

Special Measures Order (Updated Self-Isolation Exemption Order)

Made pursuant to Section 28 of the Public Health Protection and Promotion Act

November 27, 2020

TO: All Individuals and businesses operating in Newfoundland and Labrador

WHEREAS:

- A.** While a declaration of a public health emergency is in effect, the Chief Medical Officer of Health may do one or more of the special measures authorized under section 28 of the **Public Health Protection and Promotion Act** for the purpose of protecting the health of the population and preventing, remedying or mitigating the effects of the public health emergency;
- B.** On March 18, 2020, the Minister of Health and Community Services, on the advice of the Chief Medical Officer of Health, declared:
 - (i) a public health emergency as a result of the COVID-19 pandemic;
 - (ii) the public health emergency is in effect for the entire province of Newfoundland and Labrador; and
 - (iii) the public health emergency is in effect for a period of 14 days effective immediately;
- C.** The public health emergency has been extended for 14-day intervals and is currently still in effect.
- D.** The Chief Medical Officer of Health made a Special Measures Order effective March 20, 2020 whereby all individuals arriving in Newfoundland and Labrador from outside the province, including those arriving from other provinces and territories in Canada, must self-isolate for 14 days;
- E.** In accordance with section 13 of the **Public Health Protection and Promotion Act**, restrictions to an individual's rights or freedoms must be no greater than is reasonably required in the circumstances to respond to the public health emergency;
- F.** The Chief Medical Officer of Health believes that it is appropriate for certain asymptomatic workers who are essential to the movement of goods and people, and protection of the food supply chain, certain asymptomatic workers who are essential to preserving life, delivering patient care and life-saving services and certain asymptomatic individuals to be exempted from the requirement to self-

isolate for 14 days when arriving in Newfoundland and Labrador from another province or territory in Canada during the public health emergency while still maintaining measures to protect the health of the population;

Pursuant to section 28 of the **Public Health Protection and Promotion Act**, I, **Dr. Janice Fitzgerald, Chief Medical Officer of Health**, **HEREBY MAKE THE FOLLOWING EXEMPTION TO THE REQUIREMENT TO SELF-ISOLATE FOR 14 DAYS:**

1. Asymptomatic workers in the trade, transportation, mining, agriculture, hydro-electric and oil and gas sectors, including truck drivers and crew on any plane, helicopter, train, or marine vessel, including fish harvesting vessels, and members of law enforcement and of the Canadian Armed Forces arriving in Newfoundland and Labrador from another province or territory in Canada are exempted from the requirement to self-isolate for 14 days only while these workers are travelling to and from their home and place of work in the province. When not working, these workers must otherwise self-isolate while in the province.
2. Asymptomatic workers essential to the critical maintenance of the province's infrastructure in the trade, transportation, health care, agriculture, fishing and aquaculture, hydro-electric, mining and oil and gas sectors are exempted from the requirement to self-isolate for 14 days only while these workers are travelling to and from their home and place of work in the province. When not working, these workers must otherwise self-isolate while in the province.
3. For greater certainty, workers traveling to and from the province to offshore oil installations off the coast of Newfoundland and Labrador are considered to not have left the province by travelling to the offshore. Thus, those workers are not subject to the requirement to self-isolate for 14 days as long as they remain asymptomatic.
4. Asymptomatic health care workers essential to the provision of critical health care, including organ retrieval teams, in the province are exempted from the requirement to self-isolate for 14 days only while these workers are travelling to and from their home and place of work in the province. When not working, these workers must otherwise self-isolate while in the province.
5. Notwithstanding Order #4 as set out above, medical flight specialists and crew on any plane serving as an air ambulance or medevac operation are exempt from the requirement to self-isolate for 14 days provided:
 - a. they wear full personal protective equipment for the entire medevac operation; and
 - b. they travel directly to and from the airport and hospital without staying overnight outside of the province.

For greater certainty, this exemption applies to those medevacs arriving from St. Pierre et Miquelon.

6. Due to the interprovincial travel amongst local communities on the Newfoundland and Labrador-Quebec border and the level of social and economic integration between the communities of Labrador City, Wabush and Fermont and between the Labrador Straits area and communities along the Quebec Lower North Shore area, asymptomatic individuals, who are permanent residents of one of these communities, who cross the Newfoundland and Labrador-Quebec border are exempted from the requirement to self-isolate for 14 days when arriving in Newfoundland and Labrador from Quebec provided that:
 - (a) Individuals have not traveled beyond the named communities in the previous 14 days;
 - (b) Residents of Labrador West do not travel beyond the boundary of the community of Fermont or the Mount Wright Mining Complex turn off at Rue 389;
 - (c) Residents of Fermont do not travel beyond the community boundaries of Labrador City and Wabush;
 - (d) Residents of the Labrador Straits area do not travel beyond the community boundary of Old Fort along the Quebec Lower North Shore area; and
 - (e) Residents of the Quebec Lower North Shore area do not travel beyond the Labrador Straits area.
7. All individuals subject to this Exemption Order are to practice appropriate physical distancing and all workers are to practice physical distancing as appropriate and in accordance with the nature of their work, closely self-monitor for symptoms of COVID-19, and self-isolate should symptoms develop. Please see: gov.nl.ca/covid-19 for more detailed information.

IT IS FURTHER ORDERED THAT:

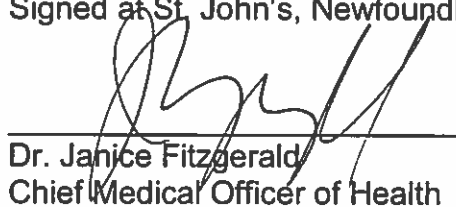
1. This Exemption Order is effective immediately and replaces the Special Measures Order (Revised Self-Isolation Exemption Order) effective September 23, 2020.
2. This Exemption Order is in effect for the duration of the Special Measures Order.
3. All other Special Measures Orders and Exemption Orders remain in full force and effect.

TAKE NOTICE THAT:

1. Failure to comply with this order may result in an application to the Supreme Court, in accordance with section 42 of the **Public Health Protection and Promotion Act** to enforce the relevant provisions of this Order.
2. A person who is subject to an order made by the Chief Medical Officer of Health may request that the Chief Medical Officer of Health reconsider the order by filing a written request for reconsideration within 7 days after the day on which the order is served on a person. A written request for review or reconsideration of this order shall include:
 - (i) the reasons for the request;
 - (ii) a summary of the facts relevant to the request;
 - (iii) whether the order should be revoked or how it should be varied; and
 - (iv) the contact information of the person making the request and shall be sent to the following address:

The Chief Medical Officer of Health
Department of Health and Community Services
PO Box 8700
St. John's, NL A1B 4J6
3. The Chief Medical Officer of Health shall review this Order no less than once every 5 days while the Order is in effect.
4. This Order remains in effect during any review or reconsideration.
5. Failure to comply with this Order is an offence for which you may be liable on summary conviction in accordance with section 56 of the **Public Health Protection and Promotion Act**.
6. For greater certainty, compliance with this Order is required in addition to and not in substitution for any requirement imposed by or under any applicable law.

Signed at St. John's, Newfoundland and Labrador, this 27th day of November 2020.



Dr. Janice Fitzgerald
Chief Medical Officer of Health