

**Special Measures Order
(Re-Opening – Travel – Step 2)**

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

August 1, 2021

TO: All individuals arriving 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, pursuant to subsection 28(2) of the **Public Health Protection and Promotion Act**, may provide notice in any manner that can reasonably be expected to give actual notice;
- E. The Chief Medical Officer of Health, pursuant to section 28 of the **Public Health Protection and Promotion Act**, made Special Measures Order (Re-Opening - Travel) effective July 1, 2021 and Special Measures Order (Re-Opening Travel – Amendment) dated July 14, 2021;
- F. The Chief Medical Officer of Health believes that, while special measures continue to be necessary for the purpose of protecting the health of the population and preventing, remedying or mitigating the effects of the public health emergency, certain restrictions set out in the aforementioned Special Measures Orders as they pertain to travel to the province are no longer required in the circumstances to respond to the public health emergency;

- G. The Chief Medical Officer of Health believes, in accordance with section 13 of the **Public Health Protection and Promotion Act**, that the restrictions set out in this Special Measures Order (Re-opening – Travel – Step 2) are the least intrusive measures reasonably required in the circumstances to respond to the public health emergency,

Pursuant to section 28 of the **Public Health Protection and Promotion Act**, I, Dr. Janice Fitzgerald, Chief Medical Officer of Health HEREBY ORDER:

Definitions

1. In this Order,
 - (a) "Fully vaccinated" means when at least two weeks have passed since an individual's second dose of COVID-19 vaccine or first dose where an individual has received a one-dose COVID-19 vaccine.
 - (b) "COVID-19 test" means a molecular COVID-19 test acceptable to the Chief Medical Officer of Health, but does not include an antigen test;
 - (c) "COVID-19 vaccine" means vaccines approved by Health Canada, as may be amended from time to time.
 - (d) "Partially vaccinated" means when at least two weeks have passed since an individual's first dose of COVID-19 vaccine where the vaccine consists of two doses; and
 - (e) "Unvaccinated" means where an individual has not received any dose of COVID-19 vaccine.

Travel Form

2. All individuals arriving in Newfoundland and Labrador from outside the province must complete a travel form and submit it to a representative of the Government of Newfoundland and Labrador, as indicated, prior to arrival or at their point of entry in the province.
3. Information contained in the travel form, including proof of receipt of COVID-19 vaccine and proof of receipt of a negative COVID-19 test may be subject to review by public health officials for the purpose of auditing and verifying compliance with this Special Measures Order.

Fully vaccinated and partially vaccinated individuals

4. All individuals arriving in Newfoundland and Labrador who are fully vaccinated or partially vaccinated and who provide proof of receipt of a COVID-19 vaccine are exempt from the requirements set out in Orders 5 through 23 of this Special Measures Order.

Unvaccinated Individuals

5. All individuals who are 12 years of age or older arriving in Newfoundland and Labrador who are unvaccinated must:
 - a. Self-isolate upon their arrival in the province;
 - b. Provide specifics of their plan for complying with the requirement to self-isolate upon arrival in the province;
 - c. Be available for contact with public health officials during the duration of the self-isolation period; and
 - d. Undergo COVID-19 testing on day 7, 8 or 9 after their arrival in the province and self-isolate until receipt of a negative COVID-19 test result.
6. All individuals who are 12 years of age or older who do not undergo testing in accordance with Order No. 5(d) above must self-isolate for 14 days upon their arrival in the province.
7. Order No. 5(d) above does not apply to asymptomatic individuals who are in the province for 2 days or less.
8. Notwithstanding Order No. 4 above, individuals who are fully vaccinated or partially vaccinated, who travel with an individual 12 years of age or older who is unvaccinated, and who share accommodations with the unvaccinated individual while in the province, must self-isolate upon arrival in the province where the unvaccinated individual is required to self-isolate in accordance with Order No. 5 above.

Unvaccinated children under 12 years of age

9. Children who are under 12 years of age, who are unvaccinated and who are travelling to the province with a parent or guardian, must comply with any self-isolation and COVID-19 testing requirements of their least vaccinated parent or guardian.
10. Children who are under 12 years of age, who are unvaccinated and who are travelling to the province without a parent or guardian, must comply with any self-isolation and COVID-19 testing requirements of their least vaccinated parent, guardian or caregiver with whom they will be staying while in the province. For greater certainty, where the parent, guardian or caregiver is:
 - a. unvaccinated, children must comply with the requirements for individuals who are unvaccinated as set out in Order No. 5 above; or
 - b. fully vaccinated or partially vaccinated, children are exempt from the requirements set out in Orders No. 5 through 23 of this Special Measures Order.

11. Notwithstanding Order No. 9 and Order No. 10, children under the age of 5, where required to self-isolate, are not required to comply with COVID-19 testing requirements during their period of self-isolation.

Unvaccinated Rotational Workers

12. Rotational workers who are unvaccinated and who wish to avail of modified self-isolation requirements as set out in this Special Measures Order must be tested for COVID-19 through public health as soon as possible upon their return to the province.
13. Notwithstanding self-isolation requirements set out in Order No. 5 above, provided that the rotational worker receives a negative COVID-19 test result upon arrival in the province, these rotational workers may, during the period of self-isolation, leave their property, go for a drive and receive medical attention. They may attend health services appointments where they comply with the following:
 - i. Rotational workers must disclose to the health care practitioner, prior to attending the appointment, that they are a rotational worker;
 - ii. Rotational workers may attend non-urgent appointments only when they are asymptomatic; and
 - iii. Rotational workers may attend urgent or emergent appointments even where symptomatic provided that they follow public health protocols and any direction from the medical or dental clinic.
14. Rotational workers who are unvaccinated, during their period of self-isolation, are not permitted to:
 - a. enter public places, including grocery stores, shopping malls or banks;
 - b. visit family members outside of their household;
 - c. allow individuals outside of the family's household to enter the household; and
 - d. frequent common spaces, where they live in a condominium or an apartment.
15. Rotational workers who are unvaccinated must undergo a COVID-19 test through public health at least seven days after their return to the province and, subject to Order No. 13 above, must self-isolate until they receive a negative COVID-19 test result.
16. Adult members of the household of a rotational worker who is self-isolating in accordance with this Order must wear masks when outside of their household and avoid gatherings and visiting long-term care facilities, personal care homes and assisted-living facilities as much as possible during the worker's self-isolation period.

17. If an asymptomatic rotational worker does not get tested for COVID-19 as set out in Order No. 12 and Order No. 15 above, that rotational worker must self-isolate for 14 days.

Unvaccinated Essential Workers

18. Notwithstanding Order No. 5 above, asymptomatic essential workers who are unvaccinated and who wish to avail of work-isolation while in Newfoundland and Labrador must:
- a. Comply with the testing requirements as set out in Order No. 19 below; and
 - b. Only present to work upon receipt of a negative COVID-19 test result, unless granted an exemption where the nature of the work is urgent and critical and a delay in presenting to work is not possible.
19. Essential workers who wish to avail of work-isolation in accordance with this Special Measures Order must be tested for COVID-19 through public health at each of the following intervals:
- a. Upon their arrival in the province or on day 1 or 2 after their arrival in the province; and
 - b. On day 7, 8 or 9 after their arrival in the province.
20. All essential workers who avail of work-isolation must:
- a. practice physical distancing as appropriate and in accordance with the nature of their work;
 - b. self-isolate when not working; and
 - c. isolate away from others at their self-isolation accommodation.
21. If an asymptomatic essential worker does not get tested for COVID-19 as set out in Order No. 19 above, that worker must self-isolate for 14 days before presenting to work in the province.

Other unvaccinated workers

22. Notwithstanding Order No. 5 of this Special Measures Order, truck drivers who are unvaccinated and are residents of Newfoundland and Labrador:
- a. who are in the province for less than 7 days, must be tested for COVID-19 as soon as possible upon their return, unless they were tested in the province within the previous 7 days; and
 - b. are not required to self-isolate from immediate family members pending a negative COVID-19 test.
23. Order No. 18 and Order No. 19 above do not apply to:
- a. Asymptomatic essential workers who are in the province for 2 days or less; and
 - b. Truck drivers who are not residents of Newfoundland and Labrador.

Labrador-Quebec Border

24. All individuals arriving in Newfoundland and Labrador by motor vehicle from the province of Quebec must immediately stop at their point of entry when indicated by a representative of the Government of Newfoundland and Labrador.
25. Orders No. 2 through 23 and Order No. 26 of this Special Measures Order, including the requirement to complete and submit a travel form, to self-isolate, to provide specifics of a self-isolation plan and to comply with COVID-19 testing, do not apply to the following individuals when crossing the Newfoundland and Labrador-Quebec border:
 - (a) Residents of Fermont in the province of Quebec and residents of Newfoundland and Labrador, who have not traveled beyond the boundary of the community of Fermont or the Mount Wright Mining Complex turn off at Rue 389 in the previous 14 days; and
 - (b) Residents of the Quebec Lower North Shore area and residents of Newfoundland and Labrador, who have not traveled beyond the community boundary of Old Fort along the Quebec Lower North Shore area in the previous 14 days.

Atlantic Canada Residents

26. Orders 4 through 25 of this Special Measures Order, including the requirement to self-isolate, to provide specifics of a self-isolation plan and to comply with COVID-19 testing, do not apply to:
 - (a) residents of Nova Scotia, Prince Edward Island or New Brunswick when entering the province of Newfoundland and Labrador;
 - (b) residents of Newfoundland and Labrador when returning to the province from another province in Atlantic Canada; and
 - (c) individuals who have, for a period of at least 14 days, stayed within the named provinces prior to entering the province of Newfoundland and Labrador

provided they have not travelled beyond the named provinces in the previous 14 days.

General

27. All individuals subject to this Special Measures Order must:
 - a. be available for follow up with public health officials;
 - b. practice appropriate physical distancing;
 - c. self-monitor daily for symptoms of COVID-19; and

- d. self-isolate should symptoms develop.

IT IS FURTHER ORDERED THAT:

1. This Special Measures Order (Re-Opening – Travel – Step 2) is effective as of 12:01 a.m. on August 1, 2021 and replaces Special Measures Order (Re-Opening – Travel) effective July 1, 2021 and Special Measures Order (Re-Opening – Travel – Amendment) dated July 14, 2021.
2. All other Special Measures 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 30th day of July, 2021.



Dr. Janice Fitzgerald
Chief Medical Officer of Health