

This is the administrative version of Order in Council No.615-2020 made on June 10 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, 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, in particular by suspending the educational and instructional services provided by educational institutions;

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 and until 17 June 2020 by Order in Council 593-2020 dated 10 June 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, 223-2020 dated 24 March 2020, 460-2020 dated 15 April 2020, 496-2020 dated 29 April 2020, 500-2020 dated 1 May 2020, 505-2020 dated 6 May 2020, 539-2020 and 540-2020 dated 20 May 2020, 543-2020 dated 22 May 2020, 566-2020 dated 27 May 2020 and 588-2020 dated 3 June 2020, and by Ministerial Orders 2020-003 dated 14 March 2020, 2020-004 dated 15 March 2020, 2020-005 dated 17 March 2020, 2020-007 dated 21 March 2020, 2020-008 dated 22 March 2020, 2020-009 dated 23 March 2020, 2020-010 dated 27 March 2020, 2020-011 dated 28 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, 2020-018 dated 9 April 2020, 2020-019 and 2020-020 dated 10 April 2020, 2020-021 dated 14 April 2020, 2020-022 dated 15 April 2020, 2020-023 dated 17 April 2020, 2020-025 dated 19 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 and 2020-043 dated 6 June 2020, except to the extent that they were amended by those Orders in Council or Ministerial Orders, continue to apply until 17 June 2020 or until the Government or the Minister of Health and Social Services modifies or terminates them;

WHEREAS Ministerial Order 2020-004 dated 15 March 2020, amended by Orders in Council 530-2020 dated 19 May 2020 and 566-2020 dated 27 May 2020, and by Ministerial Orders 2020-022 dated 15 April 2020, 2020-029 dated 26 April 2020, 2020-042 dated 4 June 2020 and 2020-043 dated 6 June 2020, provides in particular that **any hearing scheduled before a court of justice, administrative tribunal or other administrative body must be held behind closed doors unless the decision-making authority decides otherwise;**

WHEREAS Order in Council 222-2020 dated 20 March 2020, amended by Order in Council 543-2020 dated 22 May 2020, provides for, in particular, the rules applicable to assemblies and the suspension of time periods relating to certain administrative bodies;

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WHEREAS Order in Council 223-2020 dated 24 March 2020 ordered in particular the suspension of all activity carried on in work environments, except with respect to work environments providing the priority services listed in the Schedule to the Order in Council;

WHEREAS the Schedule to the Order in Council was amended by Ministerial Orders 2020-010 dated 27 March 2020, 2020-011 dated 28 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, 2020-018 dated 9 April 2020, 2020-021 dated 14 April 2020, 2020-023 dated 17 April 2020, 2020-025 dated 19 April 2020 and 2020-027 dated 22 April 2020, and by Orders in Council 500-2020 dated 1 May 2020, 539-2020 dated 20 May 2020 and 566-2020 dated 27 May 2020;

WHEREAS, by Orders in Council 500-2020 dated 1 May 2020, 505-2020 dated 6 May 2020, 530-2020 dated 19 May 2020, 539-2020 and 540-2020 dated 20 May 2020, 566-2020 dated 27 May 2020 and 588-2020 dated 3 June 2020, and by Ministerial Orders 2020-042 dated 4 June 2020 and 2020-043 dated 6 June 2020, the Government lifted the suspension applicable to certain activities carried on in work environments under Order in Council 223-2020 dated 24 March 2020;

WHEREAS, by Orders in Council 505-2020 dated 6 May 2020, 540-2020 dated 20 May 2020, 566-2020 dated 27 May 2020 and 588-2020 dated 3 June 2020, the Government lifted the suspension applicable to certain educational and instructional services provided by educational institutions under Order in Council 177-2020 dated 13 March 2020;

WHEREAS Order in Council 566-2020 dated 27 May 2020 provides that the common areas of food courts in shopping centres may not be used by customers;

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 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;

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

THAT the suspension applicable under, as the case may be, Order in Council 177-2020 dated 13 March 2020, amended by Orders in Council 505-2020 dated 6 May 2020, 540-2020 dated 20 May 2020, 566-2020 dated 27 May 2020 and 588-2020 dated 3 June 2020, and the suspension applicable under Order in Council 223-2020 dated 24 March 2020, amended by Orders in Council 500-2020 dated 1 May 2020, 505-2020 dated 6 May 2020, 530-2020 dated 19 May 2020, 539-2020 and 540-2020 dated 20 May 2020, 566-2020 dated 27 May 2020 and 588-2020 dated 3 June 2020, and by Ministerial Orders 2020-042 dated 4 June 2020 and 2020-043 dated 6 June 2020, be lifted with respect to all training activities, except as regards

(1) activities offered in a recreational setting that are covered by a suspension provided for by any Order in Council or Ministerial Order; and

(2) educational or instructional services offered by a school board, a private educational institution dispensing preschool education services or elementary, secondary or college instructional services, a college established under the General and Vocational Colleges Act (chapter C-29) or a university institution covered by a suspension provided for by any Order in Council or Ministerial Order;

THAT the suspension applicable to the activities carried on in work environments under Order in Council 223-2020 dated 24 March 2020, amended by Orders in Council 500-2020 dated 1 May 2020, 505-2020 dated 6 May 2020, 530-2020 dated 19 May 2020, 539-2020 and 540-2020 dated 20 May 2020, 566-2020 dated 27 May 2020 and 588-2020 dated 3 June 2020, and by Ministerial Orders 2020-042 dated 4 June 2020 and 2020-043 dated 6 June 2020, be lifted with respect to

(1) restaurants situated elsewhere than in the territory of the Communauté métropolitaine de Montréal, the territory of the regional county municipality of Joliette or the territory of Ville de L'Épiphanie, for their restaurant activities, provided

(a) the restaurant maintains all equipment functional and operational and schedules the staff necessary to ensure meal preparation and service during business hours;

(b) the seating arrangement in areas where food is consumed, including dining rooms and terraces, is such that a distance of two metres is maintained between tables, unless a physical barrier able to limit contagion separates the tables;

(c) the rules applicable to assemblies in a private residence permitted under this Order in Council apply to persons seated at the same table; and

(d) the patrons cannot serve themselves directly from a buffet or have access to a self-serve counter for covers or food; and

(2) **the activities of courts of justice and administrative tribunals, arbitrators, mediators and conciliators not covered under the heading "3. Government services and other priority activities"** in the Schedule to the Order in Council, amended by Ministerial Orders 2020-010 dated 27 March 2020, 2020-011 dated 28 March 2020, 2020-017 dated 8 April 2020, 2020-018 dated 9 April 2020 and 2020-027 dated 22 April 2020;

THAT the food courts in shopping centres and the dining areas in food establishments situated elsewhere than in the territories of the Communauté métropolitaine de Montréal, the regional county municipality of Joliette and Ville de L'Épiphanie may be used by customers insofar as they have been set up in compliance with the conditions set out in subparagraphs *b*, *c* and *d* of paragraph 1 of the preceding paragraph;

THAT, outside the territories of the Communauté métropolitaine de Montréal, the regional county municipality of Joliette and Ville de L'Épiphanie, an assembly in a private residence or its equivalent, or a private outdoor location be permitted in any of the following situations:

(a) if the persons assembled are the occupants of a single private residence or of that which serves that purpose;

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

(c) if the persons assembled are a maximum of 10;

THAT a court of justice, an administrative tribunal or any other administrative body, and any of their judges or decision-making authorities, may, taking into account the technological environment in place to support its business, impose the use of technological means at a hearing if the means are available to the parties;

THAT, despite the fourth paragraph of the operative part of Ministerial Order 2020-004 dated 15 March 2020, amended by Orders in Council 530-2020 dated 19 May 2020 and 566-2020 dated 27 May 2020, and by Ministerial Orders 2020-022 dated 15 April 2020, 2020-029 dated 26 April 2020, 2020-042 dated 4 June 2020 and 2020-043 dated 6 June 2020, a person may use technological means to attend a hearing held by a court of justice, an administrative tribunal or any other administrative body through technological means, on the terms it determines taking into account the technological environment in place to support its business;

THAT the fifth dash in the third paragraph of the operative part of Order in Council 222-2020 dated 20 March 2020, amended by Order in Council 543-2020 dated 22 May 2020, no longer be applicable, except as regards the time period for filing an application to renew a licence or other authorization of a similar nature with the Régie des alcools, des courses et des jeux and the time period for paying costs or fees to the Régie;

THAT it be permitted to rent a hall to any person, establishment, enterprise or other body if the rental is necessary for the pursuit of their activities that have not been suspended by any Order in Council or Ministerial Order, provided

(1) the seating arrangement in each hall is such that a distance of two metres is maintained between tables, unless a physical barrier able to limit contagion separates the tables;

(2) the rules applicable to assemblies in a private residence permitted under this Order in Council apply to persons seated at the same table, except in the territories of the Communauté métropolitaine de Montréal, the regional county municipality of Joliette and Ville de L'Épiphanie, for which the rules provided for in paragraph 1 of the first dash in the third paragraph of the operative part of Order in Council 222-2020 dated 20 March 2020, amended by Order in Council 543-2020, apply;

(3) the users cannot serve themselves directly from a buffet or have access to a self-serve counter for covers or food;

THAT Order in Council 177-2020 dated 13 March 2020, amended by Orders in Council 505-2020 dated 6 May 2020, 540-2020 dated 20 May 2020, 566-2020 dated 27 May 2020 and 588-2020 dated 3 June 2020, Ministerial Order 2020-004 dated 15 March 2020, amended by Orders in Council 530-2020 dated 19 May 2020 and 566-2020 dated 27 May 2020 and by Ministerial Orders 2020-022 dated 15 April 2020, 2020-029 dated 26 April 2020, 2020-042 dated 4 June 2020 and 2020-043 dated 6 June

2020, Order in Council 222-2020 dated 20 March 2020, amended by Order in Council 543-2020 dated 22 May 2020, Order in Council 223-2020 dated 24 March 2020, amended by Orders in Council 500-2020 dated 1 May 2020, 505-2020 dated 6 May 2020, 530-2020 dated 19 May 2020, 539-2020 and 540-2020 dated 20 May 2020, 566-2020 dated 27 May 2020 and 588-2020 dated 3 June 2020 and by Ministerial Orders 2020-042 dated 4 June 2020 and 2020-043 dated 6 June 2020, and Order in Council 566-2020 dated 27 May 2020, be amended accordingly;

THAT the third and fourth dashes in the third paragraph of the operative part of Order in Council 222-2020 dated 20 March 2020, amended by Order in Council 543-2020 dated 22 May 2020, be revoked;

THAT the Minister of Health and Social Services be empowered to order any modification or clarification of the measures provided for by this Order in Council;

THAT this Order in Council take effect

(1) on 10 June 2020 for the measures that concern the activities of courts of justice or administrative tribunals;

(2) on 15 June 2020 for the measures that concern restaurants, food courts in shopping centres and dining areas in food establishments, training activities, hall rentals and assemblies permitted in a private residence or a private outdoor location.