

RECORD OF DECISION – CMOH Order 53-2021

Re: 2021 COVID-19 Response – Modification of Record of Decision CMOH Order 44-2021

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 a state of public health emergency for the province of Alberta was declared on September 15, 2021.

Whereas I have made Record of Decision - CMOH Order 44-2021 on September 23, 2021.

Whereas having determined that additional measures are necessary to protect Albertans from exposure to COVID-19 and to prevent the spread of COVID-19, and it is, therefore necessary to revise Record of Decision - CMOH Order 44-2021.

I hereby make the following order effective November 29, 2021:

1. Section 2.1(i) is deleted and substituted with the following:

- (i) "eligible person" means a person who is:
 - i. eligible to receive the COVID-19 vaccine; and
 - ii. visiting, living, working or going to school in Alberta; and
 - iii. for whom ten or more weeks have elapsed since the person has turned twelve years of age.

2. Section 2.1(o) is deleted and substituted with the following:

"fitness activity" means a physical activity that occurs at a gym, fitness studio, dance

studio, rink, ski hill, pool, arena or recreation centre and includes dance classes, pole dancing, rowing, spin, yoga, boxing, boot camp, Pilates and other activities of a similar nature.

3. Section 4.7.1 is inserted immediately following section 4.7 as follows:

4.7.1 For greater certainty, a person is not required to maintain two metres physical distance from any other person while using an open-air chair lift or substantially similar open-air transportation while participating in a physical activity at a ski hill.

This Order remains in effect until rescinded by the Chief Medical Officer of Health.

Signed on this 29th day of November 2021.



Deena Hinshaw, MD
Chief Medical Officer of Health