

RECORD OF DECISION – CMOH Order 29-2021 which modifies CMOH Orders 19-2021 and 20-2021

Re: 2021 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*, 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 escalating national and international events have resulted in the increased frequency of public protest gatherings, but Alberta remains in a critical stage of the COVID -19 pandemic with a spike in cases, including those involving the highly transmissible variants of concern, putting pressure on our health care system.

Whereas I am, therefore, modifying CMOH Orders 19-2021 and 20-2021 to set out certain conditions that will apply to private social gatherings for a protest or political purpose, to protect Albertans from exposure to COVID-19 and to limit the risk of transmission of COVID-19.

Therefore, I am taking the following steps, effective 11:59 pm Mountain Standard Time on May 27, 2021:

Part 1 – Modification of CMOH Orders 19-2021 and 20-2021

1. Section 4.5 of Record of Decision – CMOH Order 19-2021 and Record of Decision – CMOH Order 20-2021 is modified by adding “and sections 4.11 and 4.12” after “Subject to section 4.8”.
2. Sections 4.11 and 4.12 are inserted immediately following Section 4.10 of Record of Decision – CMOH Order 19-2021 and Record of Decision – CMOH Order 20-2021:

4.11 Despite sections 4.5 and 4.6, a person may attend at an outdoor public place to exercise their right to peacefully demonstrate for a protest or political purpose without limit to the number of persons in attendance if the person:

- (a) remains outdoors except where necessary to use the washroom;
- (b) wears a face mask at all times, as that term is defined in Record of Decision – CMOH Order 22- 2021;
- (c) maintains a minimum physical distance of two metres from any other person in attendance, including any other person who is a member of the person's household, unless:
 - i. either the person or the other person is, or both persons are, eleven years of age or younger; and
 - ii. both persons are members of the same household;

in which case this subsection does not apply;


- (d) does not offer food or beverages to any other person in attendance, regardless of whether the food or beverage is provided for sale or not; and
- (e) immediately disperses in a coordinated fashion at the conclusion of the gathering, while at all times adhering to the requirements in this section.

4.12 For greater certainty, a protest or political purpose as described in section 4.11 means for the purpose of expressing a position on a matter of public interest.

Part 2 – General

3. This Order remains in effect until 11:59 pm Mountain Standard Time on July 1, 2021.

Signed on this 27 day of May, 2021.


Deena Hinshaw, MD
Chief Medical Officer of Health