

M.O. 613/2020

WHEREAS the Lieutenant Governor in Council made Order in Council 080/2020 under section 52.1(1) of the *Public Health Act* (PHA) on March 17, 2020 declaring a state of public health emergency in Alberta due to pandemic COVID-19 and the significant likelihood of pandemic influenza;

WHEREAS Order in Council 080/2020 has effect for 90 days following March 17, 2020 under section 52.8(1)(a) of the PHA;

WHEREAS section 52.1(3) of the PHA authorizes the Minister of Health (Minister), to make an order without consultation, to suspend or modify the application or operation of all or part of an enactment, subject to the terms and conditions the Minister prescribes, if the Minister is satisfied that the application or operation of all or part of the enactment is not in the public interest; and

WHEREAS I am satisfied that the application or operation of all or part of the PHA is not in the public interest because existing fines under the PHA are insufficient to effectively deter persons from contravening the PHA and the increased risks that may flow from such contraventions due to the COVID-19 pandemic;

THEREFORE, I, TYLER SHANDRO, Minister of Health, pursuant to section 52.1(2) of the *Public Health Act*, do hereby order that:


1. the application of subsection 73(2) of the PHA is suspended and of no force or effect.
2. subsection 73(3) of the PHA is repealed and the following is substituted:

(3) A person who contravenes this Act or the regulations is, if no penalty in respect of that offence is prescribed elsewhere in this Act, liable to a fine of not more than \$100 000 in the case of a first offence and \$500 000 in the case of a subsequent offence.

This Order lapses, unless it is sooner continued by an order of the Lieutenant Governor in Council under section 52.811(3) of the PHA, at the earliest of the following:

- (a) August 14, 2020;
- (b) 60 days after Order in Council 080/2020 is terminated by the Lieutenant Governor in Council, if Order in Council 080/2020 is terminated before June 15, 2020;
- (c) when this Order is terminated by the Minister under section 52.811(2) of the PHA because the Minister is satisfied that this Order is no longer in the public interest; or
- (d) when this Order is terminated by the Lieutenant Governor in Council under section 52.811(1)(c) of the PHA.

DATED at Edmonton, Alberta this 26 day of March, 2020.



TYLER SHANDRO
MINISTER

Repealed