

**Special Measures Order
(Re-Opening – Travel – Step 2 – December 21, 2021 Update)**

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

December 21, 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 Acting Chief Medical Officer of Health, pursuant to section 28 of the **Public Health Protection and Promotion Act**, made Special Measures Order (Re-Opening - Travel - Step 2 - UPDATED) effective September 30, 2021;
- F. 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 - Step 2 - UPDATED) (Definitions Amendment) effective November 30, 2021 and Special Measures Order (Re-Opening - Travel - Step 2 - UPDATED) (Requirements for Visitors from Post-Secondary Institutions), effective as of 2:00 p.m. NST on December 17, 2021.

- G. The Chief Medical Officer of Health believes that further 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;
- H. 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 – December 21, 2021 Update) 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 an individual has received
 - (i) the full series of a COVID-19 vaccine authorized by Health Canada or a combination of COVID-19 vaccines authorized by Health Canada at least 14 days before arriving in the province;
 - (ii) the full series of a COVID-19 vaccine authorized by the World Health Organization at least 14 days before arriving in the province;
or
 - (iii) one or two doses of a COVID-19 vaccine not authorized by Health Canada or the World Health Organization followed by one dose of a COVID-19 mRNA vaccine authorized by Health Canada at least 14 days before arriving in the province.
 - (b) "COVID-19 PCR test" means a molecular COVID-19 test acceptable to the Chief Medical Officer of Health, but does not include a COVID-19 Rapid test;
 - (c) "COVID-19 Rapid test" means a COVID-19 antigen test acceptable to the Chief Medical Officer of Health; and
 - (d) "Unvaccinated" means an individual who has not received any dose of COVID-19 vaccine approved by Health Canada or the World Health Organization and, for the purpose of this Order, includes an individual who is not fully vaccinated.

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 may be subject to review by public health officials for the purpose of auditing and verifying compliance with this Special Measures Order.

Fully vaccinated

4. All individuals arriving in Newfoundland and Labrador who are fully vaccinated and who provide proof of receipt of a COVID-19 vaccine are:
 - a. Required to self-isolate for five days after their arrival in the province;
 - b. Required to provide specifics of their plan for complying with the requirement to self-isolate upon arrival in the province;
 - c. Required to be available for contact with public health officials during the duration of the self-isolation period;
 - d. Required to take a COVID-19 Rapid test on each of the five days upon arrival, with the first test taken on the day of arrival;
 - e. Permitted to leave isolation after five full days or 120 hours have passed since arrival, provided that each of the five COVID-19 Rapid tests required in Order No. 4(d) are negative; and
 - f. Required to self-isolate for 14 days upon their arrival in the province where they do not undergo COVID-19 Rapid testing in accordance with this Order No. 4.
5. Notwithstanding Order No. 4, all fully vaccinated individuals who visited a post-secondary institution outside of Newfoundland and Labrador in the 14 days prior to their arrival in the province are:
 - a. Required to, in addition to meeting the requirement in Orders No. 4(a) through (d), undergo a COVID-19 PCR test upon their arrival in the province or on day one or two after their arrival in the province;
 - b. Permitted to leave isolation after five full days or 120 hours have passed since arrival, provided that A) each of the five COVID-19 Rapid tests required in Order No. 4(d) are negative and B) the person receives a negative arrival COVID-19 PCR test as required in Order No. 5(a); and
 - c. Required to self-isolate for 14 days upon their arrival in the province where they do not undergo testing in accordance with this Order No. 5.

Unvaccinated Individuals 12 years of age and older

6. All individuals who are 12 years of age or older arriving in Newfoundland and Labrador who are unvaccinated must:
 - a. Self-isolate for 14 days 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 PCR testing no earlier than on day seven after their arrival in the province, should they wish to avail of the following modified self-isolation requirements, upon receipt of a negative COVID-19 PCR test result:
 - i. avoid contact with medically vulnerable people;
 - ii. not attend sporting events and large crowded settings; and
 - iii. not visit long term care facilities or personal care homes
 for the remainder of the 14 day self-isolation period; and
 - e. Where they have visited a post-secondary institution outside of Newfoundland and Labrador in the 14 days prior to their arrival in the province, undergo COVID-19 PCR testing upon their arrival in the province or on day one or two after their arrival in the province and are required to self-isolate regardless of their arrival COVID-19 PCR test result, until they receive another negative test result in accordance with Order No. 6(d) above.
7. All individuals who are 12 years of age or older who do not undergo COVID-19 PCR testing in accordance with Order No. 6(d) above must self-isolate for 14 days upon their arrival in the province.
 8. Order No. 6(d) above does not apply to asymptomatic individuals who are in the province for two days or less.
 9. Notwithstanding Orders No. 4 and 5 above, individuals who are fully 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. 6 above.

Unvaccinated children between 5 and 11 years of age

10. Children who are between 5 and 11 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.
11. Children who are between 5 and 11 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.

12. Notwithstanding Order No. 10 and Order No. 11, children who are between 5 and 11 years of age who follow the vaccination status of fully vaccinated parents, guardians or caregivers are, for 14 days following their arrival in the province, required to:
 - a. not attend school, subject to Order No. 13;
 - b. avoid contact with medically vulnerable people;
 - c. not attend daycare, camp, sporting events and large crowded settings;
and
 - d. not visit long term care facilities or personal care homes.
13. School aged children who are between 5 and 11 years of age who follow the vaccination status of fully vaccinated parents, guardians or caregivers, may undergo COVID-19 testing no earlier than on day 7 following their arrival in the province and may attend school upon receipt of a negative COVID-19 test result. All other restrictions set out in Order No. 12 continue to apply for the full 14 day self-isolation period.
14. Children who are between 5 and 11 years of age who follow the vaccination status of an unvaccinated parent, guardian or caregiver must self-isolate for 14 days upon arrival in the province.
15. Notwithstanding Order No. 14, school aged children who are between 5 and 11 years of age who follow the vaccination status of an unvaccinated parent, guardian or caregiver, may undergo COVID-19 testing no earlier than on day 7 following their arrival in the province and may attend school upon receipt of a negative COVID-19 test, but are required to:
 - a. avoid contact with medically vulnerable people;
 - b. not attend daycare, camp, sporting events and large crowded settings;
and
 - c. not visit long term care facilities or personal care homesfor the remainder of the 14 day self-isolation period
16. All individuals who are between 5 and 11 years of age who do not undergo testing in accordance with Order No. 15 above must self-isolate for 14 days upon their arrival in the province.

Unvaccinated children under 5 years of age

17. Except for those who are school-aged who wish to attend school, children who are under 5 years of age, who are unvaccinated and who are travelling to the province with a parent, guardian or caregiver are not required to take any

COVID-19 tests but must comply with any self-isolation requirements of their least vaccinated parent or guardian.

18. Notwithstanding Order 17, children under 5 years of age who follow the vaccination status of fully vaccinated parents, guardians or caregivers are permitted to leave isolation after five full days or 120 hours have passed since arrival, provided their fully vaccinated parents, guardians or caregivers receive negative results for each of the five COVID-19 Rapid tests required in Order No. 4, but, for days six through 14 following their arrival in the province, are required to:
 - a. Not attend school, subject to Order No. 19;
 - b. avoid contact with medically vulnerable people;
 - c. not attend daycare, camp, sporting events and large crowded settings;
and
 - d. not visit long term care facilities or personal care homes.

19. Notwithstanding Order No. 18, school aged children who are under 5 years of age who follow the vaccination status of a fully vaccinated parent, guardian or caregiver, may undergo COVID-19 PCR testing no earlier than on day 7 following their arrival in the province and may attend school upon receipt of a negative COVID-19 test, but are required to:
 - a. avoid contact with medically vulnerable people;
 - b. not attend daycare, camp, sporting events and large crowded settings;
and
 - c. not visit long term care facilities or personal care homesfor the remainder of the 14 day self-isolation period

20. Children under 5 years of age who follow the vaccination status of an unvaccinated parent, guardian or caregiver must self-isolate for 14 days upon arrival in the province if their parent, guardian, or caregiver does not undergo COVID-19 PCR testing in accordance with Order No 6(d).

21. Notwithstanding Order No. 20, school aged children under 5 years of ago who follow the vaccination status of an unvaccinated parent, guardian or caregiver, may undergo COVID-19 PCR testing no earlier than on day seven following their arrival in the province and may attend school upon receipt of a negative COVID-19 test, but are required to:
 - a. avoid contact with medically vulnerable people;
 - b. not attend daycare, camp, sporting events and large crowded settings;
and
 - c. not visit long term care facilities or personal care homes.

Fully Vaccinated Rotational Workers

22. In addition to the requirements in Order 4, rotational workers who are fully vaccinated are also required to undergo COVID-19 PCR testing upon their arrival in the province or on day one or two after their arrival in the province.
23. The fully vaccinated rotational worker may avail of the following modified self-isolation requirements unless they have a positive arrival COVID-19 PCR test or any of the COVID-19 Rapid tests are positive:
 - a. Avoid contact with medically vulnerable people;
 - b. Not attend sporting events and large crowded settings; and
 - c. Not visit long term care facilities or personal care homes.
24. Notwithstanding Order 4, if a fully vaccinated rotational worker wishes to leave modified self-isolation once five full days or 120 hours have passed since arrival, the individual must also continue to have negative COVID-19 Rapid test results as required by Order No. 4(d) and must have a negative arrival COVID-19 PCR test.

Unvaccinated Rotational Workers

25. Rotational workers who are unvaccinated and who wish to avail of modified self-isolation requirements as set out in this Special Measures Order are:
 - a. Required to undergo a COVID-19 PCR test through public health as soon as possible upon their return to the province; and
 - b. Required to take a COVID-19 Rapid test every day upon arrival for five days.
26. Notwithstanding self-isolation requirements for unvaccinated individuals set out in Order No. 6 above, provided that the rotational worker receives a negative COVID-19 PCR test result upon arrival in the province, these unvaccinated rotational workers may, during the period of self-isolation, provided that they continue to receive negative COVID-19 Rapid test results each day for the first five days upon arrival, leave their property, go for a drive and receive medical attention. They may attend health services appointments where they comply with the following:
 - a. Rotational workers must disclose to the health care practitioner, prior to attending the appointment, that they are a rotational worker;
 - b. Rotational workers may attend non-urgent appointments only when they are asymptomatic; and
 - c. 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.
27. 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.
28. Rotational workers who are unvaccinated must undergo a COVID-19 PCR test through public health at least seven days after their return to the province and, subject to Order No. 26 above, must self-isolate until they receive a negative COVID-19 PCR test result for their day seven or later test.
29. Notwithstanding Order No. 27, where the arrival COVID-19 PCR test and the COVID-19 Rapid tests as referred to in Order No. 25 are all negative and the day seven or later COVID-19 PCR test referred to in Order 28 is negative, unvaccinated rotational workers may avail of the following modified self-isolation requirements:
- a. avoid contact with medically vulnerable people;
 - b. not attend sporting events and large crowded settings; and
 - c. not visit long term care facilities or personal care homes

for the remainder of the 14 day self-isolation period.

30. 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.
31. If an asymptomatic rotational worker does not get tested for COVID-19 as set out in Orders No. 25 and Order No. 28 above, that rotational worker must self-isolate for 14 days.

Vaccinated Essential Workers

32. Notwithstanding Order No. 4 above, fully vaccinated, asymptomatic essential workers who wish to avail of work-isolation during their first full five days or 120 hours while in Newfoundland and Labrador must:
- a. In addition to the COVID-19 Rapid testing requirements in Order No. 4, obtain a COVID-19 PCR test upon their arrival in the province or on day one or two after their arrival in the province; and
 - b. Isolate and not report to work if they have a positive arrival COVID-19 PCR test or any of the COVID-19 Rapid Tests are positive.
33. 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.

34. If an asymptomatic essential worker does not get tested for COVID-19 as set out in Order No. 32 above, that worker must self-isolate for 14 days before presenting to work in the province.
35. An asymptomatic essential worker may only continue to avail of work-isolation as long as each of the five required COVID-19 Rapid tests are negative.

Unvaccinated Essential Workers

36. Notwithstanding Order No. 6 above, asymptomatic unvaccinated essential workers who wish to avail of work-isolation during their first full five days or 120 hours while in Newfoundland and Labrador must:
 - a. Comply with the testing requirements as set out in Order No. 37 below; and
 - b. Only present to work upon receipt of a negative arrival COVID-19 PCR 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.
37. Unvaccinated essential workers who wish to avail of work-isolation in accordance with this Special Measures Order must take a COVID-19 Rapid test on each of the five days after arrival and must undergo a COVID-19 PCR test through public health at each of the following intervals:
 - a. Upon their arrival in the province or on day one or two after their arrival in the province; and
 - b. On day seven, eight, or nine after their arrival in the province.
38. 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.
39. If an asymptomatic essential worker does not get tested for COVID-19 as set out in Order No. 37 above, that worker must self-isolate for 14 days before presenting to work in the province.
40. Any asymptomatic essential worker may avail of work-isolation as long as each of the five required COVID-19 Rapid tests are negative and both required COVID-19 PCR tests are negative.

Other unvaccinated workers

41. Notwithstanding Orders No. 4 and 6 of this Special Measures Order, vaccinated and unvaccinated truck drivers who are residents of Newfoundland and Labrador:

- a. who are in the province for less than seven days, must obtain a COVID-19 PCR test as soon as possible upon their return, unless they were tested in the province within the previous seven days;
 - b. must take a COVID-19 Rapid test on each of the five days upon arrival; and
 - c. are not required to self-isolate from immediate family members pending a negative COVID-19 PCR test.
42. Order No. 36 and Order No. 37 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

43. 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.
44. Orders No. 2 through 42 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.

General

45. 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 – December 21, 2021 Update) is effective as of 3:00 p.m. NST on December 21, 2021 and replaces Special Measures Order (Re-Opening - Travel - Step 2 - UPDATED) effective September 30, 2021; Special Measures Order (Re-Opening - Travel - Step 2 - UPDATED) (Definitions Amendment) effective November 30, 2021; and Special Measures Order (Re-Opening - Travel - Step 2 - UPDATED) (Requirements for Visitors from Post-Secondary Institutions), effective December 17, 2021.
2. For greater certainty, rotational workers, essential workers or other workers who visited a post-secondary institution outside of Newfoundland and Labrador in the past 14 days prior to their arrival in the province must comply with Orders 5 or 6, as applicable.
3. 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 21st day of December 2021.



Dr. Janice Fitzgerald
Chief Medical Officer of Health