

Page 01 of 64 to/à Page 06 of 64

Withheld pursuant to/removed as

s.12 ; s.13 ; s.14

KEY POINTS
Face Coverings in Indoor Public Spaces (COVID-19) Order and OIC
Ministry of Public Safety and Solicitor General
November 24, 2020

Issue and Background: Order under s. 10

- On March 18, 2020, the Minister of Public Safety and Solicitor General declared a State of Provincial Emergency due to the COVID-19 pandemic.

Specifics of Proposed Face Coverings in Indoor Public Spaces (COVID-19) Order

- This order is made under section 10(1) of the Emergency Program Act and makes it mandatory for a person to wear a **face covering**, whether medical, or non-medical, that covers the nose and mouth while visiting an indoor public space, subject to exemptions. **Indoor public spaces** include:
 - Malls, shopping centres, coffee shops, and retail and grocery stores
 - Pharmacies
 - Liquor and cannabis stores
 - Service businesses (e.g. insurance broker's office, barbershop)
 - Airports, libraries, community and recreation centres
 - Restaurants, pubs and bars when not seated in a designated area
 - On public transportation, in a taxi or ride-sharing vehicle
 - Common areas of office buildings, post secondary institutions, court houses and hotels
 - Common areas of sport and fitness centres when not engaged in physical activity
- **Explicit exemptions** from the requirements are:
 - Children under the age of 12.
 - Persons who are unable to wear face coverings due to physical, mental or cognitive disabilities or medical conditions.
 - Persons who cannot put on or remove a face covering on their own
 - When removal of the face covering is necessary to receive a personal service or care from a health professional.
 - When a person's identify needs to be verified.
 - While a person is present in a court room.
 - While taking part in sport or fitness in a gym, arena, indoor studio or at a pool.
 - When consuming food or beverage in a café, restaurant or pub in a designated customer area
 - While inside a vehicle aboard a ferry
- While not explicitly exempted, the order does not mandate face coverings for K-12 schools, worker safety/workplace requirements or the common areas of an apartment or strata condominium property.

Order in Council Log # 4653

The attached Order in Council (OIC):

1. Enacts the Face Coverings in Indoor Public Spaces (COVID-19) Order, after it is made by the Minister of Public Safety and Solicitor General, as a provision of the COVID-19 Related Measures Act (CRMA).
 - Once a provision of the CRMA, the order can only be repealed in part or in full.
 - The date of repeal is set at 90 days on the end of the current state of provincial emergency.

2. Establishes new \$200 violation tickets for the following non compliances:
 - Failure to wear face covering in indoor public space
 - Failure to follow direction from an enforcement official
 - Abusive or belligerent behavior toward another visitor or toward an operator of a public space

Enforcement

- Police and other provincial compliance officers (conversation officers, liquor, cannabis and gaming officials) are authorized to issue violation tickets for non compliances related to mandatory face covering requirements in public spaces.

Potential Exemptions/Exceptions for Mandatory Masks in Public Indoor Spaces					
Note: Exemptions may be reflected in the way “indoor public places” is defined in the EPA order, or by creating specific exemptions. This will be determined during drafting of the order, on the advice of Legislative Counsel					
	SK	MB	ON	PQ	Recommendation for BC
Children	Under 2	Under 5	under 2	Under 12	Under 2 per PHO statement Nov 19
Individuals with medical conditions that inhibit mask wearing	Exempt	Exempt	Exempt	Exempt	Exempt per PHO statement Nov 19
Individual unable to don/doff masks w/o assistance	No exemption	Exempt	Exempt	No exemption	Exempt per PHO statement Nov 19
Workplaces without public access or in areas not normally accessible to public	Exempt	Exempt	Exempt	No exemption	No exemption; PHO states that masks are required in all workplaces for shared work areas and areas where physical distancing cannot be maintained
Private residences	Exempt	Exempt	Exempt	Implied exemption	Exempt. Not public indoor spaces.
Private areas of residential facilities, e.g., long-term care facilities, group homes, correctional institutes	Exempt for long-term care	No exemption	Exempt	No exemption	Exempt. Not public indoor spaces. On-site requirements dealt with through safe operating plans
Vacation accommodation including hotel, motel and B&B rooms	Exempt	Unclear	No exemption	No exemption	Exempt
When seated in food or liquor serving premises and consuming food and/or beverages	Exempt	Exempt	Exempt	Exempt	Exempt. Note that Order is not intended to apply in outdoor spaces (e.g., restaurant patios)

When temporarily required to remove/lower mask for identification purposes	Exempt	Exempt	No exemption	Exempt	Exempt
In a courthouse or courtroom	Exempt	No exemption	No exemption	Exempt	Exempt
During permitted indoor physical activities	Exempt	No exemption	No exemption	Exempt	TBD. Need guidance from PHO.
When receiving personal services that require mask removal, e.g., dentistry	No exemption	Exempt	Exempt	Exempt	Exempt
Childcare programs	No exemption	No exemption	Exempt	No exemption	Exempt; not public indoor spaces. On-site requirements dealt with through safe operating plans.
Performers who are rehearsing or performing, e.g., film production, plays, concerts	No exemption	No exemption	Exempt	No exemption	Patrons are required to wear masks. Performers are dealt with through safe operating plans.
Note: it is understood that schools (K-12) are not intended to be included. Direction is required for post-secondary institutions.					
Note: while activities such as musical and theatre performances and certain high-intensity indoor physical activities are suspended as of Nov 19/20, the mask order should be prepared with a view to how it will apply when those activities are again allowed.					

EMBC Freedom Of Information EMBC:EX

From: Johnston, Cole EMBC:EX
Sent: November 27, 2020 16:06
To: Brown, Tom G EMBC:EX; Roe, Sandra EMBC:EX; Brazier, Heather M EMBC:EX
Subject: FW: File no. 579171
Attachments: 579171 - response.pdf; attachment.pdf

Importance: High

Forwarding in case some of you were not blind copied on the email below.

— Cole

From: PSSG WEBFEEDBACK PSSG:EX
Sent: November 27, 2020 3:58 PM
To: Speaker, Legislative Assembly LASS:EX ; 'officeofthespeaker@leg.bc.ca'
Subject: File no. 579171
Importance: High

Dear Mr. Speaker:

This is a report on Ministerial Order 425, Use of Face Coverings in Indoor Public Spaces (COVID 19) Order, made on November 24, 2020, under the authority of Section 10(1) of the *Emergency Program Act*. This report is presented pursuant to subsection 4(1)(a) of the *COVID-19 Related Measures Act* (CRMA).

Subsection 4(4) of CRMA requires that this report be laid before the Legislative Assembly as soon as possible.



BRITISH
COLUMBIA

November 27, 2020

Speaker of the Legislative Assembly
Parliament Buildings
Victoria, British Columbia
V8V 1X4

Attention: Mr. Speaker

This is a report on Ministerial Order 425, Use of Face Coverings in Indoor Public Spaces (COVID 19) Order, made on November 24, 2020, under the authority of Section 10(1) of the *Emergency Program Act*. This report is presented pursuant to subsection 4(1)(a) of the *COVID-19 Related Measures Act* (CRMA).

Subsection 4(4) of CRMA requires that this report be laid before the Legislative Assembly as soon as possible.

The Use of Face Coverings in Indoor Public Spaces COVID-19 Order makes it a requirement for visitors of all indoor public and retail spaces to wear face coverings. Ticketing authority for enforcement officers is also provided under the Violation Ticket Administration and Fines Regulation.

Members may direct any questions to me in respect of this report and the effects of the attached order.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Mike Farnworth', with a stylized flourish at the end.

Mike Farnworth
Minister of Public Safety
and Solicitor General

Attachment

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE MINISTER OF PUBLIC SAFETY AND
SOLICITOR GENERAL

Emergency Program Act

Ministerial Order No. M425

WHEREAS a declaration of a state of emergency throughout the whole of the Province of British Columbia was declared on March 18, 2020 because of the COVID-19 pandemic;

AND WHEREAS face coverings, when used in addition to other preventative measures such as maintaining physical distance and using barriers, help to prevent, respond to or alleviate the effects of the COVID-19 pandemic;

AND WHEREAS the persistence of the COVID-19 pandemic warrants a coordinated provincial approach to the use of face coverings in indoor public spaces;

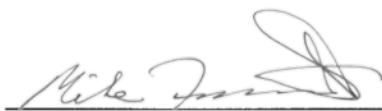
AND WHEREAS it is not possible for some persons to wear face coverings and I have taken that into consideration in this order;

AND WHEREAS section 10 (1) of the *Emergency Program Act* provides that I may do all acts and implement all procedures that I consider necessary to prevent, respond to or alleviate the effects of any emergency or disaster;

I, Mike Farnworth, Minister of Public Safety and Solicitor General, order that the attached Use of Face Coverings in Indoor Public Spaces (COVID-19) Order is made.

November 24, 2020

Date



Minister of Public Safety and Solicitor General

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Emergency Program Act*, R.S.B.C. 1996, c. 111, s. 10

Other: MO 73/2020; OIC 581/2020

USE OF FACE COVERINGS IN INDOOR PUBLIC SPACES (COVID-19) ORDER

Definitions and interpretation

1 In this order:

“enforcement officer” has the same meaning as in the Violation Ticket Administration and Fines Regulation with respect to a person in a designated class of persons with the authority to issue a ticket in relation to the provisions of this order;

“face covering” means either of the following that covers the nose and mouth of a person:

- (a) a medical or non-medical mask;
- (b) a tightly woven fabric;

“indoor public space” has the meaning given in section 2 (2);

“operator”, in relation to an indoor public space, means

- (a) an owner or operator of the indoor public space, or
- (b) an employee or person acting on behalf of an owner or operator of the indoor public space;

“visitor” means a person who visits an indoor public space, but does not include the operator of the indoor public space.

Interpretation – indoor public spaces

2 (1) In this section:

“health profession” has the same meaning as in the *Health Professions Act*;

“health professional” means a person who practises a health profession;

“hotel” includes a motel, inn, bed and breakfast, hostel or other place in which rooms are maintained for the accommodation of the public;

“indoor common area” means the indoor area of a building that is provided for the common use of all occupants and invitees of the building, including lobbies, hallways, public bathrooms and elevators;

“perimeter seating” has the same meaning as in the Passenger Transportation Regulation;

“perimeter seating bus” has the same meaning as in the Passenger Transportation Regulation;

“personal service” means a service provided by a person to or on the body of another person, and includes services provided at a barbershop, beauty parlour, health spa, massage parlour, nail salon, tattoo shop, sauna or steam bath;

“post-secondary institution” includes an entity that provides any of the following programs:

- (a) an educational or training program provided under
 - (i) the *College and Institute Act*,
 - (ii) the *Royal Roads University Act*,
 - (iii) the *Thompson Rivers University Act*,

- (iv) the *University Act*, or
 - (v) the *Private Training Act*;
- (b) a program provided in accordance with a consent given under the *Degree Authorization Act*;
- (c) a theological education or training program provided under an Act;
- “public transportation vehicle”** includes a bus, train or ferry;
- “retail business”** means a business that sells retail goods, including a grocery store, clothing store, liquor or cannabis store, or sporting goods store;
- “service business”** means a business that provides a service, including
 - (a) dry cleaning or laundry services,
 - (b) insurance services,
 - (c) banking services,
 - (d) funeral services,
 - (e) personal services,
 - (f) accounting, legal, engineering or other professional services, or
 - (g) the services of a tradesperson;
- “sport or fitness facility”** means a place used for sport or fitness activities, including a gym, ice arena, pool, gymnastics facility, indoor field, fitness studio or dance studio.
- (2) For the purposes of this order, an indoor public space is any of the following:
 - (a) a building or structure that is used as
 - (i) a retail business,
 - (ii) a service business,
 - (iii) a restaurant, pub, bar or other business that prepares and sells food or drink,
 - (iv) a mall or shopping centre,
 - (v) a pharmacy,
 - (vi) a health professional’s office,
 - (vii) a place of public worship,
 - (viii) a sport or fitness facility,
 - (ix) a place in which a non-profit organization provides goods or services to the public,
 - (x) a place that provides cultural, entertainment or recreational services or activities, including a theatre, cinema, concert hall, arcade, billiard hall, museum, gallery or library, or
 - (xi) a conference centre, community hall or other place that hosts public events;
 - (b) the indoor common area of
 - (i) an office building,
 - (ii) a hotel,
 - (iii) a hospital,

- (iv) a courthouse, or
- (v) a post-secondary institution;
- (c) a taxi, limousine, perimeter seating vehicle, perimeter seating bus, vehicle used for a commercial ride sharing service or other vehicle for hire;
- (d) a public transportation vehicle;
- (e) the indoor or sheltered portion or a terminal, station or other location at which persons
 - (i) load onto or unload from a public transportation vehicle, or
 - (ii) wait to load onto a public transportation vehicle;
- (f) an airport, heliport or seaplane terminal.

Face coverings required in indoor public spaces

- 3 (1) Except as provided under section 4, a visitor must wear a face covering, in accordance with subsection (2), while inside an indoor public space.
- (2) A face covering must be worn in a manner that covers the nose and mouth.

Exemption from use of face covering

- 4 Section 3 does not apply as follows:
- (a) to a person who is less than 12 years of age;
 - (b) to a person who is unable to wear a face covering because of
 - (i) a psychological, behavioural or health condition, or
 - (ii) a physical, cognitive or mental impairment;
 - (c) to a person who is unable to put on or remove a face covering without the assistance of another person;
 - (d) if the face covering is removed temporarily for the purposes of identifying the person wearing it;
 - (e) while inside a courtroom;
 - (f) while consuming food or beverage at a location designated for those purposes by the operator of the indoor public space;
 - (g) while participating in a sport or fitness activity at a sport or fitness facility;
 - (h) while receiving a personal service, or a service at a health professional's office, if removing the face covering is necessary in order to receive the service;
 - (i) while inside a vehicle on a ferry.

Abusive or belligerent behavior

- 5 (1) In this section:
- “abusive or belligerent behaviour”** means abusive or belligerent behaviour by a person that is intended to challenge or dispute, or intended to disturb the peace in response to,
- (a) a face covering policy or face covering requirement, or
 - (b) another person's adherence to a face covering policy or face covering requirement;

“face covering policy” means the policy of an operator of an indoor public space in relation to face coverings;

“face covering requirement” means a requirement in relation to face coverings that is set out in

- (a) this order,
 - (b) an order made under the *Public Health Act*, or
 - (c) a COVID-19 provision within the meaning of the *COVID-19 Related Measures Act*.
- (2) A visitor to an indoor public space must not engage in abusive or belligerent behaviour towards
- (a) the operator of the indoor public space, or
 - (b) another visitor.

Compliance with directions

- 6 A visitor must comply with any direction given by an enforcement officer, including a direction to leave an indoor public space.

Order does not prevent further requirements

- 7 Nothing in this order prevents an operator from having additional requirements in relation to face coverings.

Page 18 of 64

Withheld pursuant to/removed as

s.13 ; s.14

Page 19 of 64 to/à Page 20 of 64

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NR

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.

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Page 22 of 64 to/à Page 24 of 64

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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.

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Page 26 of 64 to/à Page 29 of 64

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THE PUBLIC HEALTH ACT
(C.C.S.M. c. P210)

Orders under *The Public Health Act*

LOI SUR LA SANTÉ PUBLIQUE
(c. P210 de la C.P.L.M.)

Ordres donnés en vertu de la *Loi sur la santé publique*

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November 19, 2020
19 novembre 2020

**Chief Provincial Public Health Officer/
Le médecin hygiéniste en chef,**

Dr. Brent Roussin/D^r Brent Roussin

Page 32 of 64 to/à Page 57 of 64

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Indoor Mandatory Masking Requirements

Effective Thursday, November 19th, wearing a non-medical mask will now be required in all indoor public spaces in Saskatchewan.

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Page 59 of 64 to/à Page 60 of 64

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Français

ONTARIO REGULATION 546/20

made under the

REOPENING ONTARIO (A FLEXIBLE RESPONSE TO COVID-19) ACT, 2020

Made: October 2, 2020

Filed: October 2, 2020

Published on e-Laws: October 5, 2020

Printed in The Ontario Gazette: October 17, 2020

AMENDING O. REG. 364/20

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Page 62 of 64 to/à Page 64 of 64

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