



PUBLIC HEALTH ORDER
FACE COVERINGS
April 20th, 2021

(Under Section 25.2 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 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, including variants of concern, and (b) reduce the exposure to SARS-CoV-2, including variants of concern.
 - 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. A person infected with SARS-CoV-2 can infect other people with whom the infected person is in contact through droplets in the air, or from fluid containing SARS-CoV-2 left on surfaces;
 - G. 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;
 - H. Experimental and epidemiological data support community face covering to reduce the transmission risk of SARS-CoV-2, including variants of concern;
 - I. 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;
 - J. 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.
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- K. While issuing this order, I have done my utmost to strike a proportionate balance between the inconvenience and discomfort of wearing a face covering against the serious risk that gatherings without community face coverings pose to public health.
- L. 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 expression and the right to equality. 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;
- M. 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 for the removal of face coverings in a number of instances where the removal of such face covering is conducive to free expression, and where the risk of temporarily removing the face covering is low or manageable; and
 - b. Contains exceptions for those with documented medical conditions that may affect their ability to wear a face covering.
- N. 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;
- O. 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;
- P. If this order conflicts with my April 20, 2021 “Provincial Order” or my April 20, 2021 “Food, Beverage and Liquor Serving Premises Order” or any replacement of those orders, this order shall prevail to the extent of the conflict;
- Q. By virtue of the foregoing and under section 25.2 of *The Disease Control Regulations*:

This order applies to all persons within the Province of Saskatchewan and the City of Lloydminster

Effective April 20, 2021 at 12:15 p.m., I rescind my April 19th, 2021, “Face Covering Order” and order the following:

I hereby ORDER and DIRECT:

- 1. In this order:
 - a. “face covering” means a medical or non-medical mask or other face covering that fully covers the nose, mouth and chin, but does not include a face shield or visor.
 - b. “health professional” means:

- i. A practicing Physician registered with the Saskatchewan College of Physicians and Surgeons;
 - ii. A practicing Nurse Practitioner or Registered Nurse registered with the Saskatchewan Registered Nurses Association;
 - iii. A practicing Psychiatric Nurse registered with the Registered Psychiatric Nurses Association of Saskatchewan;
 - iv. A practicing Clinical Psychologist that is authorized to diagnose registered with the Saskatchewan College of Psychologists; or
 - v. A Pharmacist registered with the Saskatchewan College of Pharmacy Professionals.
 - c. “service worker” means:
 - i. A health care worker that provides in-person services to patients;
 - ii. A public transport worker that provides in-person services to clients;
 - iii. A retail service or sale worker that provides in-person services to customers;
 - iv. A food or beverage service worker that provides in-person services to customers; or
 - v. A personal service worker that provides in-person services to clients.
 - d. “person” means a natural person.
2. Subject to the exemptions set out in section 3, 4 and 5, all persons shall wear a face covering when in the following enclosed settings:
 - a. Addiction treatment centres, complex care centres, health centres, hospitals, mental health centres, residential treatment centres or special-care homes designated pursuant to *The Provincial Health Authority Act*.
 - b. Personal care homes licensed pursuant to *The Personal Care Homes Act*.
 - c. Assisted living facilities.
 - d. Residential-Service Facilities licensed pursuant to *The Residential-service Facility Regulations*.
 - e. Pharmacies.
 - f. Medical offices and health service centres, such as doctor’s offices, dentist’s offices, physiotherapist offices, and therapeutic massage offices.
 - g. Retail businesses, such as grocery stores, clothing stores, and sporting goods stores.
 - h. Service businesses, such as mechanics, insurance agencies, dry cleaners, and professional services.
 - i. Shopping centres, markets, and malls.
 - j. Personal service businesses, such as hair salons, nail salons, spas, body art facilities, and tanning salons.
 - k. Restaurants and bars, including permittees issued a tavern permit or manufacturer permit pursuant to *The Alcohol Control Regulations, 2016*.
 - l. Places of worship or faith gatherings.
 - m. Places for cultural or entertainment services or activities, such as movie theatres, arcades, concerts or other performances.
 - n. Places for sports and recreational activities, such as gyms, ice arenas, pools, gymnastics facilities, dance facilities, or indoor court or field facilities.
 - o. Places used to hold events or host gatherings, such as conferences, conventions, and receptions.

- p. Municipal, provincial, or federal government locations offering services to the public.
 - q. In all common areas of a correctional facility designated pursuant to *The Correctional Services Act, 2012*.
 - r. Hotels, motels, and bed and breakfasts.
 - s. Common areas of rental cabins or cottages.
 - t. Common areas, such as elevators, lobbies, or hallways, of multi-unit residential buildings.
 - u. Public areas of a university or college campus, such as library or student union building, classrooms, hallways, administration offices, and other common areas. For certainty, public areas do not include student residences.
 - v. Common areas of a school or independent school as defined in *The Education Act, 1995*, excluding home schools.
 - w. Licensed daycares, as defined in *The Child Care Act, 2014*.
 - x. Train stations, bus stations, bus shelters, ferry terminals, and airports.
 - y. Ride share services, carpools, and public transportation, including buses, cabs, car services, shuttles, and transportation issued a permit pursuant to section 19(1)(c) of *The Alcohol Control Regulations, 2016*.
 - z. Common areas, such as elevators, lobbies, hallways or areas where more than one person works, in all workplaces that are not otherwise mentioned in subsections 1(a) to 1(y), including, but not limited to, businesses that the public do not ordinarily have access to, construction sites, or manufacturing facilities.
 - aa. Private dwellings, but only when in the dwelling to provide cleaning services or maintenance services.
3. Face coverings are not required for the following persons:
- a. Persons aged 2 and under.
 - b. Persons aged 3 to 12 who are not reasonably able to wear a face covering.
 - c. Subject to section 7, persons who, in the determination of a health professional, are unable to wear a face covering due to a particular medical condition and have received written confirmation of same in accordance with section 6.
 - d. Persons who, due to cognitive impairment, an intellectual disability, or a severe mental health condition, are unable to understand the requirement.
 - e. The following persons, while speaking during a television or other media news interview or conference, but only when they can maintain a distance of 3 meters from other persons:
 - i. Municipal, provincial, or federal government officials.
 - ii. Media broadcasters.
 - f. Persons who are leading a service, ceremony, or other public event while speaking from a podium, lectern, platform, stage, desk or other standing or seating area dedicated to speaking, but only when the person can maintain a distance of 3 meters from other persons.
 - g. Persons playing a woodwind, brass, or other instrument operated by breath, but only if they can maintain a distance of 3 meters from other persons (as measured from the mouth or opening/bell end of the instrument, whichever is closest) to another person while playing.

- h. Players of the Western Hockey League (WHL) while participating in a hockey game or practice related to the WHL, for the duration of that activity only.
- i. For the purpose of this section, “virtual performance” means a performance that is broadcast virtually to an audience, and the audience is not present at the same location as the performer.

A person who is a solo vocalist performing during a virtual performance, for the duration of the solo performance only, provided the following conditions are met:

- i. the solo vocalist is facing away from any backup vocalists and accompanying musicians;
- ii. the solo vocalist remains behind a physical barrier that is large enough to prevent the transmission of COVID-19;
- iii. all backup vocalists and accompanying musicians are a minimum of 3 meters from the barrier mentioned in subsection 3(i)(ii); and
- iv. if a person is operating camera equipment to facilitate the virtual performance, the camera operator is a minimum of 5 meters from the solo vocalist.

For greater certainty, all backup vocalists, accompanying musicians, and persons operating camera equipment must wear a face covering.

- j. Persons acting or performing in a commercial film, television, or media production, for the duration of the scene or performance only.
4. Face coverings are not required in the following circumstances:
- a. Where the short-term removal of the face covering is necessary for the purposes of identifying a person.
 - b. Where it is necessary for a person to uncover their nose, mouth, or chin for the purposes of receiving a health or personal service, for the duration of the treatment or service only.
 - c. While seated and consuming food or a beverage in a restaurant, food court at a shopping centre or food store, bar, movie theatre or in any other location where food or beverages are served.
 - d. While participating in aquatic activities, for the duration of the activity only.
 - e. While providing personal support services to a person with a disability if wearing a face covering could hinder the ability of that person to receive the service, such as hindering that person’s ability to lip read.
 - f. While alone in an area of an enclosed setting to which members of the public do not normally have access.
 - g. In a courthouse or courtroom, where wearing a face covering poses a security risk.
 - h. In a proceeding before an administrative tribunal established by legislation or a court, where the decision-maker determines that removing the face covering is essential to ensure the integrity of the proceeding.
 - i. While a child is sleeping at the enclosed space mentioned in subsection 2(w).
5. Face coverings are not required in the following enclosed settings:
- a. The private resident areas of the settings mentioned in subsections 2(a), 2(b), 2(c), 2(d).

- b. Hotel rooms, motel rooms, bedrooms and private bathrooms in a bed and breakfast.
6. For the purposes of subsection 3(c), written confirmation of a particular medical condition must include:
 - a. the name of the person to whom the written confirmation of exemption applies;
 - b. the name of the issuing health professional;
 - c. the telephone number of the issuing health professional;
 - d. the signature of the issuing health professional; and
 - e. the date the written confirmation was provided.

For greater certainty, the written confirmation of a particular medical condition does not need to disclose the particular medical condition of the person.

7. Persons who, in the determination of a health professional, are unable to wear a face covering due to a particular medical condition and receive written confirmation of same in accordance with section 6, but are also employed as a service worker must wear a face covering while performing their duties unless:
 - a. The manner in which the person's duties are performed is altered to ensure that they do not come within a 2 meter distance of any person outside their household; or
 - b. Other measures have been put into place that eliminate or reduce the risk of transmission of SARS-CoV-2 to the satisfaction of a public health officer.
8. For the purpose of this section, "medical face covering" means a face mask that holds a Class 1 medical device designation from Health Canada. Medical face coverings shall be worn:
 - a. By medical professionals when providing care to a person with COVID-19 or a person displaying signs or experiencing symptoms of SARS-CoV-2 infection.
 - b. By employees working in the enclosed space mentioned in subsection 2(w) when in contact with a child displaying signs or experiencing symptoms of SARS-CoV-2 infection.
 - c. By employees working in the enclosed space mentioned in subsection 2(v) when in contact with a child displaying signs or experiencing symptoms of SARS-CoV-2 infection.
 - d. By employees of child or youth day camps when in contact with a child displaying signs or experiencing symptoms of SARS-CoV-2 infection.

This order remains in effect until 12:01 a.m. on May 10th, 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 20th day of April 2021.



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