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MEMORANDUM

Date: June 10, 2020

Re: Return to Sport – Ontario, Quebec, British Columbia, Alberta

This revised memorandum sets out return to sport regulations for Canada's four most populous provinces as of the date shown above.

- The first table below summarizes the regulations in Quebec, British Columbia, and Alberta.
- The second table summarizes the regulations in Ontario, which provide for particularly detailed rules based on facility type.

Additional information about the remaining Canadian provinces will be provided shortly.

Please reach out with any questions.

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Category	Quebec	British Columbia	Alberta
<p>Key sources of law</p>	<p>Order in Council No. 177-2020 of March 13, 2020 (as renewed) - Declaration of a public health emergency</p> <p>Order No. 2020-004 of the Minister of Health and Social Services of March 15, 2020 - Closure of public places</p> <p>Order in Council No. 530-2020 of May 19, 2020 - Resumption of outdoor recreational, sports and leisure activities during COVID-19</p> <p>Order in Council No. 543-2020 of May 22, 2020 - Assemblies</p> <p>Ministerial Order 2020-043 of the Minister of Health and Social Services dated 6 June 2020 - Work environments that offer the public outdoor, recreational or sports activities</p>	<p>Public Health Act</p> <p>Workers Compensation Act</p> <p>Orders made by the Provincial Health Officer:</p> <ul style="list-style-type: none"> • Mass Gathering Events (“Mass Gatherings Order”) • Workplace COVID-19 Safety Plans (“Safety Plans Order”) 	<p>Bill 9 Emergency Management Amendment Act, 2020</p> <p>Bill 10 Public Health (Emergency Powers) Amendment Act, 2020</p> <p>Orders made by the Chief Medical Officer of Health (“CMOH”):</p> <ul style="list-style-type: none"> • On June 9, 2020, the Government announced that Stage 2 of the Alberta Relaunch Strategy would commence on June 12, 2020. Official public health orders permitting Stage 2 re-openings have not yet been provided to the public. We will update this document as soon as they are made available.. • The State of Public Health Emergency will be lifted as of June 15, 2020. However, public health orders made by the Chief Medical Officer of Health will continue to be in effect. <p>Links to official guidance are set out in the rows below.</p>
<p>General suspension / prohibitions relating to sporting activities</p>	<p>Order No. 2020-004 of the Minister of Health and Social Services of March 15, 2020, orders the suspension of all activities in all places to which the public has admittance for cultural, educational, sports, recreation or entertainment purposes, including spas, saunas, swimming pools, ski stations, ice rinks, fitness centres and sports</p>	<p>BC’s Mass Gatherings Order prohibits gatherings of more than 50 people attending events, which includes “sporting events.”</p> <p>As of May 23, 2020 BC’s Mass Gatherings Order no longer applies to “the presence of workers” engaged in work activities. As a result, employees</p>	<p>Starting on Friday June 12, organized indoor and outdoor sports recreation activities are subject to forthcoming restrictions.</p> <p>The government has published guidance documents set out below to assist businesses and entitles with reopening. Business or entities that</p>

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	<p>centres. In addition, Order in Council 223-2020 of March 24, 2020, orders the suspension, as of March 25, 2020, of all activities carried on in work environments (subject to specific exemptions).</p> <p>As of June 8, 2020, the suspension has been lifted with regard to work environments that offer the public recreational or sports activities, conducted outside, with the exception of beaches, provided the activities do not take place in water parks or spa pools.</p> <p>These activities may also be carried out by individuals with a disability, even if assistance is required. It is recommended that any person providing such assistance be part of the same household as the person requiring the assistance. If not, it is recommended that the person with a disability have their Companion Leisure Card with them as a supporting document justifying the need. This card grants free admission to the accompanying party of a person with a disability and is recognized by leisure, cultural and tourist organizations. If physical distancing rules cannot be observed, the accompanying party must wear personal protective equipment.</p> <p>Businesses and organizations may offer these activities in all regions of Québec, but it is advised that travel between</p>	<p>performing employment functions will no longer factor into the calculation of 50 people.</p>	<p>are permitted to reopen must comply, to the extent possible, with applicable guidance documents. Business and entities that fail to follow guidance documents to the extent possible are in violation of public health orders.</p> <p>The Government recommends that individuals participating in sports, recreation or outdoor activities also follow the procedures set out in applicable guidance documents, however failing to do so is not a breach of any law, unless the participant is also failing to abide by an applicable public health orders (such as failing to meet physical distancing requirements)</p> <p>Key guidance documents for recreation and sport activities include:</p> <ul style="list-style-type: none"> • Guidance for Return to Sport, Physical Activity and Recreation – Stage 2 (PDF) – RELEVANT GUIDELINES FOR SPECIFIC NSO SPORTS AND ACTIVITIES ARE INCLUDED IN THIS DOCUMENT. • Guidance for Outdoor Recreation (PDF) • Guidance for Organized Outdoor Sport, Physical Activity and

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	<p>regions or cities be avoided wherever possible.</p>		<p>Recreation (PDF)</p> <ul style="list-style-type: none"> • Guidance for Outdoor Fitness Classes (PDF) • Guidance for Swimming Pools and Whirlpools (PDF) • Guidance for Indoor Recreation Entertainment (PDF) • Guidance for Outdoor Events (PDF) <p>Outdoor:</p> <p>Outdoor recreation facilities are permitted to open on June 12 provided they follow public health orders, sector specific guidelines, and the Workplace Guidance for Business Owners.</p> <p>Gatherings of more than 100 people at an <i>outdoor</i> event are prohibited in stage 2, which includes sporting events.</p> <p><u>Indoor:</u></p> <p>Wherever possible, activities should be re-located to outdoor settings instead of indoors. Facility ventilation systems should be both operational and appropriate for the activities practiced within.</p> <p>Any operator of a facility must look at public health guidance (all guidelines documented and linked above) before re-opening, and make a decision from there if they want to open with those</p>

FASKEN

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			<p>guidelines in place. They must ask if they can comply with such guidelines and if they want to open with these restrictions in place.</p> <p>The Order (still to be released) will prohibit gatherings of more than 50 people at an <i>indoor</i> event. Recreation and fitness workplaces can have more than 50 people in a workplace provided they follow public health orders, sector specific guidelines, and the Workplace Guidance for Business Owners.</p> <p>For Stage 2 of Relaunch, activities should be restricted to local community opportunities. Participants should not seek sport, physical activity and recreation opportunities in other regions, or out of province.</p> <p>o Cross-jurisdictional, or inter-regional, play should not occur at this stage.</p>
Physical distancing	<p>Individuals must stay 2 metres away from each other, regardless of whether they are carrying out activities indoors or outdoors. As a result, it a person may only engage in sports activities while staying 2 metres away from persons who do not live under the same roof as them.</p>	<p>Although some orders regarding physical distancing have been made that affect specific operations and businesses (such as retail food, grocery stores, and restaurants), there are currently no Orders that generally require physical distancing between persons.</p> <p>However, the Provincial Health Officer and other provincial medical officers have strongly recommended physical distancing of 1–2 metres between persons, and that physical distancing be</p>	<p>CMOH order 07-2020 requires that all persons gathering at an outdoor location or an indoor location maintain a minimum of two metres distance from one another. Physical distancing requirements do not apply to members of the same household.</p> <p>Operators of workplaces which are permitted to open should strive to follow physical distancing requirements. However, where such distancing is not possible, operators are required use</p>

FASKEN

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		<p>facilitated wherever possible.</p> <p>With such “guidance” in mind, the Workers’ Compensation Board (“WorkSafeBC”) and various health officials possess powers under the <i>Workers Compensation Act</i> and <i>Public Health Act</i>, respectively.</p> <p>These bodies have directed that certain businesses and operations close, on a case by case basis, if it is determined that the operations have, or will, present undue health hazards to employees or the public.</p> <p>As a result, failure to adhere to physical distancing guidance may and have been factors in determining whether a particular organization may operate.</p>	<p>physical barriers, personal protective equipment, or other mitigation tools.</p> <p>Effective June 12, 2020:</p> <ul style="list-style-type: none"> • All aspects of organized sport, physical activity and recreation may proceed (programming, training, practice and competition) if physical distancing is possible. • If those not participating in physical activity are unable to maintain safe physical distancing, masks should be worn. In sports and activities that generally involve interaction between participants at a distance of less than two-metres, it is recommended that: <ul style="list-style-type: none"> o The activity occur outdoors, or o Modification of the activity or sport occur to keep participants at a safe distance. • Where sports and activities cannot be moved outdoors or modified to maintain distance, it is essential to limit the number of contacts between different participants. This is done by playing within set cohorts (e.g., mini-leagues or bubbles with a fixed number of participants). • Mini-leagues and bubbles cannot exceed 50 people. This number

FASKEN

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			<p>includes those participants, officials, coaches and trainers who cannot maintain two metres of distance from others at all times. This number does not include parents and spectators.</p> <ul style="list-style-type: none"> • Cohorts, mini-leagues and bubbles should remain together during Stage 2 of Relaunch and only play within the same geographical region (e.g., within a county, town or quadrant of a city). • It is recommended that mini-leagues and bubbles be supervised by a responsible person whose role is oversight over maintenance of the group and other public health guidance
Team sports	<p>For the time being, group sports have to be practiced in a “training” mode only, with no contact. Matches and local competitions may potentially resume around the end of June, depending on how the situation develops. Further announcements will be made at a later date.</p>	<p>There is currently no provincial order which prohibits participation in team sports in BC, subject to the Mass Gatherings Order described above.</p>	<p>Effective June 12, 2020:</p> <ul style="list-style-type: none"> • Team sports at an <i>outdoor</i> location are permitted provided that the outdoor gathering has no more than 100 people <u>and</u> all persons maintain a minimum of two metres from one another. • Team sports at a <i>indoor</i> facility are permitted provided that the indoor gathering has no more than 50 people <u>and</u> all persons maintain a minimum of two metres from one another. <p>Some municipalities in Alberta are</p>

FASKEN

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			<p>currently are not issuing permits for organized team sports.</p> <p>Facilities should develop procedures that allow for uncongested drop off and pick up of participants. (e.g., drive-thru lanes for pick up and drop off of sport participants, dedicated entrances and exits for incoming and outgoing sport teams)</p>
Spectators	<p>Given that certain health measures implemented to protect Quebecers from COVID-19 will have to be observed in the longer term, the Québec government has requested the cancellation of indoor and outdoor festivals and cultural events planned in Québec until August 31, 2020. This measure does not cover the regular activities of Québec sports federations during which it is possible to abide by health rules, especially physical distancing.</p> <p>The organizers of sporting events, including professional sports, who believe that they are able to comply with the health rules in force may obtain an assessment of whether or not it is possible to hold the event.</p>	<p>Under the Mass Gatherings Order, no more than 50 people may attend a sporting event.</p> <p>Persons who are not “workers” performing “work functions” will form part of the 50 people allowed.</p>	<p>Effective June 12, 2020:</p> <ul style="list-style-type: none"> • Spectators (excluding parents and guardians where necessary for player support) should be kept out of participant spaces (e.g., fields of play, courts, ice surfaces). • The maximum number of spectators is determined by how many people the space can hold while keeping two metres of distance between attendees from different households/cohort families, up to a maximum of 100 persons. • Unless from the same household, spectators should maintain a minimum two-metre distance from one another at all times, whether the activity is indoor or outdoor. • It is strongly recommended that

FASKEN

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			all spectators wear masks, especially in an indoor setting. Cheering and yelling is strongly discouraged at this time as it presents a high risk of spreading droplets
Locker rooms	<p>The following measures are part of the CNESST¹ Workplace Sanitary Standards Guide for the Leisure, Sports and Outdoor Recreation Sector – COVID-19:</p> <ul style="list-style-type: none"> Clean sanitary facilities (washrooms, changing rooms and showers) every shift or more frequently and disinfect them daily. 	<p>There are currently no Orders or laws specifically directed at locker rooms.</p> <p>However, failure to take measures to facilitate physical distancing in such environments could reasonably result in determinations by WorkSafeBC and/or public health officials that the specific operation poses an undue health hazard under the <i>Workers Compensation Act</i>, or <i>Public Health Act</i>, as above. This could result in remedial orders, including an order to cease operations.</p>	<p>The Government has advised that facilities should discourage the use of locker rooms and change rooms whenever possible.</p> <ul style="list-style-type: none"> Encourage participants to come dressed for their activity. Set capacity limits on how many people can use locker rooms at the same time. Adjust lockers to enable physical distancing. <p>Facilities must also ensure that surfaces, sinks and toilets in are cleaned and disinfected regularly. And remove self-serve and common-use items such as hair dryers, cotton swabs and disposable razors.</p> <p>Cleaning and sanitation should follow provincial guidelines.</p>
Other	Owners and managers of facilities and organizations responsible for organizing activities must implement hygiene and protective measures in order to comply with the parameters set by the public	<p>Pursuant to the Safety Plans Order, all employers are required to devise and publish COVID-19 Safety Plans.</p> <p>Such plans must be published on the organization’s website, if available, as</p>	-

¹ Commission des normes, de l'équité, de la santé et de la sécurité du travail.

FASKEN

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	<p>health authorities.</p> <p>Sports federations and provincial organizations are expected to develop guidelines for their members regarding the resumption of activities.</p> <p>Sports federations and provincial recreational and outdoor activity organizations are expected to work in collaboration with the Ministry of Education and Higher Education in order to develop guidelines tailored to their respective fields and disciplines.</p> <p>Sports federations and provincial organizations are responsible for informing their members of these guidelines and for making it clear that health and safety guidelines, especially hygiene rules, must be followed in order to ensure that activities are practised safely.</p> <p>Site managers may limit the number of people admitted, or even close a site, to ensure compliance with the recommendations issued by public health authorities.</p> <p>In addition, the CNESST has produced the Workplace Sanitary Standards Guide for the Leisure, Sports and Outdoor Recreation Sector – COVID-19.</p> <p>Additional guidance</p> <ul style="list-style-type: none"> Given that it is difficult to avoid touching your face with your 	<p>well as at the workplace for review by employees, or others who attend at the worksite.</p> <p>Although there is no official format that a COVID-19 Safety Plan must take, WorkSafeBC has published template documents and guidance for the development of such plans.</p> <p>Although pre-approval is not required, WorkSafeBC has indicated that it will review the content of any COVID-19 Safety Plans when determining whether an Employer has complied with its general obligations to ensure the health and safety of employees, and eliminate workplace hazards.</p> <p>Under the <i>Public Health Act</i>, persons or organizations may seek individual agreements or exemptions from orders of the Provincial Health Officer, which will include the Mass Gatherings Order. Generally, the grounds for reconsideration or agreement are:</p> <ul style="list-style-type: none"> Additional, relevant information was not available at the time the Order was made; The organization has a proposal that, if implemented, would otherwise meet the objectives of the Order. 	

FASKEN

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	<p>hands, especially during sports activities, it is recommended that shared objects or equipment be disinfected before each person uses them.</p> <ul style="list-style-type: none"> • As much as possible, each participant should also use their own equipment (for example, use your own golf balls, have each tennis player use a different ball). • Disinfectants used to treat the water in public swimming pools are capable of inactivating coronaviruses. Risks primarily concern proximity to infected individuals or contaminated surfaces. The 2-metre physical distancing rule continues to apply (except in emergency life-saving situations). 		

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Ontario

In Ontario, each of the facilities described in the table below is a place of essential business and is permitted to open. However, every person responsible for such a facility that is open shall ensure that it is operated:

- in accordance with all applicable laws, including the *Occupational Health and Safety Act* and its regulations;
- in compliance with the advice, recommendations and instructions of public health officials (whether federal, provincial, or municipal), including any advice, recommendations or instructions on physical distancing, cleaning or disinfecting; and
- in compliance with the special rules that apply as set out in the table below.

[The Government of Ontario recently announced that parts of the province will enter Stage 2 at 12:01 am on Friday, June 12, 2020.]

Category	Ontario: Facilities for athletic training or competitions	Ontario: Indoor or outdoor sports facilities	Ontario: Golf courses and outdoor golf driving ranges
Type of facility	<p>Facilities being used to train amateur or professional athletes or to run amateur or professional athletic competitions by one of the following (each an “Applicable Organization”):</p> <ul style="list-style-type: none"> • A national sport organization funded by Sport Canada or a member club of such an organization. • A provincial sport or multi-sport organization recognized by the Ministry of Heritage, Sport, Tourism and Culture Industries or a member club of such an 	<p>The following outdoor facilities:</p> <ul style="list-style-type: none"> • Baseball diamonds. • Soccer fields. • Tennis, platform tennis, table tennis and pickleball courts. • Basketball courts. • BMX parks. • Skate parks. • Motorsport tracks. 	<p>Golf courses and outdoor golf driving ranges</p>

FASKEN

Category	Ontario: Facilities for athletic training or competitions	Ontario: Indoor or outdoor sports facilities	Ontario: Golf courses and outdoor golf driving ranges
	<p>organization.</p> <ul style="list-style-type: none"> A professional sport league or a member club of such a league.² <p>Note: Pool facilities are not yet permitted to re-open.</p>	<ul style="list-style-type: none"> Frisbee golf locations. Cycling tracks and bike trails. Horse riding facilities. Shooting ranges, including those operated by rod and gun clubs. <p>The following indoor facilities:</p> <ul style="list-style-type: none"> Indoor golf driving ranges. Indoor horse riding facilities. Indoor shooting ranges, including those operated by rod and gun clubs. 	
Physical distancing	<p>Only athletes who are members of the Applicable Organization may use the facility.</p> <p>Any person who enters or uses the facility must maintain a physical distance of at least two metres from any other person using the facility.</p>	<p>Any person who enters or uses the facility must maintain a physical distance of at least two metres from any other person using the facility.</p>	<p>No special restrictions. But, as stated above, every person responsible for the facility must comply with advice, recommendations and instructions of public health officials relating to physical distancing.</p>
Team sports	<p>The following are not to be played in the facility:</p> <ul style="list-style-type: none"> Team sports. Other sports or games that are likely to result in individuals coming within two metres of each other. 	<p><< Same as at left.</p>	<p>No special restrictions.</p>
Spectators	<p>Spectators are not allowed with the exception</p>	<p>No special restrictions, but those</p>	<p><< Same as at left.</p>

² Facilities operated by sports teams in one of the five major professional sports leagues (CFL, MLB, MLS, NBA, and NHL) have their own set of rules which we have not included here, but can research on request.

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Category	Ontario: Facilities for athletic training or competitions	Ontario: Indoor or outdoor sports facilities	Ontario: Golf courses and outdoor golf driving ranges
	of one accompanying parent, guardian or adult for each athlete under the age of 18.	responsible for the facility must comply with advice, recommendations and instructions of public health officials.	
Locker rooms	Locker rooms, change rooms, showers and clubhouses must remain closed, except to the extent that they provide access to a washroom or to a portion of the facility used to provide first aid.	<< Same as at left.	No special restrictions.
Other	All sports activities must be conducted in accordance with the rules and policies of the Applicable Organization, including the rules and policies put in place to ensure a safe return to the sport.	-	Any clubhouse, restaurant, pool, meeting room, fitness centre or other recreational facility on the premises must remain closed to the public, except the portion of that building that is used to provide first aid services, contains washrooms or provide access to either. Despite the above, restaurants on the premises may provide take-out or delivery service.

Key sources of Ontario law:

- [O Reg 82/20](#) [Closure of Places of Non-Essential Businesses]
- [O Reg 51/20](#) [Closure of Establishments]
- [O Reg 52/20](#) [Organized Public Events, Certain Gatherings]