

COVID-19 RESOURCE FOR CHARITIES & NFPs

ONTARIO EXTENDS EMERGENCY AND STAY-AT-HOME ORDER

APRIL 19, 2021

On April 16, 2021 the provincial government [announced](#) that the provincial declaration of emergency,¹ and the Stay-at-Home order,² both issued under the *Emergency Management and Civil Protection Act* (the “EMCPA”),³ would be extended for an additional two weeks until May 5, 2021 to help stop the spread of COVID-19.

The extension until May 5, 2021 applies to all orders issued under the EMCPA, including Ontario Regulation 272/21: *Transfer of Hospital Patients* and Ontario Regulation 271/21: *Work Redeployment for Local Health Integration Networks and Ontario Health*, both made on April 9, 2021, and Ontario Regulation 8/21: *Enforcement of COVID-19 Measures*, made on January 12, 2021. Of note, Ontario Regulation 8/21: *Enforcement of COVID-19 Measures* was amended to provide police officers and other provincial offences officers enhanced authority to support the enforcement of Ontario's Stay-at-Home order, including the power to “require any individual who is not in a place of residence to (a) provide the address of the residence at which they are currently residing; and (b) provide their purpose for not being at their residence” and require the driver of a vehicle to stop to answer such questions.⁴ However, a subsequent amendment to Ontario Regulation 8/21 over the weekend clarified that such powers may only be exercised where “a police officer or other provincial offences officer has reason to suspect that an individual may be participating in a gathering that is prohibited [...] and believes that it would be in the public interest to determine whether the individual is in compliance”.⁵

¹ O Reg 291/21.

² O Reg 265/21.

³ RSO 1990, c E.9.

⁴ O Reg 294/21.

⁵ O Reg 298/21.

In addition, most orders currently in force under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020* (“ROA”)⁶ have been extended until May 20, 2021. Of note, [Ontario Regulation 82/20: Rules for Areas in Stage 1](#), has been amended to reduce the number of persons permitted for an indoor gathering for the purposes of a wedding, a funeral or a religious service, rite or ceremony from 15 percent of the capacity of the room to 10 people for all gatherings indoors and outdoors effective on April 19, 2021.⁷

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



Carters Professional Corporation / Société professionnelle Carters

Barristers · Solicitors · Trademark Agents / Avocats et agents de marques de commerce

www.carters.ca www.charitylaw.ca www.antiterrorismlaw.ca

Toronto · Ottawa · Orangeville

Toll Free: 1-877-942-0001

DISCLAIMER: This is a summary of current legal issues provided as an information service by Carters Professional Corporation. It is current only as of the date of the summary and does not reflect subsequent changes in the law. The summary is distributed with the understanding that it does not constitute legal advice or establish a solicitor/client relationship by way of any information contained herein. The contents are intended for general information purposes only and under no circumstances can be relied upon for legal decision-making. Readers are advised to consult with a qualified lawyer and obtain a written opinion concerning the specifics of their particular situation. © 2021 Carters Professional Corporation

COVID-19 Resource_v3_2021 04 19 (00562869-3xE0E23).docx

⁶ SO 2020, c 17.

⁷ O Reg 297/21.