

## **Special Measures Order**

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

March 18, 2020

TO: All residents 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 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; and
- D.** The Chief Medical Officer of Health believes that special measures are necessary for the purpose of protecting the health of the population and preventing, remedying or mitigating the effects of 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:

- 1.** The following businesses are ordered to close immediately:
  - (i) gyms and fitness facilities, including yoga studios, tennis and squash facilities;
  - (ii) dance studios;
  - (iii) cinemas;

- (iv) performance spaces;
  - (v) arenas; and
  - (vi) businesses that hold a license under the **Liquor Control Act** whose primary purpose is the consumption of beer, wine, or spirits and that do not otherwise qualify as an exception under this Order.
2. Bingo halls are ordered to close.
  3. Restaurants are ordered to close for in-person dining unless that restaurant can operate at fifty per cent of its regular capacity and can maintain appropriate social distancing in accordance with guidelines from the Chief Medical Officer of Health. Buffets are prohibited.
  4. Gatherings of more than fifty people are prohibited.
  5. All individuals returning from outside Canada must self-isolate for 14 days, including those individuals returning from the United States of America. Please see: [gov.nl.ca/covid-19](http://gov.nl.ca/covid-19) for detailed information on self-isolation.

**IT IS FURTHER ORDERED THAT:**

1. This Order applies to all individuals and affected businesses in the province of Newfoundland and Labrador.
2. This Order is effective March 18, 2020 and is in effect for a period of 14 days.

**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 19<sup>th</sup> day of March, 2020.



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Dr. Janice Fitzgerald  
Chief Medical Officer of Health