July 2020, amended by Order in Council 885-2020 dated 19 August 2020;

(5) the third paragraph of the operative part of Order in Council 947-2020 dated 11 September 2020;

(6) Ministerial Orders 2020-053 dated 1 August 2020, 2020-068 dated 20 September 2020 and 2020-072 dated 25 September 2020;

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.