

IN THE MATTER OF the *Public Health Act*,  
RSPEI 1988, c P-30.1 (the "Act")

COVID-19 PREVENTION AND SELF-ISOLATION ORDER

**TO:** All persons residing in or present in Prince Edward Island; and

All businesses, services and organizations operating or carrying on business in Prince Edward Island

**WHEREAS** a state of public health emergency was declared in Prince Edward Island on March 16, 2020 as a result of the COVID-19 pandemic pursuant to Order in Council EC2020-174, and continued on April 15, 2020 by Order in Council EC2020-254, on May 15, 2020 by Order in Council EC2020-305, on June 15, 2020 by Order in Council EC2020-350, on July 14, 2020 by Order in Council EC2020-435, on August 14, 2020 by Order in Council EC2020-488, on September 13, 2020 by Order in Council EC2020-542, on October 13, 2020 by Order in Council EC2020-603, on November 12, 2020 by Order in Council EC2020-649, on December 12, 2020 by Order in Council EC2020-724, on January 11, 2021 by Order in Council EC2021-1, on February 10, 2021 by EC2021-71, on March 12, 2021 by Order in Council EC2021-138, on April 11, 2021 by Order-in-Council EC2021-271, on May 11, 2021 by Order-in-Council EC2021-407, on June 10, 2021 by Order-in-Council EC2021-494, on July 10, 2021 by Order-in-Council EC2021-577, on August 9, 2021 by Order-in-Council EC2021-658; and on September 8, 2021 by Order-in-Council EC2021-733;

**AND WHEREAS** in consultation with the Lieutenant Governor in Council, I believe it is reasonably necessary to impose special measures in the Province in order to protect the health of the population;

**AND WHEREAS** pursuant to subsection 39(1) of the Act, I, as the Chief Public Health Officer, may require a person to take or refrain from taking any action that is specified in this Order in respect of a communicable disease;

**AND WHEREAS** I, as the Chief Public Health Officer, pursuant to subsection 39(2) of the Act, believe on reasonable and probable grounds that:

- (a) a communicable disease, COVID-19, including any new variants of the virus causing COVID-19, exists or may exist in the Province;
- (b) the communicable disease presents a risk to the health of persons in the Province; and
- (c) the requirements specified in this Order are necessary to prevent, decrease or eliminate the risk to health presented by the communicable disease;

**AND WHEREAS** pursuant to clauses 49(2)(c.1), (d) and (e) of the Act, I, as the Chief Public Health Officer, may order persons to refrain from entering or attending a public place or premises; to refrain from assembling in a public gathering in a specified area; limit the number of persons who will be permitted to attend a public gathering; limit the purpose for a public gathering or to refrain from travelling to or from any area of the province or on any road, street or highway;

**AND WHEREAS** pursuant to clause 49(2)(g) of the Act, I, as the Chief Public Health Officer, may order any other measure that is reasonably believed to be necessary for the protection of the health of the population during the public health emergency;

**AND WHEREAS** the reasons for this Order are the global COVID-19 pandemic, the health risks posed by the pandemic, including health risks posed by new variants of the virus causing COVID-19, and the necessity to prevent, decrease or eliminate those health risks;

**AND WHEREAS** testing and isolating individuals who test positive for COVID-19, and any variants of concern, will prevent transmission of the virus and the associated illness and death and protect Prince Edward Island's health care system;

**AND WHEREAS**, at the time of making this Order, recommendations from the National Advisory Committee on Immunization inform that first doses of currently authorized COVID-19 vaccines in Canada have been shown to offer at least short-term protection against COVID-19 disease and that approximately two weeks after receiving a completed series, currently authorized vaccines in Canada have been shown to be highly efficacious in the short term against confirmed symptomatic COVID-19 disease, appear to be efficacious against severe COVID-19 outcomes such as hospitalization or death, and may reduce infection and transmission of the COVID-19 virus;

**AND WHEREAS** pursuant to subsection 56(1) of the Act, I, as the Chief Public Health Officer, may require any person to provide information that the Chief Public Health Officer reasonably considers necessary to:

- (a) assess the threat that a disease presents to public health and plan for and address the threat; or
- (b) evaluate and monitor the health and safety of the general public.

**AND WHEREAS** pursuant to section 60 of the Act, a public health official may request assistance from a peace officer in conducting an inspection, investigation, inquiry, search or in enforcing an order made under the Act;

**AND WHEREAS** pursuant to subsection 61 (4) of the Act, no person shall knowingly provide false or misleading information, either orally or in writing, to a public health official;

**NOW THEREFORE**, pursuant to my authority under subsections 39(1), 49(2), 49(3), and 56(1) of the Act, I hereby order as follows:

#### **Definitions**

1. In this Order:

- (a) "Atlantic Canada" means the provinces of New Brunswick, Newfoundland and Labrador, Nova Scotia and Prince Edward Island.
- (b) "close contact" means:
  - (i) A person who provides care for or has close (within two metres) physical contact with a person who is confirmed or suspected to be infected with COVID-19;

- (ii) A person who has close, prolonged, physical contact with a person who is a probable or confirmed case of COVID-19 during the person's illness with COVID-19 or within 48 hours of the onset of the probable or confirmed case's COVID-19 symptoms;
- (iii) A person who comes into direct contact with the infectious body fluids (for example: a cough or a sneeze) of a person who is confirmed or suspected to be infected with COVID-19; or
- (iv) A person who is exposed to COVID-19 in such other conditions as determined by the Chief Public Health Officer

but does not include a person who consistently and appropriately uses personal protective equipment while caring for a person who is confirmed or suspected to be infected with COVID-19.

- (c) "COVID-19 molecular test" means a COVID-19 screening or diagnostic test carried out by an accredited laboratory, including a test performed using the method of polymerase chain reaction (PCR) or reverse transcription loop-mediated isothermal amplification (RT-LAMP).
- (d) "COVID-19 vaccination record" means a record of information, issued to a person by a government, health authority or licensed health care provider (for example: a pharmacist or physician), to indicate that the person identified in the record has been vaccinated for COVID-19 on a certain date (s) with one dose or two doses of a vaccine authorized by Health Canada for use in relation to the COVID-19 pandemic, and which record may include a record of vaccination from a province or territory in Canada which details:
  - (i) the person's name, address, provincial health number and date of birth;
  - (ii) the name of the vaccine and the dose administered;
  - (iii) identification of the manufacturer and lot number of the vaccine;
  - (iv) the date on which the vaccine was administered.
- (e) "essential services" means services that, if interrupted, would endanger the life, health, or personal safety of whole or part of the population, including essential services listed at <https://www.publicsafety.gc.ca/cnt/ntnl-scrtr/crtcl-nfrstrctr/esf-sfe-en.aspx>.
- (f) "fully vaccinated" means, in relation to an individual,
  - (i) until October 3, 2021, that the individual has received a completed series of a vaccine authorized by Health Canada for use in relation to the COVID-19 pandemic; and
  - (ii) effective October 4, 2021 at 12:01 a.m., 14 days after the individual has received the final dose of a completed series of a vaccine authorized by Health Canada for use in relation to the COVID-19 pandemic.
- (g) "household" means persons who normally reside together at a residence.

- (h) “letter of approval issued by a public health official” means a letter of approval issued to a person pursuant to the Chief Public Health Officer’s Self-isolation Exemption Order effective July 18, 2021, as may be amended or replaced from time to time.
- (i) “mask” means a commercial medical or non-medical mask or home-made mask made in accordance with the Public Health Agency of Canada instructions located at: <https://www.canada.ca/en/public-health/services/diseases/2019-novel-coronavirus-infection/prevention-risks/sew-no-sew-instructions-non-medical-masks-face-coverings.html>, that covers the nose and mouth.
- (j) “ordinarily present” means present in the referenced Province or geographical area for six months or more, and includes transient persons who have not been resident in another province or country for six months or more if they have been resident in the Province or geographical area continuously for three months or more.
- (k) “organizer” means the person who develops and makes available for inspection or develops and submits, as applicable, to the Chief Public Health Officer, the operational plan for an organized gathering under the Organized Gatherings sections of this Order.
- (l) “partially vaccinated” means, in relation to an individual 12 years of age or older, 21 days after the individual has received one dose of a two-dose series of a vaccine authorized by Health Canada for use in relation to the COVID-19 pandemic.
- (m) “peace officer” means, for the purposes of this Order, a police officer or any other person designated or appointed as a peace officer under any law of Prince Edward Island;
- (n) “PEI pass” means a document issued under the Self-isolation Exemption Order, by a public health official, to a person, 12 years of age or older which indicates that:
  - (i) a resident of Prince Edward Island, who has not been outside Atlantic Canada or the Magdalen Islands in the 14 days prior to entering the Province and who is fully vaccinated or partially vaccinated, does not need to self-isolate after entering the Province, subject to any requirements as may be determined by the Chief Public Health Officer;
  - (ii) a resident of the Magdalen Islands, New Brunswick, Newfoundland and Labrador or Nova Scotia, who has not been outside Atlantic Canada or the Magdalen Islands in the 14 days prior to entering the Province and who is fully vaccinated or partially vaccinated, does not need to self-isolate after entering the Province, subject to any requirements as may be determined by the Chief Public Health Officer;
  - (iii) a person, who is not a resident of Atlantic Canada or the Magdalen Islands who has not been outside Atlantic Canada in the 14 days prior to entering the Province and who is fully vaccinated or partially vaccinated, does not need to self-isolate after entering the Province, subject to any requirements as may be determined by the Chief Public Health Officer;

- (iv) any person, who does not meet the criteria set out in (i) to (iii) and who is fully vaccinated, does not need to self-isolate after entering the Province, subject to any requirements as may be determined by the Chief Public Health Officer.
- (o) "PEI Self-isolation Declaration" means a document issued under this Order, by a public health official, to a person after the person has completed (on behalf of themselves or their household) the PEI Self-isolation Declaration form in advance of their travel into the Province to provide complete details of their self-isolation plans after they enter the Province.
- (p) "public place" means any part of the following places accessible to the public, insofar as it is enclosed:
  - (i) a retail business, a shopping centre, or a building or room of a business where services are provided;
  - (ii) a restaurant or a liquor licensed establishment;
  - (iii) a place of worship or faith gathering;
  - (iv) a place where activities or services of a cultural or entertainment nature are offered;
  - (v) a place where sports are played or recreational activities are carried on;
  - (vi) a rental hall or other place used to hold events, including conventions and conferences, or to hold receptions;
  - (vii) a place where Government services are available to the public;
  - (viii) a common area, including an elevator, in a tourism establishment, as defined under the *Tourism Industry Act* R.S.P.E.I. 1988, Cap. T-3.3;
  - (ix) a lobby, reception area, stairwell or elevator in an office building other than an apartment building;
  - (x) a common area or public space on a university or college campus; and
  - (xi) a train or bus station, a ferry terminal, or an airport.
- (q) "resident" means a person who is legally entitled to be or to remain in Canada, makes their home in the referenced province or geographical area and is ordinarily present in that province or geographical area;
- (r) "self-isolate" means compliance with the following measures:
  - (i) A person must remain in their residence or residence grounds, except to seek medical care or due to extraordinary circumstances including reasons of personal safety. A person who resides in an apartment building, condominium, rental accommodation, rooming house, or other attached housing must remain on the residence's property and maintain a

two-metre distance from other persons at all times while in common areas, corridors, stairwells, elevators, other shared spaces, and outdoors;

- (ii) If a person must leave their residence or the residence's property for a reason outlined in sub-clause (i), the person must maintain a two-metre distance from other persons at all times, other than during treatment by a health care worker; and
- (iii) all additional self-isolation requirements published at: <https://www.princeedwardisland.ca/en/information/health-and-wellness/covid-19-self-isolation>.

### Points of Entry

2. Every person arriving on Prince Edward Island at any and all points of entry shall:
  - (a) stop when instructed to do so by a peace officer or public health official;
  - (b) answer any questions posed and provide all information requested by a peace officer, public health official, or health practitioner, including but not limited to: name, proof of identification, place of ordinary residence, license plate number, contact information, travel details, reason for travelling into the Province, occupation, employer, employer contact, work location and symptom information;
  - (c) if requested by a public health official or health practitioner, submit to such tests, including a COVID-19 molecular test, and examinations as may be required by the Chief Public Health Officer;
  - (d) if requested by a public health official or a peace officer, provide information on whether or not they are fully vaccinated or partially vaccinated or provide their COVID-19 vaccination record where necessary;
  - (e) declare if they are experiencing symptoms of COVID-19 including coughing, difficulty breathing, or fever; and
  - (f) if requested by a public health official or a peace officer, provide:
    - (i) their PEI Pass;
    - (ii) their PEI Self-isolation Declaration;
    - (iii) any applicable letter of approval from a public health official issued under the Self-isolation Exemption Order; or
    - (iv) complete details of their self-isolation plan.
3. For greater certainty, where any person who is not a resident of Prince Edward Island does not comply with section 2 and travels into the Province on a highway or street leading from a point of entry, a peace officer is hereby authorized and directed to return that person to an interprovincial border and require the person to leave the Province immediately, or at such a time as may be directed.

### **Mandatory Self-Isolation**

4. Unless exempted by the Self-Isolation Exemption Order or as directed by a public health official, persons travelling into, residing in or present in Prince Edward Island who fall under any of the categories below shall follow the requirements and self-isolate for the period of time specified here. For greater certainty, mandatory self-isolation for an individual under this Order is based on that individual's circumstances, and self-isolation requirements for an individual may change and be affected, for example, by travel, testing for COVID-19, failing to submit to a required test, symptoms of COVID-19 or contact with others affected by COVID-19:

(a) Persons diagnosed with COVID-19 shall self-isolate for a period of at least 10 days, including 10 days after the onset of symptoms, and such additional time until the person is cleared by a public health official.

(b) Persons who are symptomatic and awaiting the results of a test for COVID-19 shall self-isolate as follows:

(i) A person with a history of travel shall self-isolate for 14 days if the person's history of travel was international and for 8 days if the person's history of travel was domestic, regardless of whether a negative test result is received during that period;

(ii) A person who is symptomatic without a history of travel is not required to self-isolate after receipt of a negative COVID-19 test result.

(c) Persons who are not fully vaccinated and are identified as a close contact of

(i) a confirmed case of COVID-19, or

(ii) a suspected case of COVID-19,

shall self-isolate for a period of 14 days from the last day of being a close contact, regardless of whether a negative test result for COVID-19 is received during that period. For greater certainty, a person is no longer considered a suspected case if they fall under sub-clause 4(b)(ii) and have received a negative COVID-19 test result.

(d) Persons who are household members of a person who is self-isolating as a result of potential exposure to COVID-19 (such as history of travel or a close contact with a positive case) shall self-isolate for a period of 14 days or for a period of 8 days if history of travel was domestic from the last day of contact with the person who is self-isolating unless the person who is self-isolating, while staying in the same residence:

(i) has their own separate room in the residence;

(ii) sanitizes their hands before leaving the separate room;

(iii) wears a non-medical mask when outside the separate room;

(iv) avoids being in the same space as other household members;

- (v) has their own bathroom, or if sharing a bathroom in the residence, cleans high-touch surfaces (e.g. doorknob, tap, toilet handle, sink, tub) after each use;
  - (vi) has food and beverages prepared by others and accesses them in a non-contact manner;
  - (vii) does not share dishes, drinking glasses, cups, eating utensils, towels, bedding or other household items with others in the residence;
  - (viii) keeps their personal items (e.g. toothbrush, cups, cell phones, tablets, laptops) separate from those belonging to other household members; and
  - (ix) does not share food, drinks, cigarettes or any other orally-consumed items with household members.
- (e) Persons travelling into the Province from outside Canada on and after June 17, 2021 shall self-isolate for 14 days from their date of entry to the Province or for the duration of their stay in the Province (if shorter than 14 days), regardless of whether a negative test result for COVID-19 is received during that period.
- (f) Notwithstanding clause (e), persons travelling into the Province from outside Canada on and after June 17, 2021 who are not required to quarantine or self-isolate after entering Canada pursuant to any Order of the Government of Canada under section 58 of the Quarantine Act (Canada) shall self-isolate for 8 days from their date of entry to the Province or for the duration of their stay in the Province (if shorter than 8 days), regardless of whether a negative test result for COVID-19 is received during that period.
- (g) Persons travelling into the Province from within Canada on and after June 27, 2021 shall self-isolate for 8 days from their date of entry to the Province (including, subject to the federal requirements, if the person is travelling into the Province after having completed part of the quarantine or self-isolation required pursuant to any Order of the Government of Canada under section 58 of the Quarantine Act (Canada) in another province or territory) or for the duration of their stay in the Province (if shorter than 8 days), regardless of whether a negative test result for COVID-19 is received during that period.

#### **Mandatory Self-Isolation – Temporary Foreign Workers**

5. Subject to clause 4 (f) and section 6, effective June 17, 2021, all temporary foreign workers travelling into the Province shall self-isolate for 14 days at a quarantine facility designated by the Minister of Health and Wellness, regardless of whether a negative test result for COVID-19 is received during that period.
6. The following temporary foreign workers are exempt from the requirements in section 5:
- (a) temporary foreign workers employed by an employer that has submitted a transition plan which addresses self-isolation requirements, and which plan has been approved by the Chief Public Health Officer; and
  - (b) such other temporary foreign workers as may be otherwise exempted by the Chief Public Health Officer under exceptional circumstances, provided



satisfactory arrangements have been made for the temporary foreign worker to comply with self-isolation requirements.

7. Temporary foreign workers exempted from the requirements of section 5 who travel into the Province shall remain subject to the requirement to self-isolate in accordance with this Order, an applicable transition plan, and applicable directions of the Chief Public Health Officer.

#### **PEI Self-isolation Declaration**

8. A public health official may issue a PEI Self-isolation Declaration to a person (and their household, as applicable) to indicate that the public health official has received and reviewed, prior to the person entering the Province, the person's self-isolation plan and such other relevant information required by the Chief Public Health Officer.

#### **Testing Requirements**

9. Every person present in Prince Edward Island shall submit to such tests, including a COVID-19 molecular test, and examinations as may be required for a public health purpose by the Chief Public Health Officer.

#### **Masking Requirements**

10. Effective at 8:00 a.m. on September 17, 2021, all persons must wear a mask while present in a public place.
11. Notwithstanding section 10, a person is exempt from the requirement to wear a mask while present in a public place if the person:
  - (a) is less than 2 years of age;
  - (b) is age 2 to 5 years and will not wear a mask;
  - (c) is a person for whom the wearing of the mask is not possible because of the person's medical condition;
  - (d) cannot remove their mask without assistance;
  - (e) is reasonably accommodated by not wearing a mask in accordance with the *Human Rights Act*, R.S.P.E.I 1988, Cap. H-12;
  - (f) is in the public place receiving care or being provided a service or while participating in a physical or other activity requiring the mask be removed, in which case the person may remove the mask for the duration of the care, service or activity;
  - (g) removes the mask momentarily for identification or ceremonial purposes;
  - (h) is in a courtroom, jury room or secured area in a courthouse, or room where a proceeding or meeting of an administrative tribunal established by legislation is being held;
  - (i) is consuming food or a beverage in a public place;

- (j) is a performer, performers in a small group or an officiant in the course of performing activities requiring the playing of a wind instrument, or vocalization such as talking or singing at the following events or activities:
    - (i) conventions, conferences or speaking engagements;
    - (ii) social events;
    - (iii) arts and culture events;
    - (iv) sports and physical activity; or
    - (v) weddings funerals or other faith gatherings;
  - (k) is a seated patron, who maintains a distance of two metres or more from persons who do not reside in their household, at the events or activities listed at clause (j); or
  - (l) is participating in exercise activity or sport at a fitness facility, gym or a place where sports are played or recreational activities are carried on.
12. Effective at 8:00 a.m. on September 17, 2021, all persons must wear a mask while travelling on vehicles providing transportation to the public, including:
- (a) any public transit, including municipally-operated buses;
  - (b) any public passenger vehicle, including community transit vehicles, commercial vehicles (shuttle vans), and vehicles providing charters or tours or both;
  - (c) any school buses operated by an education authority under the *Education Act*, R.S.P.E.I. 1988, Cap. E-.02, and any vehicles of any capacity operated by private schools registered under the *Private Schools Act*, R.S.P.E.I. 1988, Cap. P-20.01;
  - (d) commuter vehicles, courtesy vehicles, vans, mini-buses, or buses of any passenger capacity providing services to the public;
  - (e) taxicabs, as defined in the *Highway Traffic Act*, R.S.P.E.I. 1988, Cap. H-5, operating in Prince Edward Island.
13. Notwithstanding section 12, the following persons are exempt from the requirement to wear a mask while travelling on vehicles providing transportation to the public:
- (a) a person who is less than 2 years of age;
  - (b) a person who is age 2 to 5 years and will not wear a mask;
  - (c) a person for whom the wearing of a mask is not possible because of the person's medical condition;
  - (d) a person who cannot remove their mask without assistance; and

- (e) a person who is reasonably accommodated by not wearing a mask in accordance with the *Human Rights Act, supra*.
14. A person may remove the mask momentarily for identification purposes when boarding any public transit set out in section 12.
  15. The requirements to wear a mask as set out in this Order do not apply to persons in public places that are in compliance with the following, as applicable:
    - (a) Chief Public Health Officer's Long-Term Care Facilities and Nursing Homes Visitation and Staff Movement Order;
    - (b) Chief Public Health Officer's Vaccination Information and Testing Order;
    - (c) Prince Edward Island COVID-19 Back-to-School Public Health Guidance 2021-2022;
    - (d) Chief Public Health Officer's guidance applicable to licensed and unlicensed childcare facilities; and
    - (e) Chief Public Health Officer's Private Community Care Facilities Visitation Guidance.
  16. For greater certainty, the requirements to wear a mask as set out in this Order are the minimum standards that persons, businesses, services and organizations must adhere to, and where the business, service or organization's operational plan required in accordance with this Order imposes a greater standard, then that standard applies.
  17. For greater certainty, the requirements to wear a mask as set out in this Order do not replace the importance of compliance with all other public health preventative measures required such as physical distancing and hand hygiene.
  18. For greater certainty, nothing in this Order affects in any way the masking requirements set out in the Self-Isolation Exemption Order.

#### **Businesses, Services and Organizations**

19. Businesses, services and organizations may provide services to the public at a location that is accessible to the public in accordance with this Order.
20. Effective July 18, 2021, businesses, services and organizations outlined here must comply at all times with the preventative measures described in this section, in addition to following all applicable public health measures:
  - (a) Operators of businesses, services and organizations that offer food and beverage services, including all *Liquor Control Act*, R.S.P.E.I. 1988, Cap. L-14-licensed facilities, may open the business, service or organization to the public, but must:
    - (i) limit the number of persons on the premises in accordance with the Organized Gatherings sections of this Order;
    - (ii) ensure there is a distance of two metres or more between tables; and

- (iii) ensure patrons remain seated at all times, except for when entering, exiting, using the washroom or picking up take-out; For greater certainty, the requirement for patrons to remain seated means that food and beverage should be served to or consumed by patrons while the patrons are seated except where an operational plan provides for patron self-serve options;
  - (b) Operators of businesses, services and organizations that operate recreation facilities, including museums, libraries and casinos, may open the business, service or organization to the public, but must ensure that any group activities operated by the business, service or organization are organized in accordance with the Organized Gatherings sections of this Order;
  - (c) Operators of businesses, services and organizations that operate fitness facilities and gyms may open the fitness facility or gym to the public, but must ensure, that physical distancing of two metres is maintained between patrons and that any group activities operated by the business, service or organization are organized in accordance with the Organized Gatherings sections of this Order;
  - (d) Operators of businesses, services or organizations that offer organized recreation or team sports may continue those activities, in accordance with the Organized Gatherings sections of this Order;
  - (e) Operators of businesses, services or organizations that offer worship services or that operate movie theatres, concert halls and bingo halls may remain open to the public, in accordance with the Organized Gatherings sections of this Order.
- 21. Businesses, services and organizations that are closed to the public under this Order may continue to operate serving the public by means of telephone, virtual services, delivery, and pick-up, provided that owners and operators of those services comply at all times with the preventative measures described under this Order.
- 22. Owners and operators of businesses, services and organizations that are permitted to operate under this Order shall take the following preventative measures:
  - (a) take every reasonable step to ensure minimal interaction of people (including employees and patrons) within two metres of each other;
  - (b) take every reasonable step necessary to prevent employees who are required to self-isolate, as provided above, from entering workplaces;
  - (c) develop and follow an exclusion policy that ensures symptomatic employees are immediately excluded from work activities;
  - (d) develop and follow an operational plan detailing how risk of transmission of COVID-19 will be mitigated;
  - (e) ensure enhanced cleaning and disinfection of shared areas and surfaces;
  - (f) ensure hand washing stations are available;
  - (g) ensure compliance with masking requirements set out in this Order;

- (h) follow any direction issued to a specific class of businesses, services or organizations, which may include COVID-19 Public Health Measures Guidance, as may be amended from time to time; and
  - (i) follow any other direction issued to the business, service or organization by the Chief Public Health Officer.
23. All child care facilities, including licensed and unlicensed centres, are permitted to be open to the public. Licensed centres and unlicensed centres must comply with any COVID-19 Guidance applicable to them issued by the Chief Public Health Officer, as may be amended from time to time.
24. All Kindergarten – grade 12 public and private schools in the Province may offer in-person learning, may have a contingency plan for remote learning and must comply with any COVID-19 guidance for schools issued by the Chief Public Health Officer, including Prince Edward Island COVID-19 Back-to-School Public Health Guidance 2021-2022; as may be amended from time to time.
25. All post-secondary education and training institutions in the Province may offer in-person learning with the public health measures as outlined in section 22 in place, or may operate by remote learning.

#### **Community Care Facilities, Long-Term Care Facilities and Nursing Homes**

26. Community Care Facilities, long-term care facilities and nursing homes must operate in accordance with the Chief Public Health Officer's Vaccination Information and Testing Order for community care facilities, long-term care facilities and nursing homes, as may be amended from time to time.
27. Visitation to long-term care facilities and nursing homes is permitted provided the facility complies with the Chief Public Health Officer's Long-Term Care Facilities and Nursing Homes Visitation and Staff Movement Order, as may be amended from time to time.

#### **Personal Gatherings**

28. Except as outlined in section 29, all persons are prohibited from attending a personal gathering with persons outside their household at an indoor location or at an outdoor location. A personal gathering includes a gathering at a private residence, public space or public place and which includes persons from different households.
29. Section 28 does not apply to:
- (a) organized gatherings which are conducted in accordance with the Organized Gatherings sections of this Order;
  - (b) businesses, services or organizations (including child care facilities) which are permitted to operate under the Businesses, Services and Organizations sections of this Order or any specific direction of the Chief Public Health Officer;
  - (c) facilities where health care or social services are provided;
  - (d) a service provider who enters a residence to perform work at the residence;

- (e) persons from different households who carpool or share drives in an automobile and take every reasonable step to ensure as much distance as possible between themselves and persons from other households; and
- (f) an individual who gathers at an indoor location or at an outdoor location where:
  - (i) there are no more than 20 persons present at the indoor location or at the outdoor location;
  - (ii) all persons attending the personal gathering are asymptomatic of COVID-19; and
  - (iii) the personal gathering is not held at the residence of a person who is self-isolating.

### **Organized Gatherings**

- 30. Effective July 18, 2021, except as permitted under sections 31, 32 and 33, no person shall hold an organized gathering at an indoor location or at an outdoor location.
- 31. Organized gatherings, including worship services, of up to 100 persons at an indoor location or up to 200 persons at an outdoor location, in addition to staff and officiants necessary for the gathering, are permitted to be held at an indoor location or at an outdoor location, respectively, provided the organizer:
  - (a) does not hold the gathering unless the organizer is a business, service or organization permitted to operate under the Businesses, Services and Organizations sections of this Order;
  - (b) develops, follows and makes available for inspection, to the persons at the gathering and to the Chief Public Health Officer, an operational plan detailing how risk of transmission of COVID-19 will be mitigated at the gathering;
  - (c) communicates details of the operational plan outlined in (b) to persons present at the organized gathering, including staff, participants and volunteers, before and at the time of the organized gathering;
  - (d) maintains oversight of the organized gathering to ensure all persons in attendance comply with the requirements of the operational plan outlined in clause (b), including to ensure that the number of persons present does not exceed the number of persons documented in the operational plan; and
  - (e) maintains, in written or electronic format, an accurate and legible contact-tracing record of all people, including their contact information, present at the gathering for the purpose of providing the record to the Chief Public Health Officer to facilitate contact tracing, if necessary, which contact-tracing record:
    - (i) must be available to the Chief Public Health Officer promptly after a request to the organizer from the Chief Public Health Officer for the record;
    - (ii) must be stored in a safe, secure location for one month after creation of the contact-tracing record and then disposed of using a secure

destruction method, to maintain the confidentiality of personal information collected under this section; and

- (iii) must be made in accordance with any business sector-specific guidance issued by the Chief Public Health Officer.

32. Organized gatherings for weddings and funerals, including worship services and receptions, of more than 100 persons to a maximum of 200 persons, are permitted to be held at an indoor location or at an outdoor location provided:

- (a) the organizer ensures the premises or place where the gathering is held is physically divided into separate areas which contain no more than 100 persons each;
- (b) the organizer:
  - (i) does not hold the gathering unless the organizer is a business, service or organization permitted to operate under the Businesses, Services and Organizations sections of this Order;
  - (ii) obtains prior approval from the Chief Public Health Officer;
  - (iii) develops, follows and makes available for inspection, to the persons at the gathering and to the Chief Public Health Officer, an operational plan detailing how risk of transmission of COVID-19 will be mitigated at the gathering;
  - (iv) communicates details of the operational plan outlined in (iii) to persons present at the organized gathering, including staff, participants and volunteers, before and at the time of the organized gathering;
  - (v) maintains oversight of the organized gathering to ensure all persons in attendance comply with the requirements of the operational plan outlined in (iii), including to ensure that the number of persons present does not exceed the number of persons documented in the operational plan;
  - (vi) maintains a contact-tracing record in accordance with clause 31(e);
  - (vii) complies, to the extent possible, with any Multiple Gatherings Guidance issued by the Chief Public Health Officer, as may be amended from time to time; and
  - (viii) complies with any other direction issued by the Chief Public Health Officer.

33. Organized gatherings, including worship services, of more than 100 persons at an indoor location or of more than 200 persons at an outdoor location, to a maximum of 2,000 persons, are permitted to be held at an indoor location or at an outdoor location, respectively, provided:

- (a) the organizer is not organizing a wedding (including a wedding reception) or a funeral (including a funeral reception);

- (b) the organizer ensures the premises or place where the gathering is held is physically divided into separate areas which contain no more than 100 persons each;
  - (c) the organizer:
    - (i) does not hold the gathering unless the organizer is a business, service or organization permitted to operate under the Businesses, Services and Organizations sections of this Order;
    - (ii) obtains prior approval from the Chief Public Health Officer;
    - (iii) develops, follows and makes available for inspection, to the persons at the gathering and to the Chief Public Health Officer, an operational plan detailing how risk of transmission of COVID-19 will be mitigated at the gathering;
    - (iv) communicates details of the operational plan outlined in (iii) to persons present at the organized gathering, including staff, participants and volunteers, before and at the time of the organized gathering;
    - (v) maintains oversight of the organized gathering to ensure all persons in attendance comply with the requirements of the operational plan outlined in (iii), including to ensure the number of persons present does not exceed the number of persons documented in the operational plan ;
    - (vi) maintains a contact-tracing record in accordance with clause 31(e);
    - (vii) complies, to the extent possible, with any Multiple Gatherings Guidance issued by the Chief Public Health Officer, as may be amended from time to time; and
    - (viii) complies with any other directions issued by the Chief Public Health Officer.
34. In addition to the requirements above, a business, service or organization holding an organized gathering must comply with the Businesses, Services and Organizations sections of this Order.
35. The operator of a business or facility must not rent, reserve or allow the business or facility to be used for an organized gathering, including when a business is used for an organized gathering at a private residence, that would contravene the Organized Gatherings sections of this Order.
36. The owner of a private residence must not allow the private residence to be used for an organized gathering that would contravene the Organized Gatherings sections of this Order.
37. Any person attending an organized gathering shall take every reasonable step to maintain a distance of two metres or more from persons who do not reside in their household.


## **General**



38. Notwithstanding anything in this Order, the Chief Public Health Officer may:
- (a) exempt a person or class of persons from the application of any section of this Order under exceptional circumstances or on reasonable grounds; and
  - (b) impose, on any person or class of persons exempt from the application of any section of this Order under clause (a), public health measures consistent with this Order to minimize the risk of introduction or spread of COVID-19.
39. For greater certainty, nothing in this Order limits the operation of the Act or its regulations or restricts the ability of the Chief Public Health Officer to issue public health orders or other orders or directives, as necessary.
40. This Order:
- (a) revokes and replaces my order of September 17, 2021;
  - (b) is effective on September 20, 2021 at 8:00 a.m., except where stated in this Order to have retroactive effect; and
  - (c) shall remain in effect for the duration of the public health emergency in the Province, unless earlier amended or revoked.

**TAKE NOTICE** that failure to comply with this Order is an offence for which you may be liable on summary conviction in accordance with section 66 of the Act.

**DATED** at Charlottetown, Queens County, Prince Edward Island this 20 day of September, 2021.

  
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Dr. Heather Morrison  
Chief Public Health Officer

