

Special Measures Order (Exemption Order)

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

March 20, 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 Chief Medical Officer of Health, pursuant to section 28 of the **Public Health Protection and Promotion Act**, made a Special Measures Order effective March 18, 2020;
- D.** The Chief Medical Officer of Health, pursuant to section 28 of the **Public Health Protection and Promotion Act**, made a Special Measures Order (Amending Order) effective March 20, 2020;
- 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; and
- F.** The Chief Medical Officer of Health believes that an exemption to the Special Measures Order (Amending Order) is appropriate for workers who are essential to the movement of goods and people 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:

1. Asymptomatic workers in the air transportation sector, including crew on any plane, arriving in Newfoundland and Labrador from another province or territory in Canada are exempted from the requirement to self-isolate for 14 days. Workers in this sector are to practice appropriate social distancing, 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.
2. This Exemption is effective March 20, 2020 and is in effect for the duration of the Special Measures Order.
3. All other orders in the Special Measures Order effective March 18, 2020 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 20th day of March, 2020.



Dr. Janice Fitzgerald
Chief Medical Officer of Health