



NATIONAL ASSEMBLY OF QUÉBEC

SECOND SESSION

FORTY-SECOND LEGISLATURE

Bill 28

**An Act to terminate the public health
emergency**

Introduction

**Introduced by
Mr. Christian Dubé
Minister of Health and Social Services**

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EXPLANATORY NOTES

This bill terminates the public health emergency declared on 13 March 2020.

Under the bill, the measures that are prescribed by orders in council or by orders of the Minister of Health and Social Services made under the Public Health Act and that are in force at the time the public health emergency is terminated remain in force until 31 December 2022. However, the Government may amend or repeal an order in council or ministerial order to allow a gradual easing of the measures.

The bill allows the Minister to order any government department or body to communicate or give to the Minister immediate access to any document or information held that is necessary for protecting the health of the population in connection with the COVID-19 pandemic.

In addition, the bill provides that certain contracts in force that have been entered into by the Minister or a health and social services institution during the public health emergency may be extended for a period that does not, according to the nature of the contract, extend beyond 31 December 2022 or exceed five years.

Lastly, the provisions of the bill, with certain exceptions, cease to have effect on 31 December 2022.

Bill 28

AN ACT TO TERMINATE THE PUBLIC HEALTH EMERGENCY

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The public health emergency declared on 13 March 2020 and renewed since is terminated.

2. The measures that are prescribed by orders in council or by orders of the Minister of Health and Social Services made under section 123 of the Public Health Act (chapter S-2.2) and that are in force at the time the public health emergency is terminated remain in force until 31 December 2022.

No judicial proceedings may be brought against the Government, the Minister or any other person for an act performed in good faith in the application of those orders in council and ministerial orders.

3. The Government may amend or repeal an order in council or ministerial order referred to in section 2 to allow a gradual easing of the measures.

4. The Minister may order any person, government department or body to communicate or give to the Minister immediate access to any document or information held that is necessary for protecting the health of the population in connection with the COVID-19 pandemic, even personal or confidential information or a confidential document.

A document or information communicated or made accessible under the first paragraph is deemed to have been obtained under Chapter XI of the Public Health Act.

5. Despite any contrary provision of the Act respecting contracting by public bodies (chapter C-65.1) or of any other Act or any regulation, the contracts entered into by the Minister or a health and social services institution during the public health emergency under Order in Council 177-2020 dated 13 March 2020 (2020, G.O. 2, 763A) and its subsequent amendments that are still in force at the end of the public health emergency and are necessary to ensure the proper operation of screening or vaccination clinics may be extended for a period that does not extend beyond 31 December 2022.

Despite the preceding paragraph, the term or value of any existing contract for the storage or transportation of goods acquired during the COVID-19 pandemic may be extended or increased until the stocks have been exhausted. However, the term of such contracts may not extend beyond five years after the end of the public health emergency.

6. Anyone who

(1) contravenes a measure that has continued to apply or was amended under section 2 or 3,

(2) refuses to communicate a document or information the Minister is entitled to require under section 4 or to give the Minister access to such a document or information, or communicates a document or information they must send to the Minister that is false or misleading or conceals or destroys such a document or such information,

(3) by an act or omission, helps a person to commit an offence under subparagraph 1 or 2, or

(4) by encouragement, advice or consent or by an authorization or an order, induces a person to commit an offence under subparagraph 1 or 2,

commits an offence and is liable to a fine of \$1,000 to \$6,000.

The fines are doubled for a subsequent offence.

7. The Minister of Health and Social Services is responsible for the administration of this Act.

8. The provisions of this Act come into force on (*insert the date of assent to this Act*) and cease to have effect on 31 December 2022, except the provisions of the second paragraph of section 5, which cease to have effect on (*insert the date that is five years after the date of assent to this Act*) or on any earlier date or dates to be set by the Government.