

# Minimizing the Risk of Exposure to COVID-19 in Canada Order (Mandatory Isolation), No. 4

## Definitions

### Definitions

1 The following definitions apply in this Order.

**Chief Public Health Officer** means the Chief Public Health Officer appointed under subsection 6(1) of the *Public Health Agency of Canada Act*.  
(*administrateur en chef*)

**isolation** means the separation of persons who have reasonable grounds to suspect that they have COVID-19, have signs and symptoms of COVID-19 or know that they have COVID-19, in such a manner as to prevent the spread of the disease. (*isolement*)

**quarantine** means the separation of persons in such a manner as to prevent the possible spread of disease. (*quarantaine*)

**quarantine facility** means a place that is designated under section 7 of the *Quarantine Act* or that is deemed to be designated under subsection 8(2) of that Act. (*installation de quarantaine*)

**signs and symptoms of COVID-19** include a fever and a cough or a fever and difficulty breathing. (*signes et symptômes de la COVID-19*)

**vulnerable person** means a person who

- (a) has an underlying medical condition that makes the person susceptible to complications relating to COVID-19;
- (b) has a compromised immune system from a medical condition or treatment; or
- (c) is 65 years of age or older. (*personne vulnérable*)

## Persons Entering Canada

### Requirement — questions and information

2 Every person who enters Canada must, during the 14-day period that begins on the day on which they enter Canada and any extension of that period under subsection 3(2) or 4(4),

**(a)** answer any relevant questions asked by a screening officer, quarantine officer or public health official designated under section 2.1, or asked on behalf of the Chief Public Health Officer, for the purposes of the administration of this Order; and

**(b)** provide to an officer or official referred to in paragraph (a) or the Chief Public Health Officer any information or record in the person's possession that the officer, official or Chief Public Health Officer requires, in any manner that the officer, official or Chief Public Health Officer may reasonably request, for the purposes of the administration of this Order.

## **Designation**

**2.1** The Chief Public Health Officer may designate any person as a public health official for the purposes of section 2.

## **Mask or face covering**

**2.2 (1)** Every person who enters Canada and who is required to quarantine or isolate themselves under this Order must, in the following circumstances, during the 14-day period that begins on the day on which they enter Canada and any extension of that period under subsection 3(2) or 4(4), wear a non-medical mask or face covering that a screening officer or quarantine officer considers suitable to minimize the risk of introducing or spreading COVID-19:

**(a)** while they are entering Canada; and

**(b)** while they are in transit to a place of quarantine or isolation, a health care facility or a place of departure from Canada, unless they are alone in a private vehicle.

## **Persons exempt from quarantine**

**(2)** Every person who enters Canada and who, by virtue of section 6, is not required to quarantine themselves must, during the 14-day period that begins on the day on which they enter Canada, if they are in public settings where physical distancing cannot be maintained, wear a non-medical mask or face covering that a screening officer or quarantine officer considers suitable to minimize the risk of introducing or spreading COVID-19.

## **Exception**

**(3)** The requirements in this section do not apply if the mask or face covering needs to be removed for security or safety reasons.

## Asymptomatic Persons

### Requirements — asymptomatic persons

**3 (1)** Any person who enters Canada and who does not have signs and symptoms of COVID-19 must

**(a)** quarantine themselves without delay in accordance with instructions provided by a screening officer or a quarantine officer and remain in quarantine until the expiry of the 14-day period that begins on the day on which the person enters Canada; and

**(b)** monitor for signs and symptoms of COVID-19 until the expiry of the 14-day period and, if they develop any signs and symptoms of COVID-19, follow instructions provided by the public health authority specified by a screening officer or quarantine officer.

### Extension

**(2)** The 14-day period of quarantine and associated requirements of subsection (1) begin anew if, during that 14-day period, the person develops any signs and symptoms of COVID-19, is exposed to another person subject to this Order who exhibits signs and symptoms of COVID-19 or tests positive for COVID-19.

### Unable to quarantine themselves

**4 (1)** A person referred to in section 3 is considered unable to quarantine themselves if the person cannot quarantine themselves for the 14-day period referred to in that section in a place

**(a)** that is considered suitable by the Chief Public Health Officer, having regard to the risk to public health posed by COVID-19, the likelihood or degree of exposure of the person to COVID-19 prior to entry to Canada, and any other factor that the Chief Public Health Officer considers relevant;

**(b)** where they will not be in contact with vulnerable persons, unless the vulnerable person is a consenting adult or is the parent or minor in a parent-minor relationship; and

**(c)** where they will have access to the necessities of life.

## Requirements — quarantine at quarantine facility

**(2)** A person who, at the time of entry to Canada or at any other time during the 14-day period referred to in section 3 or any extension of it, is considered unable to quarantine themselves must

**(a)** if directed by a screening officer or quarantine officer, board any means of transportation provided by the Government of Canada for the purpose of transporting them to a quarantine facility, or transferring them between quarantine facilities, chosen by the Chief Public Health Officer;

**(b)** enter into quarantine without delay at the chosen quarantine facility and remain in quarantine at the facility — or at any other quarantine facility to which they are subsequently transferred — until the expiry of the 14-day period or any extension of it; and

**(c)** while they remain at a quarantine facility, undergo any health assessments that a quarantine officer requires.

## Transfer

**(3)** A person referred to in subsection (2) may, with the authorization of a quarantine officer, leave a quarantine facility before the expiry of the 14-day period in order to quarantine themselves in accordance with the requirements of section 3 at a place that is considered suitable by the Chief Public Health Officer, taking into account the factors set out in paragraph (1)(a).

## Extension

**(4)** The 14-day period of quarantine and associated requirements of subsection (2) begin anew if, during that 14-day period, the person develops any signs and symptoms of COVID-19, is exposed to another person subject to this Order who exhibits signs and symptoms of COVID-19 or tests positive for COVID-19.

## Choice of quarantine facility

**5** In choosing a quarantine facility for the purposes of subsection 4(2), the Chief Public Health Officer must consider the following factors:

**(a)** the risk to public health posed by COVID-19;

**(b)** the feasibility of controlling access to and egress from the quarantine facility;

- (c) the capacity of the quarantine facility;
- (d) the feasibility of quarantining persons;
- (e) the likelihood or degree of exposure of the person to COVID-19 prior to entry to Canada; and
- (f) any other factor that the Chief Public Health Officer considers relevant.

### **Exception — requirement to quarantine**

**6** The requirements referred to in paragraph 3(1)(a) and subsection 4(2) do not apply to

- (a) a *crew member* as defined in subsection 101.01(1) of the *Canadian Aviation Regulations* or a person who enters Canada only to become such a crew member;
- (b) a *member of a crew* as defined in subsection 3(1) of the *Immigration and Refugee Protection Regulations* or a person who enters Canada only to become such a crew member;
- (c) a person who enters Canada at the invitation of the Minister of Health for the purpose of assisting in the COVID-19 response;
- (d) a member of the *Canadian Forces* or a *visiting force*, as defined in section 2 of the *Visiting Forces Act*, who enters Canada for the purpose of performing their duties as a member of either of those forces;
- (e) a person or any person in a class of persons whom the Chief Public Health Officer determines will provide an essential service;
- (f) a person or any person in a class of persons whose presence in Canada is determined by the Minister of Foreign Affairs, the Minister of Citizenship and Immigration or the Minister of Public Safety and Emergency Preparedness to be in the national interest, as long as the person complies with any conditions imposed on them by the relevant Minister to minimize the risk of introduction or spread of COVID-19;
- (g) a person who is permitted to work in Canada as a provider of emergency services under paragraph 186(t) of the *Immigration and Refugee Protection Regulations* and who enters Canada for the purpose of providing those services;
- (h) a person who enters Canada for the purpose of providing medical care, transporting essential medical equipment, supplies or means of treatment, or delivering, maintaining or repairing medically-necessary equipment or devices, as

long as they do not directly care for persons 65 years of age or older within the 14-day period that begins on the day on which the person enters Canada;

**(i)** a person who enters Canada for the purpose of receiving essential medical services or treatments within 36 hours of entering Canada, other than services or treatments related to COVID-19;

**(j)** a person permitted to work in Canada as a student in a health field under paragraph 186(p) of the *Immigration and Refugee Protection Regulations* who enters Canada for the purpose of performing their duties as a student in the health field, as long as they do not directly care for persons 65 years of age or older within the 14-day period that begins on the day on which the person enters Canada;

**(k)** a licensed health care professional with proof of employment in Canada who enters Canada for the purpose of performing their duties as a licensed health care professional, as long as they do not directly care for persons 65 years of age or older within the 14-day period that begins on the day on which the licensed professional enters Canada;

**(l)** a person, including a captain, deckhand, observer, inspector, scientist and any other person supporting commercial or research fishing-related activities, who enters Canada aboard a *Canadian fishing vessel* or a *foreign fishing vessel* as defined in subsection 2(1) of the *Coastal Fisheries Protection Act*, for the purpose of carrying out fishing or fishing-related activities, including offloading of fish, repairs, provisioning the vessel and exchange of crew;

**(m)** a person who enters Canada within the boundaries of an integrated trans-border community that exists on both sides of the Canada-United States border and who is a habitual resident of that community, if entering Canada is necessary for carrying out an everyday function within that community;

**(n)** a person who enters Canada if the entry is necessary to return to their habitual place of residence in Canada after carrying out an everyday function that, due to geographical constraints, must involve entering the United States; or

**(o)** a person who seeks to enter Canada on board a *vessel*, as defined in section 2 of the *Canada Shipping Act, 2001*, that is engaged in research and that is operated by or under the authority of the Government of Canada or at its request or operated by a provincial government, a local authority or a government, council or other entity authorized to act on behalf of an Indigenous group, as long as the person remains on board the vessel.

## Consultation with Minister of Health

**6.1** Conditions that are imposed under paragraph 6(f) must be developed in consultation with the Minister of Health.

### **Exception — medical**

**7 (1)** The requirements to remain in quarantine as referred to in paragraph 3(1)(a) and subsection 4(2), including the requirement to remain in quarantine as extended by subsection 3(2) or 4(4), do not apply for the duration of any medical emergency or essential medical services or treatments that requires a person to visit or be taken to a health care facility which, in the case of a person referred to in subsection 4(2), is outside the quarantine facility referred to in that subsection.

### **Exception — accompanying person**

**(1.1)** If the person who needs to visit or be taken to a health care facility is a minor or requires assistance in accessing medical services or treatments, the exception in subsection (1) extends to one other person who accompanies the minor or person requiring assistance.

### **Exception — other grounds**

**(2)** The requirements to remain in quarantine as referred to in paragraph 3(1)(a) and subsection 4(2) do not apply to a person if

- (a)** the person becomes the subject of a provincial or local public health order that is inconsistent with those requirements;
- (b)** the requirement is inconsistent with another requirement imposed on them under the *Quarantine Act*; or
- (c)** the Chief Public Health Officer determines that the person or the class of persons that the person is in does not pose a risk of significant harm to public health.

### **Exception — leaving Canada**

**8** A person who must quarantine themselves under section 3 or remain in quarantine under section 4 may leave Canada before the expiry of the 14-day quarantine period if they quarantine themselves until they depart from Canada.

### **Symptomatic Persons**

## Requirements — symptomatic persons

**9** Any person who enters Canada and who has reasonable grounds to suspect they have COVID-19, has signs and symptoms of COVID-19 or knows that they have COVID-19 must

**(a)** isolate themselves without delay in accordance with instructions provided by a screening officer or a quarantine officer and remain in isolation until the expiry of the 14-day period that begins on the day on which the person enters Canada; and

**(b)** during the period of isolation, undergo any health assessments that a quarantine officer requires, monitor their signs and symptoms and report to the public health authority specified by a screening officer or quarantine officer if they require additional medical care.

## Unable to isolate themselves

**10 (1)** A person referred to in section 9 is considered unable to isolate themselves for the 14-day period referred to in that section if they meet one of the following conditions:

**(a)** it is necessary for them to use a public means of transportation, including aircraft, bus, train, subway, taxi or ride-sharing service, to travel from the place where they enter Canada to the place where they will isolate themselves; or

**(b)** they cannot isolate themselves for the 14-day period in a place

**(i)** that is considered suitable by the Chief Public Health Officer, having regard to the risk to public health posed by COVID-19, the likelihood or degree of exposure of the person to COVID-19 prior to entry to Canada, and any other factor that the Chief Public Health Officer considers relevant,

**(ii)** where they will not be in contact with vulnerable persons, unless the vulnerable person is a consenting adult or is the parent or minor in a parent-minor relationship, and

**(iii)** where they will have access to the necessities of life.

## Requirements — quarantine facility

**(2)** A person who, at the time of entry to Canada or at any other time during the 14-day period referred to in section 9, meets one of the conditions set out in paragraph (1)(a) or (b) must



- (a)** if directed by a screening officer or quarantine officer, board any means of transportation provided by the Government of Canada for the purpose of transporting them to a quarantine facility, or transferring them between quarantine facilities, chosen by the Chief Public Health Officer;
- (b)** enter into isolation without delay at the chosen quarantine facility and remain in isolation at the facility — or at any other quarantine facility to which they are subsequently transferred — until the expiry of the 14-day period; and
- (c)** while they remain at a quarantine facility, undergo any health assessments that a quarantine officer requires.

## **Transfer**

**(3)** A person referred to in subsection (2) may, with the authorization of a quarantine officer, leave a quarantine facility before the expiry of the 14-day period in order to isolate themselves in accordance with the requirements of section 9 at a place that is considered suitable by the Chief Public Health Officer, taking into account the factors set out in subparagraph (1)(b)(i).

## **Choice of quarantine facility**

**11** In choosing a quarantine facility for the purposes of subsection 10(2), the Chief Public Health Officer must consider the following factors:

- (a)** the risk to public health posed by COVID-19;
- (b)** the feasibility of controlling access to and egress from the quarantine facility;
- (c)** the capacity of the quarantine facility;
- (d)** the feasibility of isolating persons;
- (e)** the likelihood or degree of exposure of the person to COVID-19 prior to entry to Canada; and
- (f)** any other factor that the Chief Public Health Officer considers relevant.

## **Exception — medical**

**12 (1)** The requirements to remain in isolation as referred to in paragraph 9(a) and subsection 10(2) do not apply for the duration of any medical emergency or essential medical services or treatments that requires a person to visit or be taken to a health care facility which, in the case of a person referred to in subsection 10(2), is outside the quarantine facility referred to in that subsection.

### **Exception — accompanying person**

**(1.1)** If the person who needs to visit or be taken to a health care facility is a minor, the exception in subsection (1) extends to one other person who accompanies the minor.

### **Exception — other grounds**

**(2)** The requirements to remain in isolation as referred to in paragraph 9(a) and subsection 10(2) do not apply to a person if

**(a)** the person becomes the subject of a provincial or local public health order that is inconsistent with those requirements;

**(b)** the requirement is inconsistent with another requirement imposed on them under the *Quarantine Act*; or

**(c)** the Chief Public Health Officer determines that the person does not pose a risk of significant harm to public health.

### **Exception — leaving Canada**

**13** A person who must isolate themselves under section 9 or remain in isolation under section 10 may, at the discretion and in accordance with the instructions of a quarantine officer, leave Canada before the expiry of the 14-day isolation period if they isolate themselves until they depart from Canada in a private conveyance.

## **Powers and Obligations**

### **Powers and obligations**

**14** For greater certainty,

**(a)** this Order does not affect any of the powers and obligations set out in the *Quarantine Act*;

**(b)** this Order may be administered using electronic means; and

**(c)** the instructions to be followed under paragraphs 3(1)(a) and (b) and 9(a) include instructions that are provided after the time of entry into Canada.

Repeal

**15 The *Minimizing the Risk of Exposure to COVID-19 in Canada Order (Mandatory Isolation)*, No. 3<sup>1</sup> is repealed.**

Effective Period

**Until September 30, 2020**

**16 This Order has effect for the period beginning at 23:59:59 p.m. Eastern daylight time on the day on which it is made and ending at 23:59:59 p.m. Eastern daylight time on September 30, 2020.**

<sup>1</sup> P.C. 2020-524, June 29, 2020