

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE MINISTER OF PUBLIC SAFETY AND
SOLICITOR GENERAL

Emergency Program Act

Ministerial Order No. 212

WHEREAS a declaration of a state of emergency throughout the whole of the Province of British Columbia was declared on March 18, 2020 because of the COVID-19 pandemic;

AND WHEREAS the COVID-19 pandemic poses a significant threat to the health, safety and welfare of all residents of British Columbia and that travel between areas constituting the regions of health authorities exacerbates the risk of community transmission of COVID-19;

AND WHEREAS community transmission and COVID-19 cases have increased significantly in the Lower Mainland, and cases are being transmitted by people travelling from the Lower Mainland to other parts of the Province;

AND WHEREAS increased transmission of COVID-19 is putting increased pressure on the health care system and public health system;

AND WHEREAS travel restrictions are a tool for preventing, responding to and alleviating the effects of the COVID-19 pandemic;

AND WHEREAS some travel is essential and will not be subject to restrictions;

AND WHEREAS a coordinated provincial approach to travel restrictions and enforcement is warranted;

AND WHEREAS COVID-19 case counts, hospitalizations and intensive care unit admissions have declined since I made the Travel Restrictions (COVID-19) Order on April 21, 2021, the Province is still experiencing disease transmission that poses a significant threat to the health, safety and welfare of all residents of British Columbia;

AND WHEREAS section 10 (1) of the *Emergency Program Act* provides that I may do all acts and implement all procedures that I consider necessary to prevent, respond to or alleviate the effects of any emergency or disaster;

I, Mike Farnworth, Minister of Public Safety and Solicitor General, order that, effective May 25, 2021, the attached Travel Restrictions (COVID-19) Order No. 3 is made.

May 25, 2021

Date



Minister of Public Safety and Solicitor General

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: Emergency Program Act, R.S.B.C. 1996, c. 111, s. 10

Other: OIC 285/2021; MO 172/2021; MO 182/2021

TRAVEL RESTRICTIONS (COVID-19) ORDER No. 3

Definitions

1 In this order:

“**enforcement officer**” means a person designated as an enforcement officer under section 2 of the Violation Ticket Administration and Fines Regulation made under the *Offence Act*;

“**essential goods and supplies**” means any goods and supplies that are necessary for the health, safety and welfare of people, including, without limitation, the following:

- (a) food, water and other beverages;
- (b) fuel and gasoline;
- (c) health care goods, pharmaceuticals and medical supplies;
- (d) personal hygiene, sanitation and cleaning goods;

“**essential purpose**” means a purpose described in section 3;

“**Fraser Health Authority region**” means the areas of the Fraser Health Authority set out in Schedule B of the Regional Health Boards Regulation made under the *Health Authorities Act*, excluding the local health area of Hope;

“**Fraser-Vancouver Coastal Health Authority region**” means the areas of the Fraser Health Authority region and the Vancouver Coastal Health Authority region;

“**Interior Health Authority region**” means the areas of the Interior Health Authority set out in Schedule B of the Regional Health Boards Regulation made under the *Health Authorities Act*;

“**health authority region**” means any of the following:

- (a) the Fraser-Vancouver Coastal Health Authority region;
- (b) the Nisga’a Health Authority region;
- (c) the Northern-Interior Health Authority region;
- (d) the Vancouver Island Health Authority region;

“**local health area**” means a local health area established by the Ministry of Health for administrative purposes having the boundaries shown on the map published on the following website:

<https://www2.gov.bc.ca/gov/content/data/geographic-data-services/land-use/administrative-boundaries/health-boundaries>;

“**motor vehicle**” means a motor vehicle as defined in section 1 of the *Motor Vehicle Act*;

“**Nisga’a Health Authority region**” means the areas of the Nisga’a Health Authority set out in Schedule B of the Regional Health Boards Regulation made under the *Health Authorities Act*;

“**Northern Health Authority region**” means the areas of the Northern Health Authority set out in Schedule B of the Regional Health Boards Regulation made under the *Health Authorities Act*;

“**Northern-Interior Health Authority region**” means the following:

- (a) the areas of the Northern Health Authority region;
- (b) the areas of the Interior Health Authority region;
- (c) the local health areas of Bella Coola Valley, Central Coast and Hope;

“personal information” means personal information within the meaning of the *Freedom of Information and Protection of Privacy Act*;

“police force” means a police force within the meaning of section 1.1 (a) to (c) of the *Police Act*;

“police officer” means

- (a) a special provincial constable, as defined in the *Police Act*,
- (b) a designated constable, as defined in the *Police Act*,
- (c) an officer, member or constable of the provincial police force,
- (d) an officer, member or constable of a municipal police force in the Province, or
- (e) a member of the Royal Canadian Mounted Police;

“school” means any of the following:

- (a) a school as defined in the *School Act*;
- (b) a francophone school as defined in the *School Act*;
- (c) a Provincial school as defined in the *School Act*;
- (d) an independent school as defined in the *Independent School Act*;
- (e) a school operated on First Nation land by the government of Canada or by a participating First Nation or a Community Education Authority established by one or more participating First Nations under the *First Nations Jurisdiction over Education in British Columbia Act* (Canada);
- (f) a school operated by the Nisga’a Nation, or a treaty first nation, under its own laws;

“Vancouver Coastal Health Authority region” means the areas of the Vancouver Coastal Health Authority set out in Schedule B of the Regional Health Boards Regulation made under the *Health Authorities Act*, excluding the local health areas of Bella Coola Valley and Central Coast;

“Vancouver Island Health Authority region” means the areas of the Vancouver Island Health Authority set out in Schedule B of the Regional Health Boards Regulation made under the *Health Authorities Act*.

Prohibition on travel into or out of health authority region

- 2 (1) A person must not travel into or out of any of the following except for an essential purpose:
- (a) the Fraser-Vancouver Coastal Health Authority region;
 - (b) the Northern-Interior Health Authority region;
 - (c) the Vancouver Island Health Authority region.
- (2) Subsection (1) does not apply to
- (a) travel into or out of the Province, or
 - (b) travel to comply with a direction under section 4 (5).

Essential purposes

- 3 For the purposes of section 2, the following are essential purposes:
- (a) moving to a different principal residence or assisting a person to move for that purpose;
 - (b) carrying out a work-related purpose, including volunteer work;
 - (c) commercially transporting goods;
 - (d) receiving health care services or social services or assisting someone to receive those services;
 - (e) attending court;
 - (f) complying with a court order;
 - (g) exercising parental responsibilities, including spending parenting time with a minor child;
 - (h) accessing child care;
 - (i) attending classes or receiving training through a post-secondary institution or school;
 - (j) responding to emergencies or critical incidents, including incidents that involve search and rescue operations;
 - (k) providing care or assistance to a person who requires care or assistance because of
 - (i) a psychological, behavioural or health condition, or
 - (ii) a physical, cognitive or mental impairment;
 - (l) visiting by an essential visitor or a social visitor as provided in the guidance of the Ministry of Health set out in a document titled “Ministry of Health - Overview of Visitors in Long-Term Care and Seniors’ Assisted Living” that was in effect on April 1, 2021;
 - (m) attending a funeral service;
 - (n) travelling under the authority of a variance of an order issued by the provincial health officer under the *Public Health Act* if the variance was made before this order comes into force;
 - (o) travelling for the purpose of avoiding the risk of abuse or violence;
 - (p) travelling by residents of the local health area of Bella Coola Valley or Central Coast to Port Hardy to obtain essential goods and supplies;
 - (q) travelling by residents of the local health area of Hope to Chilliwack to obtain essential goods and supplies;
 - (r) travelling by residents of the Northern Health Authority region into the Nisga’a Health Authority region;
 - (s) travelling by residents of the Nisga’a Health Authority region into the Northern-Interior Health Authority region;
 - (t) travelling to vote in an election held by a local authority, as defined in the *Community Charter*;
 - (u) travelling by a person for the purpose of inspecting, or performing maintenance on, a property, other than a property that is a principal residence;
 - (v) returning to a person’s own principal residence.

Requirement to stop and provide information

- 4 (1) A police officer may require the driver of a motor vehicle to stop and the driver, when signalled or requested to stop by a police officer who is readily identifiable as a police officer, must immediately come to a safe stop.
- (2) A police officer may exercise the power under subsection (1) only at a location that is specified to police officers for the purposes of this order by a police force.
- (3) A police force may specify to police officers a location referred to in subsection (2) and, if it does specify a location, must do so in writing.
- (4) If requested by a police officer for the purposes of this order, the driver of a motor vehicle that has been stopped under subsection (1) must
 - (a) provide the driver's name, residential address and driver's licence,
 - (b) provide any other available documentation respecting paragraph (a), and
 - (c) state the purpose of the driver's travel.
- (5) If a police officer reasonably believes that a driver
 - (a) has contravened or is contravening section 2 (1), the police officer may direct the driver to leave the health authority region that the driver is prohibited from entering, or
 - (b) is about to contravene section 2 (1), the police officer may direct the driver to not enter a health authority region that the person is prohibited from entering.
- (6) A driver directed by a police officer, under subsection (5), to leave, or not to enter, as applicable, a health authority region must comply with the direction of the police officer.

Prohibition on abusive or belligerent behaviour

- 5 A person must not engage in abusive or belligerent behaviour towards an enforcement officer acting in relation to this order.

Enforcement information to minister

- 6 A law enforcement agency must provide the minister with information in its possession, other than personal information, that the minister requests respecting the enforcement of this order by the law enforcement agency.

Personal information

- 7 Personal information collected for the purposes of this order may be collected, used and disclosed only for the purposes of this order unless otherwise authorized or required by law.

Section 35 of *Constitution Act, 1982*

- 8 For certainty, this order must be construed in accordance with section 35 of the *Constitution Act, 1982*.

Repeal

- 9 (1) This order is repealed on June 15, 2021.

- (2) For certainty, this order is repealed before June 15, 2021 if the last extension of the declaration of a state of emergency made March 18, 2020 under section 9 (1) of the *Emergency Program Act* expires or is cancelled before June 15, 2021.