

Comparative grid of provincial health emergency powers in Canada

Last updated 19 June 2020

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Our work is one of the critical research programs being supported by the McGill Interdisciplinary Initiative in Infection and Immunity (MI4) with seed funding from the MUHC Foundation.

Legend

Highlight means legislation and power used during COVID-19

PROVINCE	LEGISLATION	EMERGENCY POWERS	CONDITIONS FOR EXERCISE	EXERCISED BY WHOM?	LEVEL OF DISCRETION	ACCOUNTABILITY
ALBERTA	<p>Public Health Act, RSA 2000, c P-37</p> <p>[Includes amendments passed in Bill 10, <i>Public Health (Emergency Powers) Amendment Act, 2020</i>,</p>	<p>Minister or regional health authority may:</p> <p>(a) acquire or use property;</p> <p>(b) “authorize or require any qualified person to render aid”;</p> <p>(c) conscript persons to respond to emergency;</p> <p>(d) authorize entry to any premises by any</p>	<p>“public health emergency’ means an occurrence or threat of</p> <p>(i) an illness,</p> <p>(ii) a health condition,</p> <p>(iii) an epidemic or pandemic disease,</p>	<p>Minister of Health or regional health authority have specific powers (s. 52.6).</p> <p>Medical officers of health may</p>	<p>Legislative Assembly must pass a resolution to extend the public health emergency every 30 days (s. 52.8).</p> <p>Person declaring public health emergency has discretion in determining the</p>	<p>Declaration must specify nature and location of public health emergency (s. 52.3).</p> <p>Declaration of public health emergency must be published and made available (s. 52.4).</p>

	<p>which also expanded police powers]</p>	<p>person without a warrant; (e) distribute essential supplies, maintain and co-ordinate health services (s. 52.6(1)).</p> <p>Minister responsible (or Minister of Health if Minister responsible is unavailable) may suspend, modify, or add provisions to an enactment if the person is satisfied that doing so is in the public interest (s. 52.1(2)).</p> <p>Medical officers of health “may take whatever other steps are, in the medical officer of health’s opinion, necessary in order to lessen the impact of the public health emergency”, in addition to standard isolation and</p>	<p>(iv) a novel or highly infectious agent or biological toxin, or (v) the presence of a chemical agent or radioactive material that poses a significant risk to the public health;”</p> <p>Lieutenant Governor in Council, on advice of Chief Medical Officer, may declare a state of emergency if satisfied that (a) one exists or may exist, and (b) “prompt co-ordination of action or special regulation of persons or</p>	<p>do anything and have isolation and quarantine powers (s. 29).</p> <p>Lieutenant -Governor has specific powers (s. 38).</p> <p>Lieutenant Governor in Council may make regulations (s. 52.9).</p>	<p>appropriate way to make the declaration available (s. 52.4).</p> <p>Medical officers of health may do anything necessary = significant discretion (s. 29(2.1)).</p> <p>Regional health authority, Lieutenant-Governor powers are exhaustive lists = less discretion (ss. 52.6, 52.1, 38).</p> <p>Minister of Health’s emergency powers are an exhaustive list = less discretion (s. 52.6(1)), but Ministers have</p>	<p>Termination of public health emergency must be published in a way reasonably considered to make details known to majority of the population (s. 52.82).</p> <p>Minister or regional health authority must pay financial compensation for acquiring, using, damaging, or destroying property. Disputes over compensation are subject to the <i>Arbitration Act</i> (s. 57.2).</p> <p>No civil liability for actions carried out in good faith relating to the exercise of a duty or emergency</p>
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		<p>quarantine powers for communicable diseases (s. 29(2.1)).</p> <p>Lieutenant-Governor may (a) order the closure of any public place; (b) postpone elections for a maximum of 3 months; (c) order immunization or re-immunization (s. 38).</p> <p>Lieutenant Governor in Council may make regulations (s. 52.9).</p> <p>[ALL ORDERS SPECIFY EMERGENCY POWER(S) BEING USED]</p>	<p>property is required" (s. 52.1(1)).</p> <p>Regional health authority may declare a local state of emergency, on advice of medical officer of health and in consultation with CMO, if satisfied of (a) and (b) above (s. 52.2(1)).</p>		<p>significant discretion in modifying legislation during an emergency (s. 52.1(2)).</p> <p>Emergency powers do not abrogate from other duties and powers found in the Act (s. 52.6(2)).</p> <p>Orders made pursuant to ss. 52.1(2) or 52.21(2) lapse 60 days after state of emergency is terminated unless Lieutenant-Governor decides to extend for a maximum of 180 days after emergency is terminated (s. 52.811).</p>	<p>power under the Act (s. 66.1).</p>
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ALBERTA	<i>Emergency Management Act, RSA 2000, c E-6.8</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>
PROVINCE	LEGISLATION	EMERGENCY POWERS	CONDITIONS FOR EXERCISE	EXERCISED BY WHOM?	LEVEL OF DISCRETION	ACCOUNTABILITY
BRITISH COLUMBIA	<i>Public Health Act, SBC 2008, c 28</i>	For health officers: (a) delay requirements do not apply; (b) notice requirements do not apply; (c) in writing requirements do not apply; (d) due process requirements for licenses and permits do not apply; (e) s. 63 order requirements do not apply; (f) content of order requirements do not apply; (g) service formalities do not apply;	Emergency = immediate and significant risk to public health in a localized area or throughout a region or the province (s. 51). If localized event, person must not exercise emergency powers unless he or she reasonably believes that “the action is immediately necessary to protect public health from	Varies, but includes PHO, health officers, and Minister of Health.	End of authority to act is highly discretionary (s. 59). No mandated expiry date on ability to exercise emergency powers. Emergency powers are exhaustive, which would normally indicate less discretion, but the majority of powers themselves essentially give health officers more discretion in the way they	No specific requirements for notifying the public about state of public health emergency. After authority to act ends, person who exercised emergency powers must take reasonable action to: (a) do whatever is normally required under the Act; (b) provide written reasons for exercising power during localized event to persons affected;

		<p>(h) reconsideration, review, and reassessment requirements do not apply;</p> <p>(i) examiner may be exempted from providing examination results to examined persons;</p> <p>(j) no warrant required for inspection;</p> <p>(k) restrictions and requirements regarding the collection, use, and disclosure of information do not apply (s. 54(1)).</p> <p>Provincial health officer (PHO) may authorize health officers to exercise powers or perform duties outside their normal designation (s. 55). PHO may perform duties of health officers (s. 67(2)).</p>	<p>significant harm” and compliance with other parts of the Act or regulations would hinder effective action (s. 52(1)).</p> <p>If regional event, person must not exercise emergency powers unless provincial health officer reasonably believes “that at least 2 of the following criteria exist:</p> <p>(a) the regional event could have a serious impact on public health;</p> <p>(b) the regional event is unusual or unexpected;</p> <p>(c) there is a significant risk of the spread of an</p>		<p>perform their duties under the Act.</p> <p>Provisions in Part about emergency powers supersedes any conflicting provisions in this or other Acts (s. 53).</p>	<p>(c) rescind emergency orders, give notice to affected persons, and (i) reissue order through normal procedures under the Act if necessary, and (ii) provide normal rights to reconsideration, review, or reassessment;</p> <p>(d) repeal emergency regulations (s. 60(1)).</p> <p>No requirements for reporting to elected government.</p>
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		<p>Provincial health officer and health officers may order persons to take preventative measures (see s. 16), and normally acceptable objections do not apply (s. 56(1)). They may also detain a person who does not comply (s. 56(4)).</p> <p>The provincial health officer may order reporting obligations related to the infectious agent or other harmful matter (s. 57).</p> <p>The Minister may make regulations prescribing an infectious or hazardous agent (s. 58(1)) or; (a) exempting a person, place or thing</p>	<p>infectious agent or a hazardous agent; (d) there is a significant risk of travel or trade restrictions as a result of the regional event” (s. 52(2)).</p>			
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		<p>from the Act or its regulations; (b) modifying a requirement of the Act or its regulations; (c) authorizing the provincial health officer to do (a) and (b); (d) “authorizing persons to exercise powers and perform duties as health officers”; (e) “applying or modifying a regulation made under section 118 (b) to (e) [<i>regulations respecting inspections and enforcement</i>] for the purposes of applications to the court under section 56 [<i>emergency preventive measures</i>]” (s. 58(2)).</p> <p>[ORDERS ALSO MADE PURSUANT TO SS. 27,</p>				
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		28, 29, 30, 31, 32, 39(3), 69]				
BRITISH COLUMBIA	Emergency Program Act, RSBC 1996, c 111	Minister may do anything necessary including: (a) implement provincial emergency plans and measures; (b)–(c) authorize or require local authorities to implement local emergency plans and measures; (d) acquire or use property; (e) authorize or require person to render aid; (f) control or prohibit travel; (g) restore essential facilities, distribute essential supplies, maintain and coordinate essential services; (h) evacuate persons, animals, property; (i) authorize entry into any premises by	“emergency’ means a present or imminent event or circumstance that (a) is caused by accident, fire, explosion, technical failure or the forces of nature, and (b) requires prompt coordination of action or special regulation of persons or property to protect the health, safety or welfare of a person or to limit damage to property” (s. 1(1)). Minister or Lieutenant	Minister of Public Safety.	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>

		<p>any person without a warrant;</p> <p>(j) demolish or remove trees, structures, crops;</p> <p>(k) construct any works;</p> <p>(l) procure and fix prices for essential supplies, use any property, services, resources, equipment (s. 10(1)).</p> <p>[ORDERS GENERALLY DON'T SPECIFY EMERGENCY POWER(S) BEING USED]</p>	<p>Governor in Council may declare an emergency if satisfied one exists or is imminent (s. 9(1)).</p>			
PROVINCE	LEGISLATION	EMERGENCY POWERS	CONDITIONS FOR EXERCISE	EXERCISED BY WHOM?	LEVEL OF DISCRETION	ACCOUNTABILITY
MANITOBA	<p><i>The Public Health Act</i>, CCSM c P210</p> <p>[includes amendments passed in Bill 59, <i>The Public Health</i></p>	<p>The chief public health officer (CPHO) may:</p> <p>(a) issue directions including about</p> <p>“(i) identifying and managing cases,</p> <p>(ii) controlling infection,”</p>	<p>CPHO may take emergency measures if he or she reasonably believes “a serious and immediate threat to public</p>	<p>CPHO mainly (s. 67(2)). CPHO may delegate powers to medical officer or director</p>	<p>No mandated expiration date for CPHO ability to take emergency measures.</p> <p>List of emergency powers is</p>	<p>No official declaration of state of emergency or notification of citizens.</p> <p>No reporting obligations after the fact.</p>

	<p><i>Amendment Act</i>, which added emergency powers (a.1) and (d.1), and expanded the ability to enforce emergency orders including through expanded police powers]</p>	<p>(iii) managing medical services, “(iv) managing and distributing equipment and supplies”; (a.1) prohibit or restrict travel, or prescribe actions to be taken when travelling; (b) order possession by Minister of premises for use as a temporary isolation or quarantine facility; (c) close public places; (d) prohibit public assembly; (d.1) order persons to take measures to prevent spread; (e) order persons not sufficiently protected to take measures including (i) immunization or any other preventative measure,</p>	<p>health exists because of an epidemic or threatened epidemic of a communicable disease” that “cannot be prevented, reduced or eliminated without taking special measures” (s. 67(1)).</p>	<p>who is a physician (s. 68). Medical officer may inspect without warrant (s. 83(6)). Minister may make regulations regarding medical supplies and pharmaceuticals (s. 112(2)(l)).</p>	<p>exhaustive = less discretion for CPHO (s. 67(2)). CPHO requires Minister’s approval to use powers (a) through (d.1) (s. 67(3)). Person may object to immunization (s. 67(4)). Court order required for Minister to take possession of premises for temporary isolation or quarantine facility without owner’s consent (s. 69). Restrictions on individual rights and freedoms</p>	<p>Financial compensation given for possession of premises for temporary isolation or quarantine facility (s. 70).</p>
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		<p>(ii) “refrain from any activity or employment that poses a significant risk of infection”;</p> <p>(f) order employers to exclude person under an order re (e)(ii) from place of employment (s. 67(2)).</p> <p>Medical officers may use police powers and other coercion to enforce orders (s. 67.1).</p> <p>Medical officer may enter and inspect any premises without a warrant where serious and immediate threat to public health (s. 83(6)).</p> <p>Minister may make regulations respecting procurement, distribution and</p>			<p>should be as minimal as possible (s. 3).</p>	
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		availability of medical supplies and pharmaceuticals in an emergency (s. 112(2)(l)).				
		[ALL ORDERS SPECIFY EMERGENCY POWER(S) BEING USED]				
MANITOBA	<i>The Emergency Measures Act, CCSM c E80</i> [includes amendments passed in Bill 54, <i>The Emergency Measures Amendment Act</i> , which added Lieutenant Governor in Council powers, retroactive effect for orders (to the date of	Minister may issue orders to any person to do everything necessary including: (a) implement emergency plans; (b) use property; (c) “authorize or require any qualified person to render aid”; (d) control or prohibit travel; (e) evacuate persons, livestock, property; (f) control or prevent movement from contaminated areas; (g) authorize entry to any premises without a warrant;	Emergency “means a present or imminent situation or condition that requires prompt action to prevent or limit (a) the loss of life, or (b) harm or damage to the safety, health or welfare of people, or (c) damage to property or the environment” (s. 1).	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>

	<p>emergency declaration), expanded enforcement powers, and greater penalties]</p>	<p>(h) demolish or remove trees, structures, crops; (i) procure and distribute essential resources and services; (i.1) “regulate the distribution and availability of essential goods, services, and resources”; (j) restore essential facilities, distribute essential supplies, and maintain/co-ordinate essential services; (k) cover expenses caused by emergency (s. 12(1)).</p> <p>Lieutenant Governor in Council may make any orders considered necessary and essential if (a) order is reasonable alternative to other measures;</p>	<p>“In the event of a major emergency or disaster the minister may declare a state of emergency in respect to all or any part of the province” (s. 10(1)).</p>			
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		<p>(b) order will (i) alleviate harm or damage or (ii) enable effective response (s. 12.3(1)).</p> <p>Lieutenant Governor in Council may temporarily suspend legislation if this would facilitate providing assistance to victims of the emergency (s. 12.6).</p> <p>[NO MINISTERIAL ORDERS FOUND USING EMERGENCY POWERS PURSUANT TO S. 12(1) OF THE EMERGENCY MEASURES ACT]</p>				
PROVINCE	LEGISLATION	EMERGENCY POWERS	CONDITIONS FOR EXERCISE	EXERCISED BY WHOM?	LEVEL OF DISCRETION	ACCOUNTABILITY
NEW BRUNSWICK	Public Health Act, SNB 1998, c P-22.4	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>

<p>NEW BRUNSWICK</p>	<p><i>Emergency Measures Act, RSNB 2011, c 147</i></p>	<p>Minister may do everything necessary including:</p> <ul style="list-style-type: none"> (a) implement emergency plans; (b) acquire or use property; (c) authorize or require any person to render aid; (c.1) authorize or require any person to provide emergency childcare services; (d) control or prohibit travel; (e) restore essential facilities, distribute essential supplies, maintain and coordinate emergency services; (f) evacuate persons, livestock, property; (g) authorize any person to enter any premises without a warrant; (h) demolish or remove any building, 	<p>Emergency “means a present or imminent event in respect of which the Minister or municipality, as the case may be, believes prompt coordination of action or regulation of persons or property must be undertaken to protect property, the environment or the health, safety or welfare of the civil population” (s. 1).</p> <p>Minister may declare an emergency if satisfied that one exists or</p>	<p><i>This section will be filled out at a later date.</i></p>	<p><i>This section will be filled out at a later date.</i></p>	<p><i>This section will be filled out at a later date.</i></p>
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		<p>structure, tree, or crop;</p> <p>(i) procure or fix prices for essential supplies, use of property, services, resources, or equipment;</p> <p>(j) order assistance of any person, with or without remuneration;</p> <p>Authorize or require municipality to implement emergency plan (s. 12).</p> <p>On recommendation of Attorney General, Minister may suspend legislation that establishes limitation periods for commencing proceedings or time periods for taking steps in a proceeding (s. 12.1).</p>	<p>may exist (s. 10(1)).</p>			
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		[ORDERS DO NOT SPECIFY EMERGENCY POWER(S) BEING USED]				
NEW BRUNSWICK	Bill 49, <i>An Act to Amend the Emergency Measures Act</i> [BILL 49 IS NOT PROCEEDING]	On recommendation of Minister and Attorney General, Lieutenant Governor in Council may suspend, amend, or supersede a provision of any public act, municipal by-law, regulation, rule, or ministerial order. Some legislation is excluded. Peace officers, RCMP, police officers may stop persons in order to investigate violation or failure to comply with emergency orders.	Declared emergency, see above.	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>
PROVINCE	LEGISLATION	EMERGENCY POWERS	CONDITIONS FOR EXERCISE	EXERCISED BY WHOM?	LEVEL OF DISCRETION	ACCOUNTABILITY
NEWFOUNDL AND AND LABRADOR	<i>Public Health Protection and Promotion Act,</i>	Chief Medical Officer of Health may:	Public health emergency = “an occurrence or	Mainly CMOH (s. 33).	Minister, on advice of CMOH, has sole	Declaration must be published in a way that can be

	<p>SNL 2018, c P-37.3</p> <p>[includes amendments passed in Bill 38, <i>An Act to Amend the Public Health Protection and Promotion Act</i>, which added s. 28.1 police powers, expanded inspection powers and expanded protection from liability]</p>	<p>(a) “authorize qualified persons to render aid”;</p> <p>(b) direct environmental health officers and public health personnel;</p> <p>(c) establish a voluntary immunization program;</p> <p>(d) create priority list for immunization;</p> <p>(e) contract for services with other Canadian jurisdictions;</p> <p>(f) procure and distribute medical aid, supplies, equipment;</p> <p>(g) acquire or use property (not dwelling);</p> <p>(h) restrict travel;</p> <p>(i) close educational institution or other place of assembly;</p> <p>(j) enter premises without a warrant;</p> <p>(k) “take any other measure the [CMOH]</p>	<p>imminent threat of one of the following that presents a serious risk to the health of the population: (i) a communicable disease, (ii) a health condition, (iii) a novel or highly infectious agent or biological substance, or (iv) the presence of a chemical agent or radioactive material (s. 2(y)).</p> <p>Minister, on advice of CMOH, must be satisfied that a public health emergency exists and “cannot be sufficiently mitigated or remedied</p>	<p>The Lieutenant-Governor in Council may make certain regulations (s. 59).</p>	<p>discretion to declare and extend state of public health emergency (s. 27). Declaration must be renewed every 14 days (s. 27(3)).</p> <p>List of emergency powers is non-exhaustive = CMOH has significant discretion in determining measures that are required (s. 41(1)(g)).</p> <p>Restrictions on individual rights and freedoms should be as minimal as possible (s. 13).</p> <p><i>Emergency Services Act</i> takes precedence if</p>	<p>reasonably expected to notify the public (s. 27(6)).</p> <p>Declaration must explain nature of public health emergency, area affected, and duration (s. 27(4)).</p> <p>“The minister shall, within 6 months of the expiry of a declaration made under section 27, conduct a review and report to the House of Assembly on the cause and duration of the public health emergency and on the special measures implemented under section 28” (s. 30).</p>
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		<p>reasonably believes is necessary for the protection of the health of the population” (s. 28(1)).</p> <p>CMOH may: (a) change deadlines; (b) decline to give required notice; (c) ignore in writing requirements; (d)–(e) ignore service and notice formalities (must be reasonably expected to give notice); (f) inspect without a warrant (s. 28(2)).</p> <p>[ORDERS DO NOT SPECIFY EMERGENCY POWER(S) BEING USED]</p> <p>Minister of Justice and Public Safety, upon request of and following consultation with Minister of Health, may authorize</p>	<p>without the implementation of the special measures” (s. 27(1)).</p>		<p>also a civil emergency (s. 31).</p> <p>Entry or inspection of dwelling requires (a) consent; (b) warrant; or (c) “serious and immediate risk to public health” (s. 28(3)).</p>	<p>Minister must pay financial compensation for acquisition or use of property (s. 29).</p>
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		<p>a peace officer to locate, detain, convey a person pursuant to an order under s. 28(1), or otherwise ensure compliance with s. 28(1) orders (s. 28.1).</p> <p>The Lieutenant-Governor in Council may make regulations regarding</p> <ul style="list-style-type: none"> (i) public health emergencies including (i) control of movement of people and conveyances; (ii) procurement and distribution of medical supplies, aid, equipment, services (s. 59). 				
NEWFOUNDL AND AND LABRADOR	<i>Emergency Services Act, SNL 2008, c E-9.1)</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>
PROVINCE	LEGISLATION	EMERGENCY POWERS	CONDITIONS FOR EXERCISE	EXERCISED BY WHOM?	LEVEL OF DISCRETION	ACCOUNTABILITY

<p>NORTHWEST TERRITORIES</p>	<p><i>Public Health Act, SNWT 2007, c 17</i></p>	<p>a) appoint Deputy Chief Public Health Officers and public health officers for duration of emergency; b) authorize qualified persons to render aid; c) recommend Minister issue temporary permit to medical practitioners licenced in another Canadian jurisdiction; d) restrict or prohibit travel; e) co-ordinate and provide for medical services; f) contract for services with other Canadian jurisdictions; g) procure and distribute medical supplies and equipment; h) acquire or use property; i) establish voluntary immunization program;</p>	<p>Public health emergency = “an occurrence or imminent threat that poses a serious risk to public health” (s. 1).</p> <p>Minister, on recommendation of Chief Public Health Officer (CPHO), must be satisfied that a public health emergency exists and requires declaration to protect public health (s. 32(1)).</p>	<p>CPHO, who also retains other powers and duties (s. 33(2)).</p>	<p>Minister, on recommendation of CPHO, has sole discretion to declare and extend state of public health emergency (s. 32). Declaration must be renewed every 14 days (s. 32).</p> <p>List of emergency powers is exhaustive = less discretion for CPHO (s. 33(1)).</p>	<p>Declaration must be published in a way that notifies the public (s. 32(5)).</p> <p>Declaration must explain nature of public health emergency, area affected, and duration (s. 32(2)).</p> <p>No reporting requirements after the fact.</p> <p>Financial compensation for acquisition or use of property, subject to arbitration (s. 34).</p>
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		<p>j) enter premises without a warrant (s. 33(1)).</p> <p>[ORDERS DO NOT SPECIFY EMERGENCY POWER(S) BEING USED; ORDERS ALSO MADE PURSUANT TO SS. 11, 25]</p>				
NORTHWEST TERRITORIES	<i>Emergency Management Act, SNWT 2018, c 17</i>	<p>Minister may:</p> <p>(a) implement emergency plans/programs;</p> <p>(b) authorize or require a local authority to implement emergency plans/programs;</p> <p>(c) acquire or use property;</p> <p>(d) “authorize or require a qualified person to render aid”;</p> <p>(e) “control or prohibit travel”;</p> <p>(f) restore essential facilities, distribute essential supplies;</p>	<p>Emergency “means a current or imminent event that requires prompt coordination of action or special regulation of persons or property in order to protect the safety, health or welfare of people or to limit or prevent damage to property or the environment” (s. 1).</p>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>

		<p>(g) co-ordinate essential services; (h) evacuate people, property and animals; (i) arrange for care and protection of evacuated parties; (j) authorize any person to enter any premises without a warrant; (k) demolish or remove vegetation, structures, equipment, vehicles; (l) procure, ration or fix prices for essential supplies and use of property, services, resources, equipment; (m) conscript persons; (n) “do any other act or thing” (s. 17(1)).</p> <p>[NO ORDERS FOUND PURSUANT TO THE EMERGENCY MANAGEMENT ACT]</p>	<p>Minister may declare an emergency if satisfied that one exists or may exist (s. 14(1)).</p>			
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PROVINCE	LEGISLATION	EMERGENCY POWERS	CONDITIONS FOR EXERCISE	EXERCISED BY WHOM?	LEVEL OF DISCRETION	ACCOUNTABILITY
NOVA SCOTIA	<i>Health Protection Act, SNS 2004, c 4</i>	Chief Medical Officer (CMO) may: (a) “establish a voluntary immunization program”; (b) create priority list for immunization; (c) close educational institution or other place of assembly; (d) prohibit or limit access to or evacuate certain areas; (e) provide necessities for quarantined persons; (f) order “construction of any work or installation of facilities”; (g) procure first right to immunizing agents, drugs, medical supplies or equipment at reasonable cost; (h) confiscate immunizing agents,	Public health emergency = “an imminent and serious threat to the public health that is posed by a dangerous disease or a health hazard” (s. 4(p)). Minister may declare state of emergency if CMO reasonably believes that one exists and “cannot be mitigated or remedied without the implementation of special measures” (s. 53(1)).	CMO mainly. Minister may take possession of premises for temporary isolation or quarantine facility (s. 55). Governor in Council may make regulations (s. 74(1)(ai)).	Minister, on advice of CMO, has sole discretion to declare and terminate state of public health emergency (ss. 53). No mandated expiration date for declaration of emergency. List of emergency powers is non-exhaustive = CMO has significant discretion in determining measures that are required (s. 53(2)(i)). Restrictions on individual rights and freedoms	The Minister shall “after a public health emergency has ended, direct that a review be conducted and, within one year, report to the House of Assembly on the cause and duration of the emergency and on the measures implemented in response to the emergency” (s. 6(1)(i)). No publication requirements. Financial compensation given for possession of premises for temporary isolation or

		<p>drugs, medical supplies or equipment; (i) “any other measure the Chief Medical Officer reasonably believes is necessary for the protection of public health” (s. 53(2)).</p> <p>CMO may enter or inspect premises without a warrant (s. 60).</p> <p>Minister may take possession of premises for temporary isolation or quarantine facility (s. 55).</p> <p>Governor in Council may make regulations respecting a public health emergency (s. 74(1)(ai)).</p> <p>[ORDER MADE PURSUANT TO S. 32</p>			<p>should be as minimal as possible (s. 2).</p> <p>Court order required for Minister to take possession of premises for temporary isolation or quarantine facility without owner’s consent (s. 56). Court must be satisfied of the immediate risk of an outbreak of a dangerous disease and the necessity of using premises (s. 56).</p>	<p>quarantine facility (s. 57).</p>
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		(COMMUNICABLE DISEASES) BUT NO PUBLIC HEALTH EMERGENCY DECLARED]				
NOVA SCOTIA	Emergency Management Act, SNS 1990, c 8	Minister may do everything necessary including: (a) implement emergency plans; (b) acquire or use property; (c) “authorize or require a qualified person to render aid”; (d) “control or prohibit travel”; (e) restore essential facilities, distribute essential supplies, co-ordinate essential services; (f) evacuate persons, livestock, property; (g) authorize any person to enter any premises without a warrant; (h) demolish or remove any thing;	Emergency “means a present or imminent event in respect of which the Minister or a municipality, as the case may be, believes prompt co-ordination of action or regulation of persons or property must be undertaken to protect property or the health, safety or welfare of people in the Province” (s. 2(b)). Minister should consult with	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>

		<p>(i) order the assistance of any person;</p> <p>(j) “regulate the distribution and availability of essential goods, services and resources”;</p> <p>(k) spend;</p> <p>(l) assess damage to property and costs of repair or replacement;</p> <p>(m) assess damage to environment and costs of eliminating or alleviating it (s. 14).</p> <p>[ORDERS DO NOT SPECIFY EMERGENCY POWER(S) BEING USED]</p>	majority of committee members if practical and may declare emergency if satisfied one exists or may exist (s. 12(1)).			
PROVINCE	PUBLIC HEALTH LEGISLATION?	EMERGENCY POWERS	CONDITIONS FOR EXERCISE	EXERCISED BY WHOM?	LEVEL OF DISCRETION	ACCOUNTABILITY
NUNAVUT	<i>Public Health Act, SNu 2016, c 13</i>	Chief Public Health Officer (CPHO) may a) “authorize qualified persons to render aid”;	Public health emergency = “an occurrence or imminent threat that poses a	Mainly CPHO, who also retains other powers	Minister, on recommendation of CPHO, has sole discretion to declare and	Declaration must be published in a way that is reasonably expected to notify

		<p>b) contract for services with other Canadian jurisdictions;</p> <p>c) procure and distribute medical aid, supplies, equipment;</p> <p>d) acquire or use property (not dwelling);</p> <p>e) restrict travel;</p> <p>f) enter premises without a warrant;</p> <p>(g) “take any other measure the [CPHO] reasonably believes is necessary for the protection of public health” (s. 41(1)).</p> <p>CPHO actions are exempt from</p> <p>(a) delay requirements;</p> <p>(b) notice requirements;</p> <p>(c) in writing requirements;</p> <p>(d) service formalities (must be reasonably</p>	<p>serious risk to public health” (s. 1).</p> <p>Minister, on recommendation of CPHO, may declare emergency if satisfied that a public health emergency exists and “cannot be sufficiently mitigated or remedied without the implementation of special measures” (s. 40).</p>	<p>and functions (s. 41).</p> <p>Commissioner in Executive Council, on recommendation of Minister may make certain regulations (s. 85).</p>	<p>extend state of public health emergency (s. 40). Declaration must be renewed every 14 days (s. 40(2)).</p> <p>List of emergency powers is non-exhaustive = CPHO has significant discretion in determining measures that are required (s. 41(1)(g)).</p> <p>Restrictions on individual rights and freedoms should be as minimal as possible (s. 49).</p> <p>Entry or inspection of dwelling requires (a) consent; (b) warrant; or (c)</p>	<p>the public (s. 40(5)).</p> <p>Declaration must explain nature of public health emergency, area affected, and duration (s. 40(3)).</p> <p>Minister includes public health emergencies in annual report (s. 43(b)).</p> <p>Financial compensation for acquisition or use of property (s. 42).</p>
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		<p>expected to give notice); (e) warrant requirements for inspection (s. 41(3)).</p> <p>Commissioner in Executive Council, on recommendation of Minister, may make regulations regarding (u) public health emergencies including (i) control of movement of people and conveyances; (ii) procurement and distribution of medical supplies, aid, equipment, services (s. 85(1)).</p> <p>[ALL ORDERS SPECIFY EMERGENCY POWER(S) BEING USED; ORDERS ALSO MADE PURSUANT TO S. 55 (COMMUNICABLE DISEASES)]</p>			<p>“serious and immediate risk to public health” (s. 41(4)).</p>	
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NUNAVUT	<i>Emergency Measures Act, SNu 2007, c10</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>
PROVINCE	LEGISLATION	EMERGENCY POWERS	CONDITIONS FOR EXERCISE	EXERCISED BY WHOM?	LEVEL OF DISCRETION	ACCOUNTABILITY
ONTARIO	<i>Health Protection and Promotion Act, RSO 1990, c H.7</i>	Chief Medical Officer of Health (CMOH) may issue directives to health boards or medical officers “with respect to measures or policies concerning, (a) infectious diseases; (b) health hazards; (c) public health emergency preparedness; or (d) a matter prescribed in regulations made by the Minister” (s. 77.9(1)–(2)).	CMOH is of the opinion “(a) that there exists, or there is an immediate risk of, a provincial, national or international public health event, a pandemic or an emergency with health impacts anywhere in Ontario; and (b) that the policies or measures are necessary to support a co-ordinated response” (s. 77.9(1)).	CMOH.	CMOH may renew directives every 6 months (s. 77.9(4)–(5)).	CMOH must consult with health boards or medical officers when extending directives beyond 6 months (s. 77.9(6)).

			Minister can enact regulations to define terms with greater precision” (s. 97(c)).			
ONTARIO	<i>Health Protection and Promotion Act, RSO 1990, c H.7</i>	Minister may: (a) order emergency procurement, acquisition, and seizure of medications and supplies; (b) order any person to provide medications and supplies to any other person (s. 77.5(1)). Minster may compel information or get a court order for the purposes of carrying out s. 77.5(1) (ss. 77.5(6)–(7)).	“[CMOH] has certified in writing that, (a) there exists or there may exist an immediate risk to the health of persons anywhere in Ontario; (b) the medications and supplies are necessary to address the risk; and” (c) CMOH is of the opinion that	Minister of Health.	Order may be exercised in a reasonable time (s. 77.5(8)). No hearing required (s. 77.5(5)). Order may be limited by the situation in other provinces (s. 77.5(2)). May not enter private residence without consent	Financial compensation given (s. 77.5(9)).

			normal procurement processes are insufficient (s. 77.5(3)).		as part of order (s. 77.5(4)).	
ONTARIO	<i>Emergency Management and Civil Protection Act</i> , RSO 1990, c E.9	<ol style="list-style-type: none"> 1. implement emergency plans; 2. regulate/prohibit travel; 3. evacuate persons and animals/move property; 4. establish facilities for care, welfare, safety, shelter; 5. close places; 6. construct works, restore facilities, appropriate/use property; 7. deal with waste; 8. authorize facilities to operate as necessary; 	“emergency” = “a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act	<p>Lieutenant Governor in Council.</p> <p>This Act does not abrogate Chief Medical Officer of Health powers. However, an emergency order under this Act takes precedenc</p>	<p>Declaration of emergency made by Premier expires after 72 hours unless confirmed by Lieutenant Governor in Council (s. 7.0.1(2)).</p> <p>Declaration of emergency made by Lieutenant Governor in Council may be renewed after 14 days for another 14 days (s.</p>	<p>Obligation to report regularly to the public during the emergency (s. 7.0.6).</p> <p>“The Premier shall table a report in respect of the emergency in the Assembly within 120 days after the termination of an emergency declared under section 7.0.1 and, if the Assembly is not then in session, the</p>

		<p>9. use, distribute, and make available necessary goods, services, and resources;</p> <p>10. procure necessary goods, services, and resources;</p> <p>11. fix prices and prohibit unconscionable prices for necessary goods, services, and resources;</p> <p>12. authorize any person to provide aid;</p> <p>13. require collection, use, or disclosure of data;</p> <p>14. "Consistent with the powers authorized in this subsection, taking such other actions or implementing such other measures as the Lieutenant Governor in Council considers necessary" (s. 7.0.2(4)).</p>	<p>whether intentional or otherwise" (s. 1).</p> <p>Lieutenant Governor in Council, or Premier if urgency requires it, may declare an emergency if he or she is of the opinion that</p> <p>1. an emergency exists and requires immediate action.</p> <p>2. One of the following circumstances exist:</p> <p>i. normal resources, including existing legislation, cannot be relied on without risk of serious delay;</p>	<p>e if there is a conflict (s. 7.2(5)).</p>	<p>7.0.7(2)). Further renewals are made by Assembly on the recommendation of the Premier for periods of 28 days (s. 7.0.7(3)). Assembly may pass a resolution to disallow declaration of emergency and revoke all orders (s. 7.0.9).</p> <p>To make an emergency order, Lieutenant Governor in Council must reasonably believe that it is necessary and essential, that</p> <p>(a) it will alleviate harm or damage, and</p> <p>(b) that it is a reasonable</p>	<p>Premier shall table the report within seven days of the Assembly reconvening.</p> <p>The report of the Premier shall include information,</p> <p>(a) in respect of making any orders under subsection 7.0.2 (4) and an explanation of how the order met the criteria for making an order under subsection 7.0.2 (2) and how the order satisfied the limitations set out in subsection 7.0.2 (3); and</p> <p>(b) in respect of making any orders under subsection 7.0.3 (2) and an explanation as to why he or she considered it</p>
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		<p>Temporarily suspend legislation to give victims of emergency greater services, benefits, or compensation, or avoid prejudicial effect of the law (s. 7.1).</p> <p>[ALL ORDERS SPECIFY EMERGENCY POWER(S) BEING USED]</p>	<p>ii. normal resources are insufficiently effective;</p> <p>iii. impossible without risk of serious delay to ascertain whether normal resources are sufficient (s. 7.0.2(3)).</p>		<p>alternative to other measures (s. 7.0.2(2)).</p> <p>Emergency orders should be</p> <ol style="list-style-type: none"> 1. exercised in a manner that limits their intrusiveness. 2. only applies to geographic areas that are necessary. 3. only effective as long as necessary (s. 7.0.2(3)). <p>Privacy protections apply to collection, disclosure, and use of personal information (s. 7.0.2(6)–(9)).</p> <p>Lieutenant Governor in Council may renew</p>	<p>necessary to make the order.</p> <p>The Assembly shall consider the report within five sitting days after the report is tabled.</p> <p>If the Commissioner of Emergency Management makes any orders under subsection 7.0.2 (4) or 7.0.3 (2), he or she shall, within 90 days after the termination of an emergency declared under subsection 7.0.1 (1), make a report to the Premier in respect of the orders and the Premier shall include it in the report required by</p>
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PROVINCE	LEGISLATION	EMERGENCY POWERS	CONDITIONS FOR EXERCISE	EXERCISED BY WHOM?	LEVEL OF DISCRETION	ACCOUNTABILITY
PRINCE EDWARD ISLAND	<i>Public Health Act</i> , RSPEI 1988, c P-30.1	Minister, on advice of Chief Public Health Officer (CPHO), may: (a) issue directions including ones about “(i) identifying and managing cases, (ii) controlling infection,” (iii) managing medical services, “(iv) managing and distributing equipment and supplies, (v) administering immunizations as directed by the [CPHO]”; (b) take possession of premises for temporary assessment,	Public health emergency = “an occurrence or imminent threat of a health hazard or disease that presents a significant risk to the public health” (s. 1(v)). Lieutenant Governor in Council, on advice of CPHO, may declare emergency if satisfied that a public health emergency exists and “prompt coordination of	Minister, on advice of CPHO, mainly (ss. 49(2), 32). CPHO may order unprotecte d persons to take preventati ve measures (s. 49(3)). Licensing body may issue temporary licenses (s. 53)	emergency orders every 14 days (s. 7.0.8(3)–(4)). Lieutenant Governor in Council, on advice of CPHO, has sole discretion to declare and extend state of emergency (s. 49). Declaration must be renewed every 30 days (s. 49(5)). List of powers is exhaustive = less discretion for Minister and CPHO. Other provisions of Act and regulations still apply and may	subsection (1)” (s. 7.0.10). Declaration must be published in a way that notifies the public (s. 49(6)). No reporting obligations after the fact. Financial compensation must be paid for possession of premises for temporary facility (s. 50(3)).

		<p>treatment, isolation or quarantine facility; (c) order closure of public places or any premises; (d) prohibit or limit public assembly (s. 49(2)).</p> <p>CPHO may order any unprotected person to be immunized or take other preventative measures (s. 49(3)).</p> <p>Minister may classify disease or condition causing public health emergency as a notifiable disease or condition to trigger related duties and powers (s. 32).</p> <p>Licensing body or delegate may grant limited licenses to persons to practice the health profession (s. 53).</p>	<p>action or special measures are required in order to protect the public health" (s. 49(1)).</p>		<p>impose certain duties or grant other powers (s. 49(4)).</p> <p>Court order required for Minister to take possession of premises for temporary isolation or quarantine facility without owner's consent (s. 50).</p> <p><i>Emergency Measures Act</i> takes precedence if also a civil emergency (s. 52).</p>	
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		[ORDERS ALSO MADE PURSUANT TO SS. 3, 39(1), 56]				
PRINCE EDWARD ISLAND	<p>Bill 36, <i>An Act to Amend the Public Health Act</i></p> <p>[GONE TO COMMITTEE]</p>	<p>Adds ability to give public notice of communicable disease orders and expands enforcement powers relating to them.</p> <p>Replaces the Minister with the Chief Medical Officer of Health as the person who exercises public health emergency powers and adds the following public health emergency powers: “(c.1) order persons to refrain from entering or attending a public place or premises; (e) order persons to refrain from travelling to or from any area of the province or on</p>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>

		<p>any road, street or highway;</p> <p>(f) appoint a person as a public health official for a period of time specified in the appointment or until the end of the state of public health emergency, whichever occurs sooner;</p> <p>(g) any other measure the Chief Public Health Officer reasonably believes is necessary for the protection of the health of the population during the public health emergency.”</p> <p>Gives CMOH new power to take possession of premises for purposes related to public health emergency and lays out related provisions.</p>				
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		Other amendments related to enforcement and fines.				
PRINCE EDWARD ISLAND	<i>Emergency Measures Act, RSPEI 1988, c E-6.1</i>	Minister may do everything necessary including: (a) implement emergency plans; (b) acquire or use personal property; (c) “authorize or require any qualified person to render assistance”; (d) “control or prohibit travel”; (e) restore essential facilities, distribute essential supplies, co-ordinate essential services; (f) evacuate persons, livestock, property; (g) authorize any person to enter any premises without a warrant;	Emergency “means a present or imminent event in respect of which the Minister or municipality believes prompt co-ordination of action or special regulation of persons or property must be undertaken to protect the health, safety or welfare of people or to limit damage to property” (s. 1(c)). Minister may declare state of	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>

		<p>(h) prohibit persons from entering any premises;</p> <p>(i) demolish or remove buildings, structures, trees, crops;</p> <p>(j) procure essential supplies and use of property, services, resources, equipment;</p> <p>(k) order assistance of any person with or without remuneration;</p> <p>Authorize or require municipality to implement emergency measures (s. 11).</p> <p>[ORDERS DO NOT SPECIFY EMERGENCY POWER(S) BEING USED]</p>	<p>emergency if satisfied that one exists or may exist (s. 9(1)).</p>			
PRINCE EDWARD ISLAND	Bill 37, <i>An Act to Amend the Emergency Measures Act</i>	Gives the Lieutenant Governor in Council emergency power to suspend or vary legislation during an	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>

	[GONE TO COMMITTEE]	emergency and lays out related provisions.				
PRINCE EDWARD ISLAND	Bill 111, <i>An Act to Amend the Emergency Measures Act (No 2)</i> [FIRST READING]	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<p>Gives the Legislative Assembly the power to disallow the declaration or renewal of a state of emergency by declaration and revoke all emergency orders.</p> <p>Limits state of emergency to 14 days. Minister, with approval of Lieutenant Governor in Council, can renew for a maximum of another 14 days. Legislative Assembly, by resolution, can renew for a maximum of 28 days.</p>

						Establishes the requirement that the Minister report to the Legislative Assembly on the state of emergency within 120 days of its termination (reasons for declaration, powers exercised and reasons why, costs incurred, anything else the Minister considers appropriate). Legislative Assembly considers the report within 5 sitting days.
PROVINCE	LEGISLATION	EMERGENCY POWERS	CONDITIONS FOR EXERCISE	EXERCISED BY WHOM?	LEVEL OF DISCRETION	ACCOUNTABILITY

<p>QUEBEC</p>	<p><i>Public Health Act, CQLR c S-2.2</i></p>	<ol style="list-style-type: none"> 1. compulsory vaccination, priority list 2. closing of educational institutions and other places of assembly 3. require production of any document or information, even if confidential 4. control entry to certain areas, order evacuation or confinement 5. “order the construction of any work, the installation of sanitary facilities or the provision of health and social services” 6. require assistance of other government departments or bodies 7. spend and contract 8. “order any other measure necessary to protect the health of 	<p>“The Government may declare a public health emergency ... where a serious threat to the health of the population, whether real or imminent, requires the immediate application of certain measures” (art. 118)</p>	<p>The Government or the Minister of Health (art. 123) with assistance of the national public health director whose orders have the same authority (art. 124).</p> <p>(Public health authorities may still exercise other powers under the Act (art. 124).)</p>	<p>Declaration of emergency is subject to National Assembly vote (art. 122). Length is maximum 48 hours if National Assembly cannot meet immediately (art. 119). Length is 10 days otherwise and renewable thereafter in increments of 10 or 30 days (art. 119). Government has discretion regarding when to terminate the state of emergency (art. 128).</p> <p>List of emergency powers is non-exhaustive = significant discretion in</p>	<p>Nature of threat, area, and length of time must be specified (art. 120). Declarations of emergency and their termination must be published and disseminated to the public (arts. 121, 128).</p> <p>“The Minister shall table an event report in the National Assembly within three months after the end of the public health emergency or, if the Assembly is not in session, within 15 days of resumption.</p> <p>The report shall specify the nature and, if determined, the cause of the threat to the health of the</p>
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		<p>the population” (art. 123)</p> <p>[ORDERS GENERALLY DO NOT SPECIFY EMERGENCY POWER(S) BEING USED]</p> <p>“mobilize the resources of any health or social services institution in Québec” (art. 117)</p>			<p>determining measures that are required (art. 124).</p> <p>Court order required to submit a person to vaccination (art. 126).</p>	<p>population which gave rise to the declaration of a public health emergency, the duration of the declared emergency as well as the measures implemented and the powers exercised under section 123” (art. 129).</p> <p>Immunity from prosecution for acts made in good faith in relation to the exercise of emergency powers (art. 123).</p>
QUEBEC	<i>Civil Protection Act, CQLR c S-2.3</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>
PROVINCE	LEGISLATION	EMERGENCY POWERS	CONDITIONS FOR EXERCISE	EXERCISED BY WHOM?	LEVEL OF DISCRETION	ACCOUNTABILITY

<p>SASKATCHEWAN</p>	<p><i>Public Health Act, 1994, SS 1994, c P-37.1</i></p>	<p>To control epidemics, the Minister may:</p> <ul style="list-style-type: none"> (a) close public places; (b) restrict travel; (c) prohibit public gatherings; (d) require persons who are not known to be protected against a communicable disease: <ul style="list-style-type: none"> (i) “to be immunized or given prophylaxis”; (ii) “to be excluded from school until the danger of infection is past”; (e) “establish temporary hospitals”; (f) “require a local authority, a medical health officer or a public health officer to investigate”; (g) require disclosure of information; (h) “authorize public health officers, peace officers or prescribed persons to confiscate 	<p>Minister may make orders pursuant to “control of epidemics” “if the minister believes, on reasonable grounds, that:</p> <ul style="list-style-type: none"> (a) a serious public health threat exists in Saskatchewan; <p>and</p> <ul style="list-style-type: none"> (b) the requirements set out in the order are necessary to decrease or eliminate the serious public health threat” (s. 45(1)). 	<p><i>This section will be filled out at a later date.</i></p>	<p><i>This section will be filled out at a later date.</i></p>	<p><i>This section will be filled out at a later date.</i></p>
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		<p>substances or other materials”; (i) order isolation (s. 45(2)).</p> <p>[ORDERS DO NOT SPECIFY EMERGENCY POWER(S) BEING USED; ORDERS ALSO MADE PURSUANT TO S. 38 (COMMUNICABLE DISEASES)]</p>				
SASKATCHEWAN	<i>The Emergency Planning Act, SS 1989-90, c E-8.1</i>	Minister may (a) implement emergency plan; (b) authorize or require local authority to implement emergency plan; (c) direct and control local emergency response; (d) acquire or use property; (e) “authorize any qualified person to render aid”; f) “control or prohibit travel”;	Emergency “means: (i) a calamity caused by: (A) accident; (B) act of war or insurrection; (C) terrorist activity as defined in the Criminal Code; (D) forces of nature; or (ii) a present or imminent situation or condition, including a threat of terrorist activity	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>

		<p>(g) restore essential facilities and distribute essential supplies;</p> <p>(h) maintain and coordinate emergency services;</p> <p>(i) evacuate persons, livestock, property;</p> <p>(j) authorize entry into any premises without a warrant;</p> <p>(k) demolish or remove trees, structures, crops;</p> <p>(l) procure or fix prices for essential supplies and any other property, services, resources or equipment;</p> <p>(m) “conscript persons needed”;</p> <p>(n) “do all acts and take all proceedings that are reasonably necessary” (s. 18(1)).</p> <p>[NO ORDERS FOUND PURSUANT TO THE EMERGENCY</p>	<p>as defined in the Criminal Code, that requires prompt action to prevent or limit: (A) the loss of life; (B) harm or damage to the safety, health or welfare of people; or (C) damage to property or the environment;” (s. 2(b)).</p> <p>Lieutenant Governor in Council may declare an emergency if satisfied that one “exists or may exist in all or part of Saskatchewan” (s. 17(1)).</p>			
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		<p>PLANNING ACT OTHER THAN DECLARATION OF EMERGENCY WHICH REFERENCES S. 18 IN SUPPORT OF THE NEED TO FOLLOW PUBLIC HEALTH ORDERS AND THE AUTHORIZATION OF POLICE TO ENFORCE EMERGENCY ORDERS. OTHER MINISTERS HAVE RELEASED REGULATIONS MODIFYING STATUTES UNDER THEIR CONTROL BECAUSE OF THE STATE OF EMERGENCY]</p>				
PROVINCE	LEGISLATION	EMERGENCY POWERS	CONDITIONS FOR EXERCISE	EXERCISED BY WHOM?	LEVEL OF DISCRETION	ACCOUNTABILITY
YUKON	<i>Public Health and Safety Act, RSY 2002, c 176</i>	In anticipation of, preparation for, or during health emergency, Minister may authorize unregistered/unlicensed health	Health emergency “means urgent circumstances which, in the opinion of the chief medical	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>

		<p>professionals to practice in the Yukon (s. 4.2).</p> <p>During a public health emergency, chief medical officer of health may compel persons to provide information (s. 4.5).</p> <p>During a public health emergency, “if the chief medical officer of health is of the opinion, based upon reasonable grounds, that (a) medication, supplies or equipment are or may be necessary to reduce a significant threat to public health in the Yukon; and (b) the regular procurement processes” are likely to be inadequate, the chief medical officer may suspend sale, distribution or relocation of these</p>	<p>officer of health, based upon reasonable grounds, jeopardize the lives or health of people in the Yukon, and includes a public health emergency” (s. 1).</p> <p>Chief medical officer of health notifies Minister of health emergency (s. 4.1).</p> <p>Public health emergency “means a communicable disease emergency or other emergency that presents a significant threat to public health</p>			
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		<p>items (s. 4.6(2)) or order procurement, acquisition and seizure of these items (s. 4.6(4)).</p> <p>[NO ORDERS FOUND PURSUANT TO THE PUBLIC HEALTH AND SAFETY ACT]</p>	<p>in the Yukon or the imminent potential for such a threat” (s. 1).</p> <p>Chief medical officer may declare a public health emergency if he or she is of the opinion, based on reasonable grounds, that one exists (s. 4.3).</p>			
YUKON	<i>Civil Emergency Measures Act, RSY 2002, c 34</i>	<p>Minister may do all things considered advisable including:</p> <p>(a)(i) protect persons and property;</p> <p>(a)(ii) maintain, clear, control roads and streets;</p> <p>(a)(iii) requisition, obtain, distribute accommodation, food, clothing, other services;</p>	<p>Emergency “means a peacetime disaster or a war emergency” (s. 1).</p> <p>Peacetime disaster “means a disaster, real or apprehended, resulting from fire, explosion, flood,</p>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>	<i>This section will be filled out at a later date.</i>

		<p>(a)(iv) provide and maintain “water supplies, electrical power and sewage disposal”;</p> <p>(a)(v) enforce the law;</p> <p>(a)(vi) fight, prevent fire;</p> <p>(a)(vii) protect health, safety, welfare of inhabitants;</p> <p>(b) make regulations to implement emergency plan;</p> <p>(c) require municipalities to provide assistance (s. 9(1)).</p> <p>[ORDERS DO NOT SPECIFY EMERGENCY POWER(S) BEING USED]</p>	<p>earthquake, landslide, weather, epidemic, shipping accident, mine accident, transportation accident, electrical power failure, nuclear accident or any other disaster not attributable to enemy attack, sabotage or other hostile action whereby injury or loss is or may be caused to persons or property in the Yukon” (s. 1).</p> <p>Commissioner in Executive Council may declare emergency if of the opinion that</p>			
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			a peacetime disaster exists (s. 6(1)).			
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