

September 9, 2021

RE: EXEMPTION – ORDER 40-2021 – FACE MASKS AT PRIVATE MEETINGS – TO BE HELD IN VARIOUS LOCATIONS IN ALBERTA.

Whereas the Chief Medical Officer of Health (CMOH) initiated an investigation into the existence of COVID-19 within the Province of Alberta.

Whereas the investigation has confirmed that COVID-19 is present in Alberta.

Whereas under section 29(2.1) of the *Public Health Act*, the CMOH has the authority by order to prohibit a person from attending a location for any period and subject to any conditions that the CMOH considers appropriate where the CMOH has determined that the person engaging in that activity could transmit an infectious agent. The CMOH also has the authority to take whatever other steps that are, in the CMOH's opinion, necessary in order to lessen the impact of the public health emergency.

Further to the above, the CMOH, pursuant to the authority under section 29(2.1) of the *Public Health Act*, made the following:

- CMOH Order 40-2021 (the Order) that identifies additional measures necessary to protect Albertans from exposure to COVID-19 and to prevent the spread of COVID-19.

The CMOH may, pursuant to section 6.1 of the Order, exempt in writing persons or classes of persons from the operation of the Order.

The Office of the CMOH has received a request that certain individuals/classes of persons who are required to attend private meetings, that are located indoors, be permitted to attend and participate in those meetings without wearing a face mask.

Currently, persons attending an indoor public place are required to wear a face mask, as per section 3.1 of the Order.

Upon discussion with the Minister of Health, and pursuant to section 6.1 of the Order, the CMOH is satisfied that an exemption from section 3.1 of the Order is in the public interest and, therefore, an exemption is granted to the following persons upon the following conditions:

- I. Subject to Paragraphs II to VI an Attendee of a Private Meeting initiated by an Organizer where Attendee, Organizer and Private Meeting are defined as follows:
 - (a) "Attendee" is a specific person who at the invitation or request of an Organizer may attend a Private Meeting.
 - (b) "Organizer" is a person or group who organizes a Private Meeting and invites or requests an Attendee to be present at a Private Meeting.

- (c) "Private Meeting" is an indoor gathering initiated by an Organizer at a specific location for the purpose of inviting a select group of persons to conduct the business or discuss the affairs of an existing specified corporation/business/entity or similar group and has met the following requirements:
- (i) the gathering must be for an identifiable existing corporation/business/entity or similar group to conduct the business or discuss the affairs of that group that that cannot be performed effectively online and may include annual general meetings, governance meetings, round tables, working lunches or dinners, corporate executive retreats; and meetings organized by a corporation, industry group, trade association;
 - (ii) the business to be conducted or affairs to be discussed require an in-person gathering; and
 - (iii) no members of the public, family members of an Attendee, or a person who is not an Attendee are permitted to attend the gathering, in whole or in part.
 - (iv) For clarity, events or gatherings that are not Private Meetings although they may meet (i) to (iii) above include: conferences; trade shows; performances; sporting events; personal celebrations or events; social events; corporate member events; event hosted by a candidate, political party or third party in relation to a local authority election, provincial election, provincial referendum, or federal election.
- II. The Organizer of a Private Meeting develops and implements a COVID Safety Plan that, at minimum, outlines the following:
- a. the Organizer has the identity and contact information of all Attendees of the Private Meeting;
 - b. Attendees are informed of and consent to face masks being removed for the duration of the Private Meeting prior to attending the Private Meeting. Attendees are permitted to wear face masks if they choose.
 - c. Attendees screen themselves for COVID-19 symptoms using the [Alberta Health daily checklist](#), each day of the Private Meeting, prior to attending the Private Meeting;
 - d. Attendees are separated by a distance of at least two metres from each other, or by an appropriate barrier during the Private Meeting; and
 - e. a rapid response plan, in the case of an individual, staff or Attendee developing symptoms during the private meeting.
- III. The Organizer must have a responsible person to ensure Attendees have complied with the conditions of this exemption and any other applicable public health measures.
- IV. The Organizer and Attendees of the Private Meeting shall comply with any conditions in the most relevant guidelines found at

<https://www.alberta.ca/guidance-documents.aspx> which may be amended from time to time.

- V. The Organizer and Attendees of the Private Meeting shall also comply with any public health guidelines, conditions, or requirements that may be provided, from time to time, in writing by Alberta Health or Alberta Health Services.

Although the persons described in paragraph I are exempted in accordance with section 6.1 of the Order, all persons who are identified in this exemption are subject to the appropriate hygiene measures and all other measures identified by public health authorities to protect these persons and other Albertans from further transmission of COVID-19.

Nothing in this exemption relieves a person described in paragraph I from complying with any provision of any federal, provincial or municipal law or regulation or any requirement of any lawful permit, order or licence covering the same subject matters as CMOH Order 40-2021;

This exemption may be terminated or modified by the CMOH in writing without notice and for any reason as determined by the CMOH.

This exemption comes into effect on September 9, 2021.

We trust this is satisfactory.

Yours Sincerely,



Deena Hinshaw, BSc, MD, MPH, CCFP, FRCP
Chief Medical Officer of Health for Alberta