

**RESTATED ORDER #2 OF THE CHIEF MEDICAL OFFICER OF HEALTH UNDER  
SECTION 32 of the *HEALTH PROTECTION ACT* 2004, c. 4, s. 1.**

April 28, 2021

- TO:**
- 1.) All persons residing in or present in the Province of Nova Scotia;**
  - 2.) All not-for-profit and for-profit businesses and organizations operating or carrying on business in Nova Scotia;**
  - 3.) Such other persons or entities as may be identified by the Chief Medical Officer of Health or otherwise as set out in this Order.**

**ORDER made pursuant to Section 32 of the *Health Protection Act* (Nova Scotia)**

**AND WHEREAS** Section 32 of the *Health Protection Act* states:

**32 (1)** Where a medical officer is of the opinion, upon reasonable and probable grounds, that:

- (a) a communicable disease exists or may exist or that there is an immediate risk of an outbreak of a communicable disease;
- (b) the communicable disease presents a risk to the public health; and
- (c) the requirements specified in the order are necessary in order to decrease or eliminate the risk to the public health presented by the communicable disease.

the medical officer may by written order require a person to take or to refrain from taking any action that is specified in the order in respect of a communicable disease.

**WHEREAS** COVID-19 has been identified as a communicable disease that presents a risk to public health as defined under s.4(b) of the *Health Protection Act*, and;

**WHEREAS** I am the Chief Medical Officer of Health for the Province of Nova Scotia and am of the opinion, upon reasonable and probable grounds, that

- (a) a communicable disease (COVID-19) exists; and that there is an immediate risk of an outbreak of the communicable disease;
- (b) the communicable disease presents a risk to the public health; and
- (c) the requirements specified in the order are necessary to decrease or eliminate the risk to the public health presented by the communicable disease,

and;

**WHEREAS** as the Chief Medical Officer of Health, I have determined it necessary to issue this Order to the Class of Persons to decrease the risk to public health presented by COVID-19.

**Please be advised that:**

I, Dr. Robert Strang, Chief Medical Officer of Health, **order** the following:

**PART I  
ENTRY, ISOLATION AND QUARANTINE REQUIREMENTS**

1. In this Order,

(a) “self-isolate” means the requirement of any person who has COVID-19 to remain separate from others in such places and under such conditions to prevent or limit the direct or indirect transmission of COVID-19; and

(b) “self-quarantine” means the requirement of any person who has been exposed or may have been exposed to COVID-19 during its period of communicability to restrict that person’s activities in order to prevent disease transmission during the incubation period for this disease.

2. Effective 8:00a.m. April 28, 2021, all persons are prohibited from entering Nova Scotia, except as stated herein or set out elsewhere in this Order:

(a) permanent residents of Nova Scotia, Newfoundland and Labrador, or Prince Edward Island; or

(b) persons who have engaged in essential travel outside Nova Scotia, Newfoundland and Labrador, or Prince Edward Island.

2.1 Where any person travels into Nova Scotia in contravention of this Order, a peace officer is hereby authorized and directed to return that person to an interprovincial border and require the person to leave the Province immediately or at such a time as may be directed, and in doing so, may exercise authority under section 46 of the *Health Protection Act*.

2.2 For the purpose of section 2(b), persons engaged in essential travel means:

(a) a resident of Nova Scotia whose primary employment is in another province;

(b) a person required to participate in-person in a legal proceeding in another province;

(c) students travelling for post-secondary education, including students coming to study in Nova Scotia, or returning to their primary or family residence in Nova Scotia after studying outside Nova Scotia, and their parents who accompany them, or parents coming into Nova Scotia to take the student to their home province;

(d) a party to a child sharing arrangement that requires entry into or exit from Nova Scotia;

(e) a temporary foreign worker as set out in sections 7 to 7.1, a rotational worker as set out in sections 9 to 9.1, a specialized worker as set out in section 10, and a fish harvester as set out in section 11;

(f) a person moving to Nova Scotia and has a permanent address in Nova Scotia effective April 21, 2021, with documentation of:

(i) an executed Purchase and Sale Agreement to purchase a property located in Nova Scotia that is dated on or before April 21, 2021 and a closing date on or before May 20, 2021; or

(ii) an executed Lease Agreement to lease a property located in Nova Scotia for a minimum of 1 year and that is dated on or before April 21, 2021; or

(iii) an accepted Letter of Offer of Employment that is dated on or before date of travel;

(g) a person exempt from self-isolation following the exempt traveler protocol; or

(h) a person traveling between Nova Scotia and New Brunswick following the Nova Scotia-New Brunswick protocol;

(i) a person required to travel to Nova Scotia for essential health services, with accompanying support persons; or

(j) a person who has been granted an exception in accordance with section 32.

2.3 All persons entering Nova Scotia must complete the Nova Scotia Safe Check-in form and daily digital check-ins, located at:

<https://novascotia.ca/coronavirus/travel/#self-declaration>, except:

(a) persons following the Nova Scotia-New Brunswick protocol;

(b) professional truck drivers;

(c) persons who have received compassionate exceptions; and

(d) persons arriving in Nova Scotia from Newfoundland and Labrador or Prince Edward Island.

3.1 The requirements of section 3.2 apply to all persons residing in or present in the Province of Nova Scotia who:

(a) have travelled outside Nova Scotia, Newfoundland and Labrador, or Prince Edward Island or reside in the same household of a person who has travelled outside these provinces; or

(b) are identified as a close contact of a person who has or has been diagnosed with COVID-19; or

(c) are identified as a person diagnosed with COVID-19; or

(d) have been tested for COVID-19 due to the presence of symptoms or as directed by public health and are awaiting the results of their test.

3.2 Effective 8:00a.m. April 28, 2021, those persons listed in section 3.1 must:

(a) self-quarantine or self-isolate, for:

(i) the period commencing on the day of entry into Nova Scotia, and continuing thereafter for 14 consecutive days or as directed by a Medical Officer of Health, or

(ii) the first day of close contact, or first day of symptoms, testing, diagnosis, and continuing thereafter for 14 consecutive days or as directed by a Medical Officer of Health.

(b) During the 14-day period, conduct themselves in such a manner as not to in any way expose any other person to infection or potential infection from COVID-19, and follow all infection control instructions given to them on the Government of Nova Scotia's website, at: <https://novascotia.ca/coronavirus/>, or given to them by Telehealth 811 staff, public health staff or any other staff of a healthcare facility to which they may seek or receive treatment.

(c) After the 14-day period in section 3.2(a.) has lapsed, they may cease self-isolation or self-quarantine if they do not exhibit symptoms of COVID-19.

3.3 All persons are encouraged to complete the online assessment tool should they exhibit symptoms of COVID-19.

3.4 For greater certainty, persons required to self-isolate or self-quarantine in accordance with section 3.2 must remain in their residence or residence grounds and otherwise remove themselves from the presence of others in public while they may be infectious during the 14-day period, so that all precautions necessary to protect others

are in place. Specifically, such persons must not enter any buildings, public transportation, or other enclosed spaces (other than their residence) where other people are present.

### 3.5 Notwithstanding section 3.2(a):

(a) persons who receive a negative COVID-19 test result after being referred for testing by the online assessment tool due to the presence of COVID-like symptoms may cease self-quarantine on the date of receipt of the negative test result.

(b) persons who are required to self-isolate or self-quarantine may leave their residence:

(i) to undergo COVID-19 testing as directed by a Medical Officer of Health;  
or

(ii) for 1 outing per day for outdoor exercise within walking/running distance of their home or isolation site for a maximum of 1 hour.

4. Notwithstanding section 3.1(a), persons who reside in the same household as a person who has travelled into Nova Scotia or is returning to Nova Scotia from any geographic location except Newfoundland and Labrador, or Prince Edward Island (the traveller), whether for essential or non-essential travel, are not required to self-quarantine if the traveller, during their 14-day period of self-quarantine, meets all of the following criteria:

#### 4.1 For essential travel set out in subsections 2.2 (a) to (c) and (j), the traveller:

(a) stays at their place of residence;

(b) has their own separate room in the home (e.g. separate bedroom, basement or attic);

(c) sanitizes their hands before leaving the separate room;

(d) wears a non-medical mask when outside of their separate room;

(e) avoids being in the same space as other household members;

(f) has their own bathroom or if sharing a bathroom then cleans high touch surfaces (e.g. doorknob, tap, toilet handle, sink, etc.) after each use;

(g) has food and beverages prepared by others and accesses them in a non-contact manner;

(h) does not share dishes, drinking glasses, cups, eating utensils, towels, bedding or other items with others in the home;

(i) keeps their personal items (e.g. toothbrush, cups, cell phones, tablets, laptops, etc.) separate from those belonging to others; and

(j) does not share food, drinks or cigarettes or any other items that are put in the mouth.

4.2 For essential travel set out in subsection 2.2 (f) or non-essential travel, the traveller:

(a) meets the criteria listed in section 4.1, except subsection 4.1(f); and

(b) has their own bathroom during their period of self-quarantine.

4.3 For greater clarity, a person who travels to Nova Scotia from any geographic location except Newfoundland and Labrador, or Prince Edward Island for non-essential travel must self-quarantine in accordance with section 3.2.

5. Notwithstanding sections 2 and 3.1, persons who are well and showing no symptoms of COVID-19 may enter Nova Scotia for the purposes of facilitating child sharing between parents under an order or agreement providing for joint custody, and in such instances, both the persons facilitating custody and children showing no symptoms of COVID-19 are exempt from the requirement to self-quarantine.

5.1 Further to section 5, parents and children entering or leaving Nova Scotia for the purposes of facilitating child sharing arrangements must adhere to the self-quarantine requirements established by the Chief Medical Officer of Health, located at: <https://novascotia.ca/coronavirus/docs/COVID-19-Protocol-for-child-custody.pdf>.

6. Notwithstanding sections 2 and 3.1, individuals who are well and showing no symptoms of COVID-19 and are engaged in a legal proceeding in Nova Scotia, whether the accused, victim, witness, party or lawyer in such proceeding, may enter Nova Scotia for participation in the legal proceeding and are exempt from self-quarantine if the person adheres to the COVID-19 Protocol for Exempt Travelers established by the Chief Medical Officer of Health, located at: <https://novascotia.ca/coronavirus/docs/COVID-19-Protocol-for-exempt-travellers-en.pdf>.

7. An employer or contractor of any Temporary Foreign Worker entitled to enter Nova Scotia pursuant to the Federal Order in Council 2021-0076, 2021-0078, as amended, must first, before the Temporary Foreign Worker enters Nova Scotia, satisfy me, as Chief Medical Officer of Health, that the employer or contractor has made adequate provision for compliance with:

(a) the federal quarantine rules applicable to the Temporary Foreign Worker; and

(b) the self-quarantine requirements set out in section 3.2 of this Order.

7.1 In addition, the employer or contractor and the Temporary Foreign Worker must, for the duration of the entire work period in Nova Scotia:

(a) adhere to all applicable terms and conditions of this Order; and

(b) adhere to the COVID-19 Protocol for Temporary Foreign Workers Employed in Agriculture and Seafood Sectors established by the Chief Medical Officer of Health, located at:

<https://novascotia.ca/coronavirus/docs/COVID-19-Protocol-fortemporary-foreign-workers-agriculture-and-seafood-sectors-en.pdf>.

(c) comply with any direction issued by me, as Chief Medical Officer of Health, or a Medical Officer of Health with respect to the Temporary Foreign Worker and their employment in Nova Scotia.

8. Notwithstanding sections 2 and 3.1, persons who are required to travel to Nova Scotia or outside Nova Scotia for essential health services, with accompanying support persons as permitted by health authority policy, are exempt from the requirement to self-quarantine but must adhere to the COVID-19 Protocol for Exempt Travelers established by the Chief Medical Officer of Health, located at:

<https://novascotia.ca/coronavirus/docs/COVID-19-Protocol-for-exempt-travellers-en.pdf>.

9. For the purpose of section 9.1, “rotational worker” means a person who lives in Nova Scotia and travels to work in another province or territory in Canada on a regular schedule or travels outside Canada on a regular schedule and is exempt from self-quarantine under the federal *Quarantine Act*.

9.1 Notwithstanding sections 2 and 3.1, rotational workers must adhere to the self-quarantine and COVID-19 testing requirements established by the Chief Medical Officer of Health, located at: <https://novascotia.ca/coronavirus/docs/COVID-19-Directive-on-Exceptions-for-Rotational-Workers.pdf>.

10. Notwithstanding sections 2 and 3.1, specialized workers required to enter Nova Scotia from any geographic location except Newfoundland and Labrador, or Prince Edward Island to perform urgent critical infrastructure work that cannot be done by individuals from within any of these provinces must adhere to self-quarantine and COVID-19 testing requirements established by the Chief Medical Officer of Health, located at: <https://novascotia.ca/coronavirus/docs/COVID-19-Directive-on-Exceptions-for-Specialized-Workers.pdf>.

11. Notwithstanding sections 2 and 3.1, fish harvesters required to enter Nova Scotia from any geographic location except Newfoundland and Labrador, or Prince Edward Island to perform the commercial or licensed activity of catching fish and other seafood for market or other approved activities, excluding recreational fishing, must adhere to self-quarantine requirements established by the Chief Medical Officer of Health, located at: <https://novascotia.ca/coronavirus/docs/COVID-19-Protocol-for-fish-harvesters-en.pdf>.

12.1 Notwithstanding section 3.1, workers who are essential to the movement of people and goods, and who must enter Nova Scotia as part of their duty requirements, are exempt from the requirement to self-quarantine, particularly:

(a) healthy workers in the trade and transportation sector who are employed in the movement of goods and people across the Nova Scotia border by land, air, or water, including truck drivers, crew, maintenance and operational workers on any plane, train or ship;

(b) Canadian Military and Defence Team personnel, Coast Guard, RCMP, Canadian Border Services Agency, and Canadian Security Intelligence Service; and

(c) first responders, including police, fire and EHS paramedic workers,

but must adhere to the COVID-19 Protocol for Exempt Travelers established by the Chief Medical Officer of Health, located at:

<https://novascotia.ca/coronavirus/docs/COVID-19-Protocol-for-exempt-travellers-en.pdf>.

12.2 For greater clarity, airline crew employed in the movement of people and goods and who are required to travel to Nova Scotia or from Nova Scotia to carry out their work duties are exempt from the self-quarantine requirements set out in section 3.2.

12.3 Notwithstanding section 3.1, persons who must travel between Nova Scotia and New Brunswick to drop off or pick up people or things are exempt from the requirement to self-quarantine if that person follows the travel protocol at:

<https://novascotia.ca/coronavirus/docs/COVID-19-Protocol-for-Nova-Scotia-New-Brunswick.pdf>.

12.4 Notwithstanding section 3.1, persons who reside in Nova Scotia or New Brunswick and are required to cross the Nova Scotia land border on a regular ongoing basis to work, attend a school or post-secondary institution located in Nova Scotia or New Brunswick are exempt from the requirement to self-quarantine if that person follows the travel protocol at: <https://novascotia.ca/coronavirus/docs/COVID-19-Protocol-for-Nova-Scotia-New-Brunswick.pdf>.

12.5 Persons exempt under sections 12.1 to 12.4 must practice physical distancing of 2 metres (6 feet) to the best of their ability, follow all public health recommendations, closely self-monitor and must self-isolate or self-quarantine should they exhibit any COVID-19 symptoms as set out in the online assessment tool.

## **PART II PHYSICAL DISTANCING, GATHERING LIMITS, MASKS AND FACE COVERINGS**

13A Effective 8:00a.m. April 28, 2021, except where otherwise stated in this Order the requirements for physical distancing, gathering limits, masks and face coverings apply to all persons present and residing in Nova Scotia.

13. All persons present and residing in Nova Scotia must maintain physical distancing of

2 metres (6 feet).

13.1 All persons present and residing in Nova Scotia must not participate in any gatherings, whether indoors or outdoors, unless subject to a specific exception set out in this Order.

13.2 Notwithstanding sections 13 and section 13.1:

(a) persons living in the same household may gather together, whether indoors or outdoors, up to the maximum of the number of immediate family members residing same the household, and are not required to practice physical distancing; and

(b) where the number of persons living in the same household is 2 persons or less, they may gather together with up to a maximum of 2 additional persons, who shall be 2 consistent persons, and they are not required to practice physical distancing.

14. Notwithstanding section 13.1, persons may engage in outdoor physical activity while adhering to the gathering limitations set out in section 13.2 or the gathering limitations while participating in an outdoor fitness class and other recreational or leisure activities as set out in section 28.2, and in doing so, must adhere to physical distancing requirements of 2 metres (6 feet) as set out in section 13.

15. Persons may engage in, and business and organizations may host the following events and activities in-person, whether indoors or outdoors:

(a) weddings; or

(b) funerals,

while adhering to the following:

(a) a maximum of 5 persons, plus the officiant; and

(b) all persons in attendance must practice physical distancing, except persons residing in the same household as set out in section 13.2(a) or additional persons as set out in section 13.2(b).

15.1 Persons may not engage in, and persons, business and organizations may not host the following events and activities in-person:

(a) social events;

(b) arts and culture events;

- (c) sports, recreation and physical activity events;
- (d) special events;
- (e) festivals;
- (f) faith gatherings;
- (g) wedding receptions; or
- (h) funeral visitation or receptions,

but may host these events virtually while adhering to a maximum of 5 persons in one location to support the delivery of the event and complying with the physical distancing requirements set out in section 13.

15.2 Any person, business or organization that hosts an event authorized by sections 15 or 15.1 is responsible for maintaining oversight of the gathering and for ensuring that all persons in attendance comply with the requirements of this Order.

15.3 No person may engage in and no person, business or organization may host:

- (a) organized sport practice, training, games, competitions, or tournaments (recreational, amateur, and professional), or
- (b) organized arts and culture rehearsals or in-person performances.

15.4 No person, business or organization may host a formal in-person meeting or training.

15.4.1 Notwithstanding section 15.4, a business or organization may host a mental health and addictions support group meeting while adhering to the following:

- (a) a maximum of 10 persons in attendance; and
- (b) all persons in attendance must adhere to masking and physical distancing requirements of 2 metres (6 feet) set out in this Order.

15.4.2 Notwithstanding section 15.4, a business or organization may carry out meetings and training that are required for safety and essential operation.

16. For greater clarity, physical distancing and the person limit rule set out in sections 13 and 13.1 do not apply to the following organizations, activities, persons, or places:

- (a) hospitals as defined in the *Hospitals Act* and a health authority as defined in the *Health Authorities Act*,

(b) profit, not-for-profit or government operated Department of Community Services funded organizations or representatives that are covered under the *Homes for Special Care Act* and the *Children and Family Services Act* including places of safety for children and youth, and customized placements for persons with disabilities;

(c) profit or not-for-profit Department of Health and Wellness funded long-term care facilities licensed under the *Homes for Special Care Act* or home care agencies funded under the *Homemaker Services Act*;

(d) persons providing care under the self-managed care program, supportive care program, caregiver benefit program funded by the province of Nova Scotia;

(e) persons providing support under the Independent Living Support, Supported Apartment and Supervised Apartment Programs funded by the Department of Community Services;

(f) homeless shelters receiving operational grants from the Department of Municipal Affairs and Housing, and those operated by religious and other voluntary organizations;

(g) unlicensed child-care facilities;

(h) a place designated or established under the authority of the *Correctional Services Act* or the *Youth Criminal Justice Act (Canada)* for the supervision or custody of offenders and includes community-based correctional services;

(i) any administrative tribunal, arbitration proceeding or court operating essential services in the Province under the authority of any provincial or federal enactment, including but not limited to, a justice centre or courthouse under the authority of the *Judicature Act* or a provincial court under the authority of the *Provincial Court Act* or the *Family Court Act*;

(ia) notwithstanding clause (i), the Labour Board must still comply with section 13 when conducting a vote under the *Trade Union Act*.

(j) Emergency Medical Care Incorporated;

(k) persons providing, servicing or repairing medical equipment, such as wheelchairs, red cross beds/equipment, home oxygen equipment;

(l) private not-for-profit community transportation providers;

(m) food production plants; and

(n) fishing vessels.

16.1 Physical distancing requirements and the person limit set out in sections 13 and 13.1 do not apply to the following municipal entities and their contractors when carrying out their work duties:

- (a) Police and Fire Services;
- (b) Municipal Utilities such as water, wastewater and stormwater;
- (c) Maintenance of utilities and municipal facilities;
- (d) Transportation;
- (e) Road maintenance/repair;
- (f) Municipal ICT systems and services;
- (g) Public Transit;
- (h) Solid Waste, garbage and litter collection and disposal;
- (i) Urban Forestry; and
- (j) Municipal logistic, distribution, storage, inventory and repair services.

16.2 Physical distancing requirements and the person limit rule set out in sections 13 and 13.1 do not apply to the following provincial entities and their contractors when carrying out their work duties:

- (a) Transportation and Active Transit;
- (b) Infrastructure and Housing;
- (c) Road maintenance/repair;
- (d) Government building construction and/or repair; and
- (e) Enforcement or compliance officers authorized by their statutory appointments or delegated authority to inspect, investigate and/or enforce provincial legislation while carrying out their powers pursuant to the relevant statutory authority.

17. Gatherings for sleep over camps held by a recognized business or organization are cancelled for 2021 unless otherwise amended.

18. For the purpose of sections 18.2 -18.6, a “mask” means a commercial medical or non-medical mask or a home-made mask made as per the PHAC instructions located at: <https://www.canada.ca/en/public-health/services/diseases/2019-novel-coronavirus-infection/prevention-risks/sew-no-sew-instructions-non-medical-masks-face-coverings.html>, that covers the nose and mouth.

18.1 For the purpose of section 18.2, a “public place” means the part of the following places accessible to the public,

insofar as it is enclosed:

- (a) a retail business, a shopping centre, or a building or room of a business where personal care services are provided;
- (b) a restaurant or a liquor licensed establishment, including the kitchen and preparatory space of a restaurant or a liquor licensed establishment;
- (c) a place of worship or faith gathering;
- (d) a place where activities or services of a cultural or entertainment nature are offered;
- (e) a place where sports are played, fitness, recreational or leisure activities are carried on;
- (f) a rental hall or other place used to hold events, including conventions and conferences, or to hold receptions;
- (g) a place where municipal or provincial government services are available to the public;
- (h) a common area, including an elevator, of a tourist accommodation establishment;
- (i) a lobby, reception area or elevator in an office building;
- (j) a common area or public space on a university or college campus;
- (k) a train or bus station, a ferry terminal, or an airport;
- (m) common areas of a multi-residential building;
- (n) all common areas of private indoor workplaces;
- (o) private indoor workplaces where there are:

- (i) interactions with the public;
- (ii) areas with poor ventilation; or
- (iii) areas where physical distance as set out in section 13 cannot be maintained,

and insofar as it is outdoors:

- (p) all serviced areas of a restaurant or a liquor licensed establishment, including their patios; and
- (q) organized outdoors gatherings such as special or temporary events where 2 metres (6 feet) physical distancing cannot be consistently maintained.
- (r) outdoors where physical distancing cannot be maintained such as playgrounds and parks.

18.2 All persons must wear a mask that covers their nose and mouth while present in a public place.

18.3 Notwithstanding section 18.3, a person is exempt from the requirement to wear a mask in a public place if the person:

- (a) is less than 2 years of age or age 2 to 4 years and their caregiver cannot persuade them to wear a mask;
- (b) for whom the wearing of a mask is not possible because of the person's medical condition;
- (c) is reasonably accommodated by not wearing a mask in accordance with the *Nova Scotia Human Rights Act*;
- (d) is in the public place receiving care or being provided a service or while participating in a physical or other activity requiring the mask be removed, in which case the person may remove the mask for the duration of the care, service or activity;
- (e) removes the mask momentarily for identification or ceremonial purposes;
- (f) is in a courtroom, jury room or secured area in a courthouse, or room where a proceeding or meeting of an administrative tribunal established by legislation is being held; or

(g) is a performer at a virtual event or officiant in the course of performing activities requiring vocalization such as talking or singing at an event or activity as described in sections 15 or 15.1.

18.4 All persons must wear a mask that covers their nose and mouth as defined in section 18 while travelling on vehicles providing transportation to the public, including:

(a) any municipally operated public transit, including municipally operated buses and ferries;

(b) any public passenger vehicle licensed under the *Motor Carrier Act*, including community transit vehicles, commercial vehicles (shuttle vans), and vehicles providing charters and/or tours;

(c) any school buses licensed under the *Motor Carrier Act* and any vehicles of any capacity operated by private schools recognized by the Minister of Education and Early Childhood Development;

(d) commuter vehicles and courtesy vehicles as defined under the *Motor Carrier Act*, vans, mini-buses, or buses of any passenger capacity providing services to the public;

(e) any vehicles serving residents and staff of facilities listed in section 20.1; and

(f) taxicabs regulated by municipalities under the authority of the *Motor Vehicle Act*.

18.5 Notwithstanding section 18.4, the following persons are exempt from the requirement to wear a mask while travelling on vehicles providing transportation to the public:

(a) a person is less than 2 years of age or age 2 to 4 years and their caregiver cannot persuade them to wear a mask;

(b) a person for whom the wearing of a mask is not possible because of the person's medical condition; and

(c) a person who is reasonably accommodated by not wearing a mask in accordance with the *Nova Scotia Human Rights Act*.

18.6 A person may remove the mask momentarily for identification purposes when boarding any public transit set out in section 18.4.

18.7 For greater certainty, the requirement to wear a mask, as set in section 18 and 18.4, is the minimum standard that persons and businesses must adhere to, and where

the business's plan approved in accordance with section 26.1 of this Order imposes a greater standard, then that standard applies.

19. Effective 8:00a.m. April 28, 2021:

(a) all public schools under the jurisdiction of a regional centre for education or the Conseil Scolaire Provincial are closed to students and pre-primary children and may remain open for staff to carry out work duties at the direction of the employer; and

(b) private schools are closed to students and may remain open for staff to carry out work duties at the direction of the employer.

19.1 For greater certainty, section 19(b) does not include post-secondary institutions, private career colleges or registered language schools.

20. Childcare facilities and family childcare homes regulated under the *Early Learning and Child Care Act*

(a) may remain open; and

(b) directors, caregivers, staff, visitors and children over two years old must wear a mask as defined in section 18, unless subject to one of the exemptions as set out in section 18.3.

### **PART III LONG TERM CARE FACILITIES AND OTHER VULNERABLE POPULATIONS**

20. Effective 8:00a.m. April 28, 2021, except where otherwise stated in this Order, the restrictions on long term care facilities and other vulnerable populations apply to all persons present and residing in Nova Scotia.

20.1 Notwithstanding section 16(b) and (c) and subject to section 20.2, all for-profit or not-for-profit Department of Health and Wellness funded long-term care facilities licensed under the *Homes for Special Care Act* and all Adult Residential Centers and Regional Rehabilitation Centers funded and licensed by the Department of Community Services under the *Homes for Special Care Act* must comply with Schedule "A", "COVID-19 Management Long term Care Facilities Directive Under the Authority of the Chief Medical Officer of Health", dated December 21, 2020, as amended from time to time and located at:

<https://novascotia.ca/dhw/ccs/documents/COVID-19-Management-in-Long-Term-Care-Facilities-Directive.pdf>;

20.2 All long term care facilities licenced by the Department of Health and Wellness and all Adult Residential Centers and Regional Rehabilitation Centers licensed by the Department of Community Services under the *Homes for Special Care Act*, and all residents of such facilities must comply with the process for isolating COVID-19 positive long term care residents set out in Schedule “A”, “COVID-19 Management Long Term Care Facilities Directive Under the Authority of the Chief Medical Officer of Health”, dated December 21, 2020, as amended from time to time and located at: <https://novascotia.ca/dhw/ccs/documents/COVID-19-Management-in-Long-Term-Care-Facilities-Directive.pdf>.

20.3 All long term care facilities licensed by the Department of Health and Wellness and all Adult Residential Centers and Regional Rehabilitation Centers licensed by the Department of Community Services under the *Homes for Special Care Act* are closed to visitors and volunteers, except 2 designated caregivers, in accordance with the terms and conditions set out in Schedule “A”, “COVID-19 Management Long term Care Facilities Directive Under the Authority of the Chief Medical Officer of Health”, dated December 21, 2020, as amended from time to time and located at: <https://novascotia.ca/dhw/ccs/documents/COVID-19-Management-in-Long-Term-Care-Facilities-Directive.pdf>.

20.4 All homes licensed by the Minister of Community Services for persons with disabilities under the *Homes for Special Care Act* not referred to in section 20.3 are closed to visitors.

20.5 Subject to 20.6, all residents in homes licensed by the Minister of Health and Wellness and all residents in homes licensed by the Minister of Community Services under the *Homes for Special Care Act* are not permitted to have community access.

20.6 Notwithstanding section 20.5, all residents in homes licensed by the Minister of Health and Wellness and the Minister of Community Services under the *Homes for Special Care Act* may participate in drives by a designated caregiver or staff, but such outings must not include:

- (a) other passengers in the case of drives by a designated caregiver; or
- (b) stops or drive throughs.

20.7 All residents of all Adult Residential Centres and Regional Rehabilitation Centers licensed by the Department of Community Services under the *Homes for Special Care Act* are not permitted to have community access.

20.8 For the purpose of section 20.9, “Adult Day Program” means a planned program of activities in a professional care setting designed for older adults who require supervised care during the day, or those who are isolated and lonely. Adult day care centers enable seniors to socialize and enjoy planned activities in a group setting, while still receiving needed health services. At the same time, they offer family caregivers respite from caregiving duties while knowing that their loved one is in a safe place.

20.9 All senior's Adult Day Programs are closed, except for provision of respite care.

20.10 All Day Programs for persons with disabilities funded by the Department of Community Services are closed, except for scheduled vaccine clinics at these locations.

20.11 For greater clarity, nothing in this Order prevents the:

(a) discharge of a COVID-19 patient from a hospital to a long-term care or residential care facility;

(b) transfer of a COVID-19 patient from community to a long-term care or residential care facility; or

(c) return of a COVID-19 patient who has left a long-term care or residential care facility for healthcare services back to that facility after receiving treatment at a hospital.

#### **PART IV BUSINESSES, ORGANIZATIONS AND PROFESSIONS**

21A Effective 8:00a.m. April 27, 2021, except where otherwise stated in this Order, the restrictions on businesses, organizations and professions apply to all established businesses, organizations and professions carrying on business and operating in Nova Scotia.

21.1 The *Occupational Health and Safety Act*, 1996, c.7, s.1, is hereby incorporated by reference and must be followed by all employers, contractors, constructors, suppliers, owners and employees and each shall take every precaution that is reasonable in the circumstances to ensure the health and safety of all persons at or near a workplace.

22. All not-for-profit and for-profit businesses and organizations operating or carrying on business in Nova Scotia may not carry out Point of Care Screening Tests (PCTs) unless the business or organization:

(a) has obtained prior approval from the Office of the Chief Medical Officer of Health; and

(b) complies with any direction issued by me, as Chief Medical Officer of Health.

23. Subject only to specific closures or limitations directed elsewhere in this Order, all not-for-profit and for-profit businesses and organizations operating or carrying on business in Nova Scotia may continue to operate but must implement physical distancing of 2 metres (6 feet) within all workplaces and meeting spaces, except where otherwise provided in this Order.

23.1 Any not-for-profit or for-profit business or organization carrying on business in Nova Scotia that cannot maintain the physical distancing requirements set out in section 13 of this Order must limit the number of customers or clients on its premises to no more than 5 persons at a time.

24. Restaurants and liquor licensed establishments are:

(a) restricted to providing food and alcohol take-out and delivery service only;  
and

(b) prohibited from offering in-person dining, except to serve guests of the hotel within which a restaurant or licensed establishment is located.

24.1 Restaurants offering in-person dining service under section 24(b) must:

(a) collect and maintain records of each patron contact information that includes the following minimum data:

(i) name(s);

(ii) contact telephone number;

(iii) date; and

(iv) time,

that the patron was at the restaurant or liquor licensed establishment;

(b) retain information collected under section 24.1 for a period of 30 calendar days and destroy it on the following day immediately thereafter;

(c) provide the information collected under section 24.1 to the Chief Medical Officer of Health or his delegate in electronic form; and

(d) only use the information collected under section 24.1 for the purpose of provision to the Chief Medical Officer of Health in compliance with this Order and may not use it for any other purpose.

24.2 Liquor licensed establishments and non-liquor licensed establishments, including community centres, charities or organized clubs, are prohibited from hosting patrons for activities such as darts, pool, bingo or bowling.

24.3 Distilleries, breweries and wineries are prohibited from offering in-person tastings, samplings or in-person dining but may continue to sell their product from their storefront, for delivery or curbside pickup.

25. Regulated and unregulated health professions practicing may continue to practice and provide services within their scope of practice if they have a Workplace COVID-19 Prevention Plan that has been approved by the Chief Medical Officer of Health.

26. All not for-profit, for-profit businesses, organizations and professions named in Part IV of this Order shall, as a requirement of their ongoing operations, develop and comply with a Workplace COVID-19 Prevention Plan, as amended from time to time.

26.1 In addition to the physical distancing requirements and person limit rule set out in sections 13 and 23.1, the Workplace COVID-19 Prevention Plan required by section 26 shall address the following:

- (a) how to work and interact with customers or clients;
- (b) physical distancing in the workplace;
- (c) cleaning;
- (d) equipment;
- (e) preparing employees to return to work;
- (f) preparing for customers or clients; and
- (g) monitoring and communicating of plan,

and may be substantially similar to those proposals listed in Schedule “B”, located at: <https://novascotia.ca/coronavirus/docs/Schedule-B-HPA-Order.pdf> for similar businesses or health professionals and must be made available for review by the Chief Medical Officer of Health.

26.2 All businesses or regulated health professionals that are a member of an association listed in Schedule “B” must adopt as their Workplace COVID-19 Prevention Plan the proposal submitted by their association and must be made available for review by the Chief Medical Officer of Health.

26.3 For greater certainty, in the case of conflict between a Workplace COVID-19 Prevention Plan and this Order, the more stringent provision applies.

27. Casino Nova Scotia (Halifax and Sydney locations) and Video Lottery Terminals are closed.

28. Subject to 28.2, all not-for-profit and for-profit fitness facilities such as gyms and yoga studios, sport and recreational facilities such as pools, arenas, tennis courts, and large multipurpose recreation facilities:

- (a) are closed to patrons,

but may open

- (b) to offer virtual classes; and
- (c) to perform administrative and operational functions.

28.1 Businesses and organizations that offer indoor recreation and leisure activities such as indoor play areas, arcades, climbing facilities, dance classes and music lessons are closed.

28.2 All not-for-profit and for-profit fitness facilities, recreation and leisure businesses, and organized clubs may offer outdoor fitness classes and other recreational activities up to a maximum capacity of 5 persons, while ensuring 2 metres (6 feet) physical distance between participants.

29. All personal service establishments such as hair salons, barber shops, spas, nail salons and body art establishments are closed for provision of personal services but may sell retail products in accordance with section 31.3.

30. The Art Gallery of Nova Scotia and all museums and public libraries are closed, but libraries may offer curb-side pickup and drop-off of books and other materials.

31. For the purpose of sections 31.1 and 31.2, “retail business” means a business operating on an ongoing basis at a fixed location primarily selling goods or products for use or consumption by individual purchasers.

31.1 Retail business primarily or substantially providing consumer products essential to the life, health or personal safety of individuals and animals, including:

- (a) food;
- (b) pharmaceutical products, medicine and medical devices;
- (c) personal hygiene products;
- (d) cleaning products;
- (e) baby and childcare products;
- (f) gas stations;
- (g) computer and cell phone service and repair;
- (h) electronic and office supplies;
- (i) hardware supplies;
- (j) pet and animal supplies;
- (k) gardening supplies; and
- (l) workplace safety supplies,

may remain open but must, at all times, limit the number of customers in the store to a maximum of 25% of store capacity.

31.2 NSLC and their Agency Stores may remain open but must, at all times, limit the Number of customers in the NSLC retail stores and their Agency Stores to a maximum of 25% of store capacity.

31.3 All other retail businesses must restrict customer service to online, delivery, or door side or curbside pick-up and should restrict in store presence only to staff and no customers shall be permitted in such retail stores.

31.4 For greater clarity:

(a) shopping malls may remain open to facilitate the shopping as outlined in sections 31.1 to 31.3; and

(b) customers may

(i) may enter the mall to complete their shopping transaction while using contactless payment, whether for in-person shopping under section 31.1 and 31.2, or for curb-side pickup;

(ii) must go directly to the retail business to complete their shopping transaction;

(iii) may line up outside the entrance of the retail business while maintaining a physical distance of at least 2 metres (6 feet) from other persons inside the shopping mall; and

(iv) must wear a mask as defined in section 18 while in the shopping mall to complete their purchase, unless they are entitled to any of the exceptions set out in section 18.3,

(c) no line up outside any one retail business located inside the shopping mall shall exceed 5 persons;

(d) the person responsible for the shopping mall must ensure that:

(i) music is not played at the place of business at a decibel level that exceeds the level at which normal conversation is possible, and in any event no greater than 50 db;

(ii) customers are not permitted to loiter in any area of the shopping mall; and

(iii) directional markings are provided to manage the flow of persons within the mall,

(e) the non-retail public areas in the mall shall be closed, other than for traffic flow/store access and washroom access; and

(f) notwithstanding clause 31.4(e), food courts are closed to the public but:

(i) food court vendors may provide services to persons who work in the mall;

(ii) tables in food courts may only be used by persons who work in the mall;

(iii) a minimum of 2 metres (6 feet) is maintained between patrons seated at food court tables and between other patrons in the food court;

(iv) patrons must wear a mask as defined in section 18 except when consuming food or beverages; and

(iv) each food court vendor may offer takeout food service.

31.5 For greater certainty, shopping malls are closed to the public for in-person shopping as set out in section 31.4 and persons are prohibited from going to a mall except to complete a purchase transaction as set out in section 31.4 or to enter their workplace located in the mall.

## **PART V EXCEPTIONS**

32. Under exceptional circumstances and under the authority granted to me as the Chief Medical Officer of Health under Part I of the *Health Protection Act*, I may exercise discretion to grant an exception to any term and condition of this Order.

## **PART VI PENALTIES**

33. Any direction provided by a medical officer of health to a person, business, organization or other entity pertaining to COVID-19 and the terms and conditions of this Order must be followed.

34. Failure to comply with this health protection order may be considered a breach of this Order issued under the *Health Protection Act* and may result in penalties under the *Act*.

This Order remains in effect until notice is provided by myself, as Chief Medical Officer of Health, under the authority granted under Part I of the *Health Protection Act* and will be updated from time to time.

Signed:

Dr. Robert Strang  
Chief Medical Officer of Health  
Nova Scotia Department of Health and Wellness

cc The Honourable Iain Rankin, Premier of Nova Scotia  
The Honourable Zach Churchill, Minister of Health and Wellness  
Laura Lee Langley, Deputy to the Premier and Clerk of Executive Council  
Dr. Kevin Orrell, Deputy Minister of Health and Wellness  
Dr. Shelley Deeks, Acting Deputy Chief Medical Officer of Health  
Tina M. Hall, Legal Counsel, Nova Scotia Dept. of Justice