



**PUBLIC HEALTH ORDER  
PROVINCIAL ORDER  
May 13, 2021**

**(Under Subsection 45(2) of *The Public Health Act, 1994* and section 25.2(2) of *The Disease Control Regulations*)**

**WHEREAS:**

- A. I, Dr. Saqib Shahab, an official with the Ministry of Health and the Chief Medical Health Officer for the Province of Saskatchewan, have been authorized by the Minister of Health to act under section 45 of *The Public Health Act, 1994* and under subsection 25.2 of *The Disease Control Regulations*;
  - B. The transmission of the infectious agent SARS-CoV-2, which has caused cases and outbreaks of a serious communicable disease known as COVID-19 among the population of the Province of Saskatchewan, is a serious public health threat, as defined in *The Public Health Act, 1994*;
  - C. COVID-19 is a category I communicable disease;
  - D. To decrease or eliminate the risk to health presented by COVID-19, it is necessary to (a) reduce the probability for transmission of SARS-CoV-2, and (b) reduce the exposure to SARS-CoV-2;
  - E. Multiple SARS-CoV-2 variants of concern have emerged worldwide and are now present in Canada and Saskatchewan. These variants of concern are more transmissible than the previously dominant variants, and are more likely to cause death or serious illness;
  - F. As of May 13, 2021, the seven-day moving average of new COVID-19 cases in Regina is 15.8 cases per 100,000 people, compared to 17.3 cases per 100,000 for the rest of Saskatchewan. Regina presently accounts for just under one-quarter (24%) of Saskatchewan's total active COVID-19 cases;
  - G. Also as of May 12, 2021, 8,974 cases of variants of concern have been detected in Saskatchewan. 4,426 of these cases were reported in Regina and the surrounding area. Variants of concern presently account for the majority of active COVID-19 cases in Regina;
  - H. Household transmission is the largest known source of recent COVID-19 transmission in Saskatchewan. Evidence in other jurisdictions has shown that limiting small household gatherings has a substantial impact on reducing transmission of COVID-19;
  - I. A person infected with SARS-CoV-2, including a variant of concern, can infect other people with whom the infected person is in contact; The gathering of people in close contact with one another can promote the transmission of SARS-CoV-2, including variants of concern, and increase the number of people who develop COVID-19;
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- J. I am aware of and have considered the impact that this Order and other public health measures, including the *Re-Open Saskatchewan Plan*, have had and will continue to have on the people of Saskatchewan;
- K. I am continuously evaluating and reconsidering these public health measures based upon the information and evidence available to me, including the impacts on the people of Saskatchewan previously discussed, and also including infection rates, sources of transmission, the presence of outbreaks, the number of people in hospital and in intensive care, deaths, the emergence of and risks posed by virus variants of concern, vaccine availability, immunization rates, the vulnerability of particular populations and reports from the rest of Canada and other jurisdictions;
- L. While issuing this Order, I have done my utmost to strike a proportionate balance between the public interest in holding and attending public and private gatherings against the serious risk that such gatherings pose to public health;
- M. I am aware of and have considered that the public interest includes constitutionally-protected interests, particularly the rights and freedoms protected by the *Canadian Charter of Rights and Freedoms* (“*Charter*”), including freedom of religion and conscience, freedom of expression, freedom of peaceful assembly, freedom of association, and mobility rights. I also recognize that the rights and freedoms protected by the *Charter* are not absolute, and are subject to reasonable limits, prescribed by law as can be demonstrably justified in a free and democratic society;
- N. When issuing this Order, I have considered whether alternate measures that are less impactful on the *Charter*-protected rights and freedoms of the people of Saskatchewan are appropriate and consistent with public health principles, including the precautionary principle. I am aware of my obligation to choose measures that impact the *Charter*-protected rights and freedoms of the people of Saskatchewan as little possible. To that end, this Order:
  - a. Allows outdoor public and private gatherings of up to ten people, both in and outside of the Regina Region;
  - b. Allows persons living alone or single parents with minor children to form household “bubbles” with one other household for social support;
  - c. In concert with the *Re-Open Saskatchewan Plan*, allows 30 people to attend places of worship for ceremonial purposes; and
  - d. Allows for visitors in care homes where the rate of vaccination among residents of the care home is high enough to substantially limit the spread of COVID-19 within the facility.
- O. I consider the following measures necessary to decrease or eliminate the risk to health presented by COVID-19 and in the public interest, in order to prevent, reduce and control the transmission of SARS-CoV-2, including variants of concern;
- P. This Order imposes additional requirements or restrictions to those found in the *Re-Open Saskatchewan Plan*, as updated from time to time, and found on the Government of Saskatchewan website: Saskatchewan.ca. Where this Order conflicts with the *Re-Open Saskatchewan Plan*, this Order shall prevail;
- Q. By virtue of the foregoing and under subsection 45(2) of *The Public Health Act, 1994* and section 25.2(2) of *The Disease Control Regulations*:

**This Order applies to all individuals, businesses, institutions, associations and other organizations within the Province of Saskatchewan and City of Lloydminster.**

Effective May 17<sup>th</sup>, 2021 at 12:01 a.m., I rescind my May 6<sup>th</sup>, 2021, “Provincial Order” and order the following:

**1. I hereby ORDER and DIRECT:**

**Gathering Sizes and Restrictions**

- (a) For the purposes of subsection 1(b):
  - (i) “occupant” means a person who ordinarily resides in the private dwelling;
  - (ii) “private dwelling” includes the outbuildings associated with the private dwelling.
- (b) Indoor private gatherings held at private dwellings or outbuildings associated with private dwellings are restricted to those who ordinarily reside in the private dwelling, except in the following circumstances:
  - (i) A person who resides on their own may choose one other household with which to connect for the duration of this Order. That person may attend the other household’s private dwelling provided no more than 4 persons ordinarily reside in that private dwelling. The person and the members of the household may not change for the duration of the order. For clarity, a person who resides on their own may not visit or host multiple households and households may not visit or host multiple persons who reside on their own. At all times there can be no more than 5 persons in the gathering.
  - (ii) A single parent of a child or children under the age of 18 years may choose one other household with which to connect for the duration of this Order. That single parent, along with their minor children, may attend the other household’s private dwelling provided that no more than 4 persons ordinarily reside in that private dwelling. The single parent and the members of the household may not change for the duration of the Order. For clarity, a single parent may not visit or host multiple households and households may not visit or host multiple single parents.
  - (iii) Individuals who are the parents or guardians of children under the age of 18 years who co-parent the children or who have custodial or access rights pursuant to a court order, a custody and access agreement or other form of agreement are permitted to continue with co-parenting and to continue to follow the terms of such orders or agreements; and
  - (iv) Caregivers, support personnel, and tradespersons are permitted and are not included when determining the number of people in a private dwelling.
- (c) Subject to 1(q), 1(r), 1(y), 1(z) and 4(b), all indoor public gatherings are prohibited except in the following circumstances where two metre distancing between people can be maintained:
  - (i) Settings where people are distributed into multiple rooms or buildings, and workplaces; and
  - (ii) Are a critical public service or an allowable business service.In the event that a critical public service or allowable business service is unable to maintain two metre distancing, other measures must be in place to prevent the transmission of COVID-19. This may include, but is not limited to, self-

monitoring of personal health and supervision by Infection Prevention and Control Officers or Occupational Health and Safety.

This subsection does not apply to critical public services, allowable business services, events and activities to the extent that the guidelines applicable to those critical public services, allowable business services, events or activities found in the *Re-Open Saskatchewan Plan*, as amended from time to time, on the Government of Saskatchewan website (saskatchewan.ca) explicitly permits or requires an alternative gathering size. In such a case, the gathering size explicitly permitted or required shall not be exceeded and specified physical distancing shall be maintained.

- (d) Public and private outdoor gatherings are permitted up to 10 persons. Persons in attendance must ensure that physical distancing of at least two metres between households is maintained.

This subsection does not apply to events and activities to the extent that the guidelines applicable in the *Re-Open Saskatchewan Plan*, as amended from time to time, on the Government of Saskatchewan website (saskatchewan.ca) explicitly permits or requires an alternative gathering size. In such a case, the gathering size explicitly permitted or required shall not be exceeded, and specified physical distancing shall be maintained.

- (e) Unless otherwise required by another subsection in this order, members of a household are exempt from physical distance requirements from members of their own household.

### **Self-isolation**

- (f) All persons that have been identified by a Medical Health Officer as having novel coronavirus disease (COVID-19) shall immediately go into mandatory self-isolation until such time as a Medical Health Officer determines that they no longer pose a public health threat.
- (g) All persons that have been identified by a Medical Health Officer as a close contact of a person or persons with COVID-19 shall go into mandatory self-isolation for 14 days from the date of last having been exposed to COVID-19;
- (h) All symptomatic persons that have been directed to receive a test for COVID-19 or are awaiting test results shall go into mandatory self-isolation until such time as a Medical Health Officer determines that they no longer pose a public health threat;
- (i) All persons that have travelled internationally shall go into mandatory self-isolation for 14 days from date of arrival back into Canada, except for the following persons:
  - (i) if such persons are supervised by Infection Prevention and Control Officers or Occupational Health and Safety in the workplace:
    - i. specific health care workers;
    - ii. workers who provide emergency health care services;
    - iii. workers who are essential to maintain essential services;
    - iv. workers who maintain supply chain; or
    - v. rail, airline and transport crews.
  - (ii) Individuals who have been granted a limited release from quarantine on compassionate grounds by the Government of Canada and only in accordance with the terms of the limited release.

- (j) All persons that become symptomatic while on mandatory self-isolation shall call HealthLine 811 and follow HealthLine directives; and
- (k) All persons who are household members or contacts of a person with COVID-19 shall immediately go into mandatory self-isolation for 14 days and call HealthLine 811 if they become symptomatic and follow HealthLine directives.

### **Child Care Facilities**

- (l) All child care facilities that are co-located with or within a long term care or personal care home shall be segregated with a private entrance and separate space so that there are no shared common areas with the long term care home or personal care home, as the case may be, and no interaction between childcare children and residents of the home. The child care facility may continue to operate subject to any restrictions placed on all child care facilities.

### **Critical Public Services and Allowable Business Services**

- (m) All businesses must operate in accordance with any restrictions found on the critical public services and allowable business services list. All businesses permitted to operate shall do so in accordance with 1(c) and in a manner that prevents transmission of COVID-19. The list of critical public services and allowable business services is found on the Government of Saskatchewan website: Saskatchewan.ca.
- (n) All businesses that are not a critical public service or an allowable business service are permitted to provide online sales, delivery and curbside pick-up.
- (o) Critical public services, allowable business services, events and activities that the *Re-Open Saskatchewan Plan* has a specific guideline for must be operated in accordance with the applicable guideline found in the *Re-Open Saskatchewan Plan*, as amended from time to time, posted on the Government of Saskatchewan website: Saskatchewan.ca.
- (p) The use of hookahs or other types of water pipes in indoor public places is prohibited.

### **Closures and Restrictions**

- (q) **The following are closed or restricted:**
    - (i) All casinos, bingo halls and gaming centers shall close;
    - (ii) Owners or operators of personal service facilities identified as an allowable business on the critical public services and allowable business list shall not exceed the lesser of the following:
      - i. 50 percent of the occupant load as determined in accordance with the *National Fire Code 2015* Division B, Clause 2.7.1.3.(1)(a), or
      - ii. ensure that 2 metres of physical distance is maintained between non-household members at all times.
- For clarity, owners and staff members are not included in the occupant load calculation.
- (r) For the purposes of this subsection, the following definitions apply:

“*large retail store*” is defined as a retail store that occupies 1,858 square metres (20,000 square feet) of floor space or more in a building, or portion of a building.

The capacity within all retail establishments is limited as follows:

- (i) Owners or operators shall ensure that the number of individuals located within a large retail store at any one time shall not exceed the lesser of the following:
  - i. 25 percent of the occupant load as determined in accordance with the National Fire Code 2015 Division B, Clause 2.7.1.3.(1)(a).
- (ii) Owners or operators shall ensure that the number of individuals located within a retail store that is not a large retail store at any one time shall not exceed the lesser of the following:
  - i. 50 percent of the occupant load as determined in accordance with the *National Fire Code 2015* Division B, Clause 2.7.1.3.(1)(a), or
  - ii. ensure that 2 metres of physical distance is maintained between non-household members at all times.

For clarity, owners and staff members are not included in the occupant load calculation.

### **Visitors to Special-Care Homes**

- (s) For the purposes of subsections 1(t), 1(u) and 1(v):
  - (i) “care home” means a special-care home designated pursuant to *The Provincial Health Authority Act* or a personal care home licensed pursuant to *The Personal Care Homes Act*;
  - (ii) “operator” means:
    - i. an operator of a special-care home designated pursuant to *The Provincial Health Authority Act*; or
    - ii. the licensee of a personal care home licensed pursuant to *The Personal Care Homes Act*;
  - (iii) “threshold” means:
    - i. In a care home with more than 10 residents, 90% or more of the residents of a care home are vaccinated; or
    - ii. In a care home with 10 or fewer residents, all but one resident is vaccinated; and
  - (iv) “vaccinated” means an individual has received two doses of a COVID-19 vaccine and at least three weeks has passed since the individual received their second dose.
- (t) Visitors to a care home shall be restricted to those visiting for compassionate reasons.
- (u) Notwithstanding subsection 1(t), if the operator of a care home determines that the care home meets the threshold, the following visitors are permitted in that care home, unless otherwise directed by a Medical Health Officer:
  - (i) Those residents who are vaccinated may:
    - i. Meet with up to two visitors indoors; or
    - ii. Meet with up to four visitors outdoors.
  - (ii) Those residents who are not vaccinated may:
    - i. Meet with up to two visitors indoors, both of whom shall be vaccinated; or

- ii. Meet with up to four visitors outdoors, all of whom shall be vaccinated.
- (v) In the event that a care home operator determines that the care home meets the threshold, and then the operator subsequently determines that the threshold is no longer met, visitation within the care home may continue pursuant to subsection 1(u) for a period of 4 weeks from the date that the threshold was determined to no longer be met, at which time, visitation shall return to compassionate reasons only, unless the operator determines that the threshold is once again met.

### **Food, Beverages and Liquor**

- (w) Liquor licensed transportation licensed pursuant to subsection 19(1)(c) of *The Alcohol Control Regulations, 2016* and limousines as defined in *The Operating Authority Regulations, 2011* must cease operation.
- (x) Food or beverages are not permitted to be served at any event, as defined herein, or at a casino, bingo hall, live theater, performing arts venue, arena, or sports facility, except in accordance with the following and subject to 4(d), 4(e), and 4(f):
  - (i) For the purposes of this subsection:
    - i. “banquet hall” means a building or a portion of a building, which is rented by individuals or groups to accommodate private functions including, but not limited to, banquets, weddings, anniversaries and other similar celebrations, and such use may or may not include: 1) kitchen facilities for the preparation or catering of food; 2) the sale of alcoholic beverages for on-premises consumption, only during scheduled events and not open to the general public; and 3) outdoor gardens or reception facilities.
    - ii. “event” refers to anything which gathers people together whether on a one-time, regular or irregular basis, including, but not limited to: a gathering in banquet hall or other place, a party, ceremony or celebration of any type, reception, wedding, funeral, celebration of life, musical, theatrical or dance entertainment or performance, live band performance, disc jockey performance, comedic act, art show, magic show, fashion show, book signing, reading, recitation, display, movie, film, meeting, conference, lecture, talk, educational presentation (except in a school or post-secondary educational institution), auction, fund raising benefit, contest, competition, quiz, game, rally, festival, presentation, demonstration, athletic, sporting or other physical activity, exhibition, market or fair, including a trade fair, agricultural fair, seasonal fair or episodic indoor event that has as its primary purpose the sale of merchandise or services e.g. Christmas craft markets, home shows, antique fairs and the like and for certainty includes a gathering preceding or following another event, but does not include a gathering in a private dwelling or out buildings associated with the private dwelling or movies and films shown in movie theatres.

- iii. “food and beverage” does not include food or beverage served as part of a faith-based ritual.
  - iv. “public eating establishment” means a public eating establishment licensed pursuant to section 5 of *The Food Safety Regulations*, but does not include a banquet hall.
  - v. “tavern” means any premises on which the primary business to be conducted is the sale of beverage alcohol for consumption on the premises, but does not include a banquet hall.
- (ii) Food or beverage may be served at an event held at a public eating establishment.
  - (iii) Food or beverage may be served at an event held at a tavern.
  - (iv) Food or beverage may be served, casino, bingo hall, live theater, performing arts venue, arena, or sports facility if there is in an area designated for the consumption of food or beverage that is separate and apart from an event or any other activity taking place in the facility, and the food or beverage is only consumed in the designated area and according to the Food, Beverage and Liquor Serving Premises public health order.

## **Sports and Other Activities**

- (y) Unless otherwise permitted in the *Re-Open Saskatchewan Plan*, as amended from time to time, and subject to 4(d), sports or activities where one or more individuals compete or train against one or more other individuals, and all individuals cannot maintain a three-metre separation, are not permitted. League play, tournaments, and competitions are only permitted in accordance with the *Re-Open Saskatchewan Plan*, as amended from time to time. The owner or operator of a business or facility must not use the business or facility for this purpose, and must not rent, reserve or allow the business or facility to be used for this purpose. Notwithstanding the foregoing but subject to 4(d), individuals may continue conditioning and skills training in groups not exceeding 8 individuals so long as three metre distancing between all individuals is maintained.
- (z) Unless otherwise permitted in the *Re-Open Saskatchewan Plan*, as amended from time to time, and subject to 4(d), group training and competition for individual athletic events (such as dance, figure skating, diving, and speed skating), including rehearsals, is not permitted. The owner or operator of a business or facility must not use the business or facility for this purpose, and must not rent, reserve or allow the business or facility to be used for this purpose. Notwithstanding the foregoing but subject to 4(d), individuals may continue conditioning and skills training in groups not exceeding 8 individuals so long as three metre distancing between all individuals is maintained.

## **2. I hereby ORDER and DIRECT:**

- (a) For the purposes of section 2 of this Order, “Licensee” refers to:
  - (i) an operator of a special-care home designated pursuant to *The Provincial Health Authority Act*;

- (ii) the licensee of a personal care home licensed pursuant to *The Personal Care Homes Act*;
  - (iii) an individual who, or corporation that, under a contract or subcontract with an operator of a special care-home or a licensee of a personal care home, provides or arranges for the provision of health care services or support services within the facility.
- (b) For the purposes of section 2 of this Order, “Facility” refers to:
- (i) a special-care home designated pursuant to *The Provincial Health Authority Act*;
  - (ii) a personal care home licensed pursuant to *The Personal Care Homes Act*.
- (c) For the purposes of section 2 of this Order, “Staff Member” refers to
- (i) any individual who is employed by, or provides services under a contract with, the Licensee of a Facility; and
  - (ii) any volunteer or student that assists in the provision of services within the Facility.
- (d) Licensees must restrict the movement of Staff Members among Facilities by ensuring that each Staff Member works in only one Facility.
- (e) To assist a Licensee in carrying out their obligation in subsection 2(d), a Staff Member who is employed to provide services within more than one Facility must as soon as reasonably possible disclose that fact to their supervisor at each Facility where they provide services.
- (f) A Licensee may seek approval from a medical health officer to permit a Staff Member to work in more than one Facility, if they are unable to ensure adequate staffing levels in a Facility as a result of complying with this Order.
- (g) This section does not apply to dietitians, medical laboratory technologists, medical laboratory assistants, nurse practitioners, home care workers, occupational therapists, public health nurses, public health officers (inspectors), paramedics, pharmacists, physicians, physiotherapists, resident physicians, speech language pathologists, staff who provide podiatry type care, inter-facility transport staff, delivery persons, trades people, regular and biochemical waste removal people, biomedical engineers, election administrators, visitors or any other person or class of person who are exempted by the medical health officer.
- (h) Subsection 2(d) and 2(e) is not intended to restrict Staff Members from employment that is not in a Facility, such as home care, group homes, or other employment outside a Facility, with the exception of employment at a hospital.
- (i) Staff Members are not permitted to work at a Facility if they also work at a hospital.

**3. I hereby ORDER and DIRECT:**

- (a) For the purposes of section 3 of this Order, “Facility” means the same as defined in section 2 above but is amended to include:
- (i) all facilities designated pursuant to *The Provincial Health Authority Act* operated by the Provincial Health Authority as defined in *The Provincial Health Authority Act*;
  - (ii) Hospital as designated pursuant to *The Provincial Health Authority Act* operated by an affiliate prescribed in *The Provincial Health Authority Administration Regulations*;

- (iii) the following facilities operated by the Saskatchewan Cancer Agency continued pursuant to *The Cancer Agency Act*:
  - i. Saskatoon Cancer Centre;
  - ii. Allan Blair Cancer Centre; and
  - iii. The Hematology Clinic.
- (b) For the purposes of section 3 of this Order, “Licensee” means the same as defined in section 2 above but is amended to include:
  - (i) The Provincial Health Authority as defined in *The Provincial Health Authority Act*;
  - (ii) The Saskatchewan Cancer Agency continued pursuant to *The Cancer Agency Act*.
- (c) For the purposes of Section 3 of this Order, “Staff Member” refers to:
  - (i) any individual who is employed by, or provides services under a contract with, the Licensee of a Facility; and
  - (ii) any volunteer or student that assists in the provision of services within the Facility.
- (d) For the purposes of Section 3 of this Order, “Individual” means the same as Staff Member but also includes all individuals entering the Facility, except individuals entering for the purposes of receiving care.
- (e) Health screening shall occur as follows:
  - (i) Staff Members shall undergo health screening prior to or upon entry to the Facility, which must include a temperature check. Any Staff Members who display or disclose signs or symptoms of COVID-19 shall be denied entry to the Facility.
  - (ii) Individuals who are not Staff Members shall undergo health screening, which must include a temperature check prior to or upon entry to the Facility.
- (f) Individuals providing direct patient care or working in patient care areas must wear a surgical/procedure mask continuously, at all times and in all areas of the Facility, if they are either involved in direct patient contact or cannot maintain adequate physical distancing (2 metres) from patients and other individuals. Individuals who do not work in patient care areas or do not have direct patient care are only required to mask if entry into patient care areas is required and physical distancing (2 metres) cannot be maintained.

**4. I hereby ORDER and DIRECT for the Regina Region:**

- (a) For the purposes of this section:
  - (i) “banquet hall” means a building or a portion of a building which is rented or reserved by individuals, businesses, or groups to accommodate private functions including, but not limited to, banquets, weddings, anniversaries and other similar celebrations, and such use may or may not include: 1) kitchen facilities for the preparation or catering of food; 2) the sale of alcoholic beverages for on-premises consumption, only during scheduled events and not open to the general public; and 3) outdoor gardens or reception facilities.
  - (ii) “Regina Region” means the area set out in Attachment “A” attached hereto.

(b) Notwithstanding subsection 1(c), in the Regina Region, except as otherwise provided in this subsection, the following entertainment facilities and venues shall close:

- i. bowling alleys;
- ii. car show;
- iii. conference facilities;
- iv. racing and rodeo facilities;
- v. galleries;
- vi. museums;
- vii. banquet halls;
- viii. community halls;
- ix. libraries;
- x. live theatres;
- xi. movie theatres;
- xii. arcades;
- xiii. performing arts facilities;
- xiv. trade shows;
- xv. science centres; and
- xvi. auctions

The owner or operator of a business or facility must not use the business or facility for these purposes, and must not rent, reserve or allow the business or facility to be used for these purposes. In person livestock auctions or sales are permitted and shall comply with subsection 1(o).

(c) In the event that there is a conflict between this section 4 of the Order and the other sections of the Order, this section 4 of the Order shall apply.

**This order remains in effect until 12:01 a.m. on May 31<sup>st</sup>, 2021, or until, in the opinion of the Chief Medical Health Officer, there is no longer a public health threat, whichever shall first occur.**

DATED at Regina, Saskatchewan, on the 13<sup>th</sup> day of May, 2021.



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Dr. Saqib Shahab FRCPC  
Government of Saskatchewan  
Chief Medical Health Officer

