

**RECORD OF DECISION – CMOH Order 41-2020 which amends CMOH Order 38-2020**

**Re: 2020 COVID-19 Response**

Whereas I, Dr. Deena Hinshaw, Chief Medical Officer of Health (CMOH) have initiated an investigation into the existence of COVID-19 within the Province of Alberta.

Whereas the investigation has confirmed that COVID-19 is present in Alberta and constitutes a public health emergency as a novel or highly infectious agent that poses a significant risk to public health.

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

Whereas I made Record of Decision – CMOH Order 38-2020 on November 24, 2020 setting out new measures in respect of private residences, private social gatherings, places of worship and requires persons to wear masks in certain regions in Alberta.

Whereas I made Record of Decision – CMOH Order 39-2020 on November 27, 2020 setting out new measures for certain businesses and entities.

Whereas I made Record of Decision – CMOH Order 40-2020 on November 28, 2020 which modified CMOH Orders 38-2020 and 39-2020.

Whereas having determined that the measures in Record of Decision - CMOH Order 38-2020 are insufficient to protect Albertans from exposure to COVID-19 and to prevent the spread of COVID-19, I hereby make the following Order which modifies Record of Decision – CMOH Order 38-2020:

Effective December 8, 2020, Record of Decision – CMOH Order 38-2020 is amended as follows:

**Part 1 – Private residences**

Section 5 of Part 1 of Record of Decision - CMOH Order 38-2020 is rescinded and the following is substituted in its place:

5. A person who resides on their own may

(a) have two other persons with whom they regularly interact attend at their private residence; and

(b) attend at the private residence of a person with whom they regularly interact.

5.1. For the purposes of this Order, a single adult who only lives with one or more minors is deemed to be a person who resides on their own.

## **Part 2 – Private social gatherings**

Sections 12, 13, 14 and 15 of Part 2 of Record of Decision - CMOH Order 38-2020 are rescinded and the following are substituted:

12. All persons are prohibited from attending a private social gathering at an indoor public place, except in accordance with this Part of this Order.

13. All persons are prohibited from attending a private social gathering at an outdoor private place or public place, except in accordance with this Part of this Order.

14. A private social gathering of 10 persons or less may occur at an indoor or outdoor public place for the following purposes only:

(a) a funeral service; or

(b) a wedding ceremony.

15. For greater certainty, a private social gathering as described in section 14 of this Order does not permit a gathering for the purposes of a funeral or wedding reception.

## **Part 4 – Masks**

Sections 20, 21 and 22 of Part 4 of Record of Decision – CMOH Order 38-2020 are rescinded and the following are substituted:

20. Part 4 of this Order applies throughout the Province of Alberta.

21. Despite anything in Part 4 of this Order, a person does not need to wear a face mask while working at a farming or ranching operation, unless the person is interacting with a member of the public.

22. For the purposes of Part 4 of this Order, a farming or ranching operation means

- a. the primary production of eggs, milk, grain, seeds, fruit, vegetables, honey, livestock, diversified livestock animals within the meaning of the *Livestock Industry Diversification Act*, poultry or bees,
- b. an operation that produces cultured fish within the meaning of the *Fisheries (Alberta) Act*, and
- c. any other primary agricultural operation specified in the regulations,

but does not include the operation of a greenhouse, mushroom farm, nursery or sod farm.

This Order remains in effect until rescinded by the Chief Medical Officer of Health.

Signed on this 8 day of December, 2020.

  
Deena Hinshaw, MD  
Chief Medical Officer of Health

