

## Ministerial Orders

### M.O., 2021

#### Order 2021-079 of the Minister of Health and Social Services dated 14 November 2021

Public Health Act  
(chapter S-2.2)

Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING section 118 of the Public Health Act (chapter S-2.2) which provides that 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;

CONSIDERING Order in Council 177-2020 dated 13 March 2020 declaring a public health emergency throughout Québec for a period of 10 days;

CONSIDERING that the public health emergency has consistently been renewed since that date by various Orders in Council, including by Order in Council 1415-2021 dated 10 November 2021;

CONSIDERING that Order in Council 885-2021 dated 23 June 2021, amended by Ministerial Orders 2021-049 dated 1 July 2021, 2021-050 dated 2 July 2021, 2021-053 dated 10 July 2021, 2021-055 dated 30 July 2021, 2021-057 dated 4 August 2021, 2021-058 dated 13 August 2021, 2021-059 dated 18 August 2021, 2021-060 dated 24 August 2021, 2021-061 dated 31 August 2021, 2021-062 dated 3 September 2021, 2021-063 dated 9 September 2021, 2021-065 dated 24 September 2021, 2021-066 dated 1 October 2021, 2021-067 dated 8 October 2021, 2021-068 dated 9 October 2021, 2021-069 dated 12 October 2021, 2021-073 dated 22 October 2021, 2021-074 dated 25 October 2021, 2021-077 dated 29 October 2021 and 2021-078 dated 2 November 2021, provides for, among other things, certain special measures to apply throughout Québec;

CONSIDERING that Order in Council 1173-2021 dated 1 September 2021, amended by Order in Council 1276-2021 dated 24 September 2021 and by Ministerial Order 2021-067 dated 8 October 2021, provides that a person must be adequately protected to enter certain places or participate in certain activities;

CONSIDERING that those Orders in Council also empower the Minister of Health and Social Services to order any modification or clarification of the measures provided for in the Orders;

CONSIDERING that 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 certain of the measures necessary to continue that protection;

ORDERS AS FOLLOWS:

THAT the operative part of Order in Council 885-2021 dated 23 June 2021, amended by Ministerial Orders 2021-049 dated 1 July 2021, 2021-050 dated 2 July 2021, 2021-053 dated 10 July 2021, 2021-055 dated 30 July 2021, 2021-057 dated 4 August 2021, 2021-058 dated 13 August 2021, 2021-059 dated 18 August 2021, 2021-060 dated 24 August 2021, 2021-061 dated 31 August 2021, 2021-062 dated 3 September 2021, 2021-063 dated 9 September 2021, 2021-065 dated 24 September 2021, 2021-066 dated 1 October 2021, 2021-067 dated 8 October 2021, 2021-068 dated 9 October 2021, 2021-069 dated 12 October 2021, 2021-073 dated 22 October 2021, 2021-074 dated 25 October 2021, 2021-077 dated 29 October 2021 and 2021-078 dated 2 November 2021, be further amended

(1) by striking out the second paragraph;

(2) by replacing subparagraphs 10 to 12 of the fourth paragraph by the following subparagraph:

“(10) for the participants at an activity or the members of the public having access to the place, but only if the organizer or the operator of the place verifies that the participants or members of the public, if they are 13 years of age or older, are adequately protected against COVID-19 within the meaning of Order in Council 1173-2021 dated 1 September 2021 and subsequent amendments, in the manner and subject to the exceptions set out in that Order in Council;”;

- (3) by striking out the fifth paragraph;
- (4) by replacing subparagraph 11 of the seventh paragraph by the following:
- “(11) is participating in a karaoke activity and complies with one of the following conditions:
- (a) a distance of two metres is maintained between the musicians, the other singers and the spectators;
- (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;”;
- (5) by striking out the thirteenth paragraph;
- (6) in the fourteenth paragraph,
- (a) by replacing subparagraphs 4 and 5 by the following:
- “(4) for a funeral service, a turnover of persons is permitted for a viewing, or in the presence of ashes, and when condolences are received, provided the number of persons present at the same time never exceeds a maximum of 50 persons;
- (5) in a building housing a place of worship, a priest or minister or a person acting as a volunteer in such a place may remove his or her face covering when maintaining a minimum distance of one metre with any other person;”;
- (b) in subparagraph 7,
- i. by striking out subparagraph *e*;
- ii. by replacing subparagraph *f* by the following:
- “(f) patrons may serve themselves directly from a buffet or have access to a self-serve counter for covers or food, but only if the operator of the place verifies that the participants or members of the public, if they are 13 years of age or older, are adequately protected against COVID-19 within the meaning of Order in Council 1173-2021 dated 1 September 2021 and subsequent amendments, in the manner and subject to the exceptions set out in that Order in Council;”;
- (c) by striking out subparagraphs 8 and 9;

(d) by replacing subparagraph 10 by the following:

“(10) in rooms and on terraces covered by a permit authorizing the sale or service of alcoholic beverages for consumption on the premises, a distance of two metres must be maintained with the public during the presentation of a show;”;

(e) by striking out “and in subparagraph *a* of subparagraph 11” in subparagraph 12;

(f) by striking out subparagraphs 14 to 16.2, 18 and 19;

(g) by replacing subparagraphs 20, 21 and 21.1 by the following:

“(20) in a physical training room, a minimum distance of two metres must be maintained between persons engaging in a physical activity requiring removal of their face covering;

(21) for choirs and amateur orchestras, the following conditions must be complied with:

(a) as part of an extracurricular activity, it is performed by a group of not more than 100 persons;

(b) a distance of two metres is maintained

i. between each singer and with any other person, if the singers are not wearing a procedural mask; and

ii. between each wind instrumentalist and with any other person;

(c) the musicians, other than wind instrumentalists, wear a procedural mask;”;

(h) by striking out subparagraph 23;

(i) by replacing “an event-based or social activity” in subparagraph 24 by “an activity of a social nature”;

(j) by striking out subparagraph 25;

(k) by replacing subparagraph 26 by the following:

“(26) it is prohibited to organize or participate in a gathering of more than 50 persons in an outdoor public place as part of an event of a social nature, except for a funeral service, a marriage, a recognition or graduation ceremony or other event of the same nature;”;

(l) by striking out subparagraph 27;

(m) in subparagraph 29,

i. by striking out “or secondary” in the portion before subparagraph *a*;

ii. by striking out “at the elementary school level” in subparagraph *b*;

iii. by striking out subparagraph *b.1*;

(n) by striking out Schedule I;

THAT the operative part of Order in Council 1173-2021 dated 1 September 2021, amended by Order in Council 1276-2021 dated 24 September 2021 and by Ministerial Order 2021-067 dated 8 October 2021, be further amended

(1) in the third paragraph,

(a) by replacing subparagraph 1 by the following:

“(1) an outdoor event open to the public, other than an event that takes place in a drive-in theatre or other place used for similar purposes;”;

(b) by striking out “, other than an event or amateur training activity at which a maximum of 25 persons may be present or a maximum of 250 persons may be seated in the grandstands or bleachers or in any other type of seating arrangement allowing the persons to be seated in assigned seats” in subparagraph 2;

(c) by replacing “or food store, including” in subparagraph 5 by “, food store, sports centre chalet, indoor place or building adjacent to a snowmobile or quad relay in which meals for consumption on the premises are offered, including their cafeteria and multi-use room and”;

(d) in subparagraph 9,

i. by replacing “physical activity” in the portion before subparagraph *a* by “physical or recreational activity”;

ii. by replacing subparagraph *c* by the following:

“(c) to participate in an extracurricular recreational activity;

(d) to participate in the activities of a vacation camp or day camp;

(e) to enter a library or a museum;”;

(e) by inserting the following after subparagraph 10:

“(10.1) to use a chairlift or gondola at a ski area or sliding centre;”;

(f) by adding the following at the end:

“(12) an event-based activity;

(13) an activity taking place in a rented hall or community hall, organized within the mission of a community organization whose activities are related to the health or social service sector, attended by more than 250 persons indoors or by more than 500 persons outdoors;

(14) an activity taking place in a rented hall or community hall, necessary to the continuation of the activities, other than event-based or social activities, that are a part of the operation of an enterprise or the activities of an educational institution, court of justice, arbitrator, association of employees, professionals, managerial staff, senior administrators or employers, a consular post, diplomatic mission, government department or public body, attended by more than 250 persons indoors or by more than 500 persons outdoors;

(15) a funeral service or marriage attended by more than 250 persons indoors or by more than 500 persons outdoors;

(16) a place of worship where attendance for the entire building in which it is situated is more than 250 persons;

(17) an outdoor religious ceremony attended by more than 500 persons;”;

(2) by inserting the following after the third paragraph:

“THAT, despite the preceding paragraph, a person not be required to be adequately protected if the person is providing support or a service to another person for the playing of a sports activity, but only while providing that support or service;”;

THAT the measures set out in this Order take effect on 15 November 2021.

Québec, 14 November 2021

CHRISTIAN DUBÉ  
Minister of Health and Social Services

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