

**RESTATED ORDER #3 OF THE CHIEF MEDICAL OFFICER OF HEALTH UNDER
SECTION 32 of the *HEALTH PROTECTION ACT* 2004, c. 4, s. 1.**

October 13, 2021

Update Log:

October 13, 2021: Section 16 (amended) and Sections 16.8 (new)

October 8, 2021: Sections 4, 6 and 15.3 (amended) and 15.9 (new)

October 6, 2021: Sections 15-15.5, 16, 16.7 (amended) and 15.4.1 and 15.8 (new)

- 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)

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 DEFINITIONS

1. In this Order,

“fully vaccinated” means receipt of 1 dose of a vaccine authorized as a 1 dose vaccine series such as Janssen plus 14 days, or 2 doses of a vaccine authorized as a 2 dose vaccine series such as Pfizer, Moderna or AstraZeneca plus 14 days, or a complete series of any other World Health Organization authorized series of COVID-19 vaccine such as Sinopharm or Sinovac plus 14 days.

“illegal public gathering” means a gathering that does not comply with the gathering restrictions of this Order, including the attendance limits applicable to indoor and outdoor informal gatherings and masking requirements applicable to indoor public places.

“informal gathering” means a gathering of persons except where hosted by a business or organization.

“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.

“not fully vaccinated” means no receipt of any vaccine dose or receipt of 1 dose of a vaccine authorized as a 2 dose vaccine series such as Pfizer, Moderna or AstraZeneca plus 14 days.

“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; or
 - (ii) areas with poor ventilation.

“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.

“rotational worker” means a person who lives in Nova Scotia and travels to work in another Canadian province or territory outside Atlantic Canada on a regular schedule.

“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.

“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.

“vaccine” means a vaccine against COVID-19 that has been approved by either the Public Health Agency of Canada or the World Health Organization.

“vehicles providing transportation to the public” means:

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

(ii) 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;

(iii) 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;

(iv) 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;

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

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

PART II ENTRY, ISOLATION AND QUARANTINE REQUIREMENTS

2. Effective 8:00a.m. October 4, 2021, all persons are prohibited from entering Nova Scotia, except as stated herein or set out elsewhere in this Order:

(a) persons travelling to Nova Scotia from another Canadian province or territory;
and

(b) persons travelling to Nova Scotia from outside Canada who are eligible to enter Canada in accordance with the Federal Orders in Council 2021-0904, 2021-0903 and 2021-0902, as amended.

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 Effective 8:00a.m. October 4, 2021, all persons seeking entry into Nova Scotia must:

(a) apply through the Nova Scotia Safe Check-in form and complete daily digital check-ins, located at: <https://travel-declaration.novascotia.ca/en>, except:

(i) persons who reside in Nova Scotia, New Brunswick, Newfoundland and Labrador, or Prince Edward Island (the “Atlantic Provinces”) and are required to travel between Nova Scotia and one of the Atlantic Provinces on a regular ongoing basis to work, attend a school or post-secondary institution, or access essential veterinary services, and adheres to the COVID-19 Protocol for Atlantic Travel Protocol located at:

<https://novascotia.ca/coronavirus/docs/COVID-19-Protocol-for-Atlantic-Canada-Travel.pdf>;

(ii) persons who reside in the Atlantic Provinces and are required to travel between Nova Scotia and one of the Atlantic Provinces on an occasional basis for work, school, or to complete other tasks that cannot be accomplished virtually (“quick trips”), and adhere to the Atlantic Travel Protocol, located at: <https://novascotia.ca/coronavirus/docs/COVID-19-Protocol-for-Atlantic-Canada-Travel.pdf>;

(iii) persons who reside in the Atlantic Provinces and are traveling for child custody drop offs, pick ups or frequent routine visits and adhere to the COVID-19 Protocol for Self-isolation Related to Child Custody located at: <https://novascotia.ca/coronavirus/docs/COVID-19-Protocol-for-child-custody-en.pdf>;

(iv) professional truck drivers;

(v) persons who have received compassionate exceptions;

(vi) essential healthcare workers who travel to and from Nova Scotia and another province or territory to carry out their work duties on an ongoing regular basis or on a locum basis; and

(vii) persons travelling to Nova Scotia from outside Canada in accordance with section 2(c) who submitted their travel information to the Federal Government via the ArriveCAN application,

(b) disclose to the Chief Medical Officer of Health or his delegate information related to their COVID-19 vaccination, including:

(i) whether they received a COVID-19 vaccine;

(ii) the brand name or other information that identifies the vaccine that was administered;

(iii) the dose received, and

(c) if they are fully vaccinated, provide the Chief Medical Officer of Health or his delegate proof of COVID-19 vaccination issued by the government or non-governmental entity that administered the COVID-19 vaccine, which must contain the following:

(i) the name of the person who received the vaccine;

(ii) the name of the government or the name and civic address of the non-governmental entity that administered the vaccine;

(iii) the brand name or any other information that identifies the vaccine that was administered; and

(iv) the dates on which the vaccine was administered.

3.1 Effective 8:00a.m. October 4, 2021 the following requirements apply to all persons residing in or present Nova Scotia:

(a) persons have travelled outside Nova Scotia to another Canadian province or territory and who are not fully vaccinated:

(i) must self-quarantine on the day of entry into Nova Scotia, and continuing thereafter for 14 days; and

(ii) not cease self-quarantine unless they have completed at least 7 days of self-quarantine and they have received a negative COVID-19 test result on day 6 or 7, at which time they may exit self-quarantine,

(b) persons who are identified as a close contact of a person who has been diagnosed with COVID-19 and who are not fully vaccinated, including persons identified as a close contact who have received a World Health Organization

approved vaccine other than Pfizer, Moderna or AstraZeneca but have not received an additional dose of Pfizer or Moderna:

- (i) must self-quarantine on the first day of close contact, and continuing thereafter for 14 days; and
- (ii) must not cease self-quarantine unless they have completed at least 7 days of self-quarantine and they have received a negative COVID-19 test result on day 6 or 7, at which time they may exit self-quarantine but from day 8 to day 14 must exclude themselves from congregate high risk settings, specifically LTC, shelters, acute care facilities (except to receive essential medical care), and correctional facilities, and further must avoid contact with immunocompromised persons,

(c) persons who are identified as a person diagnosed with COVID-19, or have been tested for COVID-19 due to the presence of symptoms or as directed by public health and are awaiting their test results:

- (i) must self-quarantine or self-isolate on the first day of symptoms, testing, diagnosis, and continuing thereafter for 10 consecutive days or as directed by a Medical Officer of Health.

3.2 Those persons required to self-quarantine or self-isolate in accordance with sections 3.1(a), (b) or (c):

- (i) must, during their period of self-quarantine or self-isolation, 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
- (ii) 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 quarantine or isolation 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; and
- (iii) must 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; and
- (iv) after the mandatory period of self-quarantine or self-isolation period has lapsed, they may cease self-isolation or self-quarantine if they do not exhibit symptoms of COVID-19.

3.3 Notwithstanding:

(a) section 3.1 (c), 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) sections 3.1 (a), (b) and (c), persons who are required to self-isolate or self-quarantine may leave their residence to undergo COVID-19 testing as directed by a Medical Officer of Health;

(c) sections 3.1 (a) and (b), persons who are required to self-isolate or self-quarantine may leave their residence for 1 outing per day for outdoor exercise within walking/running distance of their home or isolation site for a maximum of 1 hour,

(d) section 3.1(a), persons travelling to or returning to Nova Scotia from a Canadian province or territory must adhere to the following:

(i) persons who are fully vaccinated before arriving in Nova Scotia are not required to self-quarantine on arrival in Nova Scotia;

(ii) persons who are not fully vaccinated before arriving in Nova Scotia must self-quarantine for up to 14 days on arrival in Nova Scotia and must not cease self-quarantine until they have completed at least 7 days of self-quarantine and they have received a negative result from COVID-19 test done on day 6 or 7, at which time they may exit self-quarantine; and

(iii) persons who have had COVID-19, have recovered from it in the last 12 weeks before entering Nova Scotia, have a letter from public health in a Canadian province or territory confirming their date of recovery and are not fully vaccinated must self-quarantine for 7 days on arrival into Nova Scotia but are not required to be tested,

(e) persons travelling to Nova Scotia from outside Canada who eligible to enter Canada in accordance with the Federal Orders in Council 2021-0904, 2021-0903 and 2021-0902, as amended:

(i) who are fully vaccinated (the “fully vaccinated person” as set out in the Federal Orders in Council 2021-0904, 2021-0903 and 2021-0902) are not required to self-quarantine on arrival in Nova Scotia; and

(ii) who are not fully vaccinated are required to self-quarantine on arrival in Nova Scotia in accordance with Federal Quarantine requirements.

4. Notwithstanding sections 2, 3.1 and 3.3, 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. Further to section 4, 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, 3.1 and 3.3, 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 Orders in Council 2021-0903 and 2021-0902, 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 the Federal Quarantine requirements applicable to the Temporary Foreign Workers in the Agriculture and Seafood Sector.

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-Protocolfortemporaryforeignworkers-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.

7.2 For greater certainty, a Temporary Foreign Worker in the Agriculture and Seafood Sector, on arrival in Nova Scotia, is required to quarantine in accordance with the Federal Quarantine requirements unless they are assessed as exempt from quarantine in accordance with Federal Order in Council 2021-0904.

8. Notwithstanding sections 2, 3.1 and 3.3, 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. Notwithstanding sections 2, 3.1 and 3.3, 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, 3.1 and 3.3, specialized workers who are:

(a) needed for urgent work on critical infrastructure that cannot be done by individuals from within the Province and such work is crucial to the functioning of the Province; or

(b) needed for urgent work that cannot be done by individuals from within the Province and are necessary to preserve the viability of one or more Nova Scotia businesses,

are permitted to enter Nova Scotia from any Canadian province or territory outside Atlantic Canada. A list of critical infrastructure included in this definition is available at: <https://www.publicsafety.gc.ca/cnt/ntnl-scrtr/crtcl-nfrstrctr/esf-sfe-en.aspx>.

10.1 Specialized workers permitted to enter Nova Scotia in accordance with section 10 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, 3.1 and 3.3, fish harvesters required to enter Nova Scotia from any Canadian province or territory 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. Notwithstanding sections 3.1 and 3.3, 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;

- (c) first responders, including police, fire, EHS paramedic workers;
- (d) essential healthcare workers who travel to and from Nova Scotia and another province or territory to carry out their work duties on an ongoing regular basis or on a locum basis; and
- (e) 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,

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>.

12.1 Persons exempt under section 12 must 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.

PART III GATHERING RESTRICTIONS AND MASKS REQUIREMENTS

13. Effective 8:00a.m. October 4, 2021, except where otherwise stated in this Order the gathering restrictions and mask requirements apply to all persons present and residing in Nova Scotia.

13.2 Persons may gather together for informal gatherings up to a maximum of 25 persons indoors and 50 persons outdoors, and they are not required to wear a mask unless they are in a public place where masks are required.

13.3 The person limit rule set out in section 13.2 does not apply to the following municipal, provincial and federal entities and their contractors when carrying out their work duties:

- (a) First responders, including police and fire services;
- (b) Compliance and Building Officials;
- (c) Officials engaged in Housing and Homelessness initiatives;
- (d) Parks and Recreation staff; 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.

13.4 Persons are prohibited from:

- (a) organizing an illegal in-person gathering, including requesting, inciting, or inviting others to attend an illegal public gathering;
- (b) promoting an illegal public gathering via social media or otherwise; or
- (c) attending an illegal public gathering of any nature, whether indoors or outdoors.

14. All persons must wear a mask that covers their nose and mouth:

- (a) while present in a public place; and
- (b) while travelling on vehicles providing transportation to the public.

14.1 Notwithstanding section 14(a), 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;
- (g) is an officiant or performer in the course of performing activities requiring vocalization such as talking or singing at the event or activity; or
- (h) is 12 years of age or less, attending a day camp, overnight camp, or childcare centre.

14.2 Notwithstanding section 14(b),

(a) the following persons are exempt from the requirement to wear a mask while travelling on vehicles providing transportation to the public:

(i) 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;

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

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

(b) a person may remove the mask momentarily for identification purposes when boarding any public transit.

14.3 For greater certainty, the requirement to wear a mask, as set in sections 14(a) and (b), is the minimum standard that persons and businesses must adhere to, and where the business's plan approved in accordance with section 16.3 of this Order imposes a greater standard, then that standard applies.

14.4 Directors, caregivers, staff and visitors of childcare facilities and family childcare homes regulated under the *Early Learning and Child Care Act* must wear a mask unless subject to one of the exemptions as set out in section 14.1.

PART IV LONG TERM CARE FACILITIES AND OTHER VULNERABLE POPULATIONS

15. Effective 8:00a.m. October 8, 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.

15.1 Subject to section 15.2, all for-profit or not-for-profit Department of Seniors and Long Term Care funded long-term care facilities licensed 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 October 4, 2021, 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>;

15.2 All long term care facilities licenced by the Department of Seniors and Long Term Care 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 October 4, 2021, 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>.

15.3 Notwithstanding section 15.8, all long term care facilities licensed by the Department of Seniors and Long Term Care under the *Homes for Special Care Act* are open to visitors, designated caregivers, contracted service providers and volunteers, 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 October 4, 2021, 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>.

15.4 All residents in homes licensed by the Minister of Community Services under the *Homes for Special Care Act* are open to fully vaccinated visitors in accordance with the terms and conditions set out in the “Covid 19 Management in DSP Licensed Homes-Guidelines” as amended from time to time.

15.4.1 Except for foster homes, all child caring facilities licensed, approved or operated by the Minister of Community Services under the *Children and Family Services Act* are open to fully vaccinated visitors in accordance with the terms and conditions set out in the “Coronavirus (COVID) Child Welfare Practice Guidelines” as amended from time to time.

15.5 All residents in homes licensed by the Minister of Seniors and Long Term Care are permitted to have community access 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 October 4, 2021, 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>.

15.6 All residents in homes licensed by the Minister of Community Services under the *Homes for Special Care Act* are permitted to have community access as long as they comply with all general public health measures required under this Order.

15.7 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.

15.8 Employers and operators in high risk settings, as well as employees, outside service providers and volunteers therein must adhere to the COVID-19 Mandatory Vaccination Protocol for High-Risk Settings (the "Protocol"), located at:

<https://novascotia.ca/coronavirus/docs/COVID-19-Protocol-for-mandatory-vaccination-high-risk-settings-en.pdf>, and employers and operators must:

(a) obtain proof of full vaccination from each employee, outside service provider and volunteer in accordance with the Protocol unless they have been granted an exception in accordance with the Protocol;

(b) only retain information collected under subsection (a) until the termination of this Order; and

(c) only use the information collected under (a) for the purpose of confirming that the employee, outside service provider and volunteer is fully vaccinated in accordance with the Protocol.

15.9 Notwithstanding section 15.8, effective October 12, 2021, visitors to the NHSA and IWK health authorities are required to provide proof of vaccination before entering these facilities.

PART V BUSINESSES, ORGANIZATIONS AND PROFESSIONS

16. Effective 8:00a.m. October 13, 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.

16.1 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.

16.2 All not-for-profit and for-profit businesses and organizations operating or carrying on business in Nova Scotia may not carry out COVID-19 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.

16.3 All not for-profit, for-profit businesses, organizations and professions named in this Part shall, as a requirement of their ongoing operations, develop and comply with a Workplace COVID-19 Prevention Plan, as amended from time to time, and this Plan must address the following:

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

for similar businesses or health professionals and must be made available for review by the Chief Medical Officer of Health.

16.4 All businesses or regulated health professionals that are a member of an association may adopt their association's Workplace COVID-19 Prevention Plan or their own, which must be made available for review by the Chief Medical Officer of Health.

16.5 In the case of conflict between a Workplace COVID-19 Prevention Plan and this Order, the more stringent provision applies.

16.6 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.

16.7 Businesses and organizations that host discretionary, non-essential events and activities must adhere to the COVID-19 Protocol for Proof of Full Vaccination for Events and Activities, located at: <https://novascotia.ca/coronavirus/docs/COVID-19-Protocol-for-proof-full-vaccination-events-activities-en.pdf>, and must:

- (a) verify proof of full vaccination from each patron/participant before they engage in the activity or event, and each volunteer who hosts, leads or organizes the event or activity unless they have been granted an exception in accordance with the Protocol;
- (b) only retain information collected under subsection (a) if the patron/participant or volunteer provides their consent and destroy it on the earlier of their withdrawal of consent or termination of this Order; and

(c) only use the information collected under (a) for the purpose of confirming that the patron/participant or volunteer is fully vaccinated prior to engaging in the event or activity in compliance with this Order and may not use it for any other purpose.

16.8 Notwithstanding section 16.7, business and organizations may host a funeral service without requiring proof of vaccination from attendees if it adheres to the following:

(a) a maximum of 25 persons attend (excluding the officiant and funeral home staff);

(b) all persons in attendance wear a mask at the funeral service, both indoors and outdoors;

(c) all persons (staff and attendees) who are unwell do not attend the funeral service; and

(d) any business or organization that hosts a funeral service outside the parameters set out sections (a) to (c) must adhere to the COVID-19 Protocol for Proof of Full Vaccination for Events and Activities, located at:

<https://novascotia.ca/coronavirus/docs/COVID-19-Protocol-for-proof-full-vaccination-events-activities-en.pdf>.

PART VI EXCEPTIONS

17. 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 VII PENALTIES

18. 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.

19. 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 Tim Houston, Premier of Nova Scotia
Laura Lee Langley, Deputy to the Premier and Clerk of Executive Council
Michelle Thompson, Minister of Health and Wellness
Jeannine Lagassé, Deputy Minister of Health and Wellness
Dr. Shelley Deeks, Deputy Chief Medical Officer of Health
Tina M. Hall, Legal Counsel, Nova Scotia Dept. of Justice