

NEW ORDER REGARDING PUBLIC EVENTS, INCLUDING RELIGIOUS SERVICES

JUNE 12, 2020

The Ontario government filed an amendment to [Ontario Regulation 52/20](#),¹ under the *Emergency Management and Civil Protection Act*,² increasing the number of people who may attend an organized public event, social gathering, “wedding, funeral or religious service, rite or ceremony” to ten (10) people, with the exclusion of certain businesses subject to emergency orders relating to Stage 1 and Stage 2.

Of note, the amended Ontario Regulation 52/20 provides an exemption to the prohibition on gatherings of more than ten (10) people for *indoor* gatherings for the purposes of a wedding, funeral or religious service, rite or ceremony, provided certain conditions are met, including i) the people occupying any room in the building or structure, which may not be a private dwelling, does not exceed thirty (30) percent of “the capacity of the particular room”; ii) all persons attending the gathering must remain at least two metres apart from each other, unless they are members of the same household; and iii) the persons conducting the service or ceremony follow the advice, recommendations and instructions of public health officials.

Similarly, Ontario Regulation 52/20 also provides an exemption to the prohibition on gatherings of more than ten (10) people for *outdoor* gatherings for the purposes of a wedding, funeral or religious service, rite or ceremony, provided, generally, that i) no more than fifty (50) people are in attendance; ii) all persons attending the gathering remain at least two metres apart from each other, unless they are members of the

¹ O Reg 52/20, *Order under Subsection 7.0.2(4) of the Act – Organized Public Events, Certain Gatherings*, online: <https://www.ontario.ca/laws/regulation/200052>.

² RSO 1990, c E.9.

same household; and iii) the persons conducting the service or ceremony follow the advice, recommendations and instructions of public health officials.

Further, Ontario Regulation 52/20 also amends the provisions introduced last month regarding gatherings for religious services as "drive-ins". This exemption to the prohibition on gatherings of more than ten (10) people requires, generally, that i) persons attending the gathering remain within a motor vehicle "that is designed to be closed to the elements", except to use a washroom or "as may otherwise be required for the purposes of health and safety"; ii) the motor vehicle is positioned at least two meters away from other motor vehicles; iii) the persons conducting the service or ceremony remain at least two meters away from each other, unless they are members of the same household; and iv) the persons conducting the service or ceremony follow the advice, recommendations and instructions of public health officials. However, the previous restriction on the exchange of materials between a person conducting the service or ceremony and an occupant of a motor vehicle has been removed.

Ontario Regulation 52/20 is in force until June 30, 2020, unless it is extended.

To discuss how this may impact your charity or not-for-profit, call us toll-free at 1-877-942-0001 or email tcarter@carters.ca.



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