

COVID-19 RESOURCE FOR CHARITIES & NFPS

THIRD PROVINCIAL EMERGENCY DECLARED WITH NEW STAY-AT-HOME ORDER

APRIL 9, 2021

AS OF 12:01 A.M. YESTERDAY the province of Ontario is in its third state of emergency since the start of the COVID-19 pandemic. The provincial government filed *Declaration of Emergency*, [Ontario Regulation 264/21](#), on April 7, 2021, under the *Emergency Management and Civil Protection Act* (“the Act”).¹ The entirety of the regulation states:

WHEREAS COVID-19 constitutes a danger of major proportions that could result in serious harm to persons;

AND WHEREAS the criteria set out in subsection 7.0.1 (3) of the Act have been satisfied;

NOW THEREFORE, an emergency is hereby declared pursuant to section 7.0.1 of the Act in the whole of the Province of Ontario.²

Under the Act, declarations of emergency are in effect for two weeks, and may be extended.³ Also on April 7, 2021, the provincial government filed [Ontario Regulation 265/21](#), *Stay-at-home Order*, stating, “Every individual shall remain at the residence at which they are currently residing at all times unless leaving their residence is necessary for one or more of the following purposes”: An attached schedule sets out an extensive list of purposes, including work, volunteering, school and child care; obtaining goods and services; moving residences; gathering for the purpose of a wedding, funeral or religious service; or

¹ RSO 1990, c E.9, online: <https://www.ontario.ca/laws/statute/90e09> [Act].

² O Reg 264/21.

³ *Ibid* s 7.0.7(1).

for health, safety and legal purposes.⁴ Currently, pursuant to regulations under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*,⁵ the limit for attendance at a religious service indoors remains at 15% of the capacity of the room, and any outdoor gatherings require compliance with physical distancing guidelines.⁶

In an April 7 [announcement](#), the government noted a “rapid increase in COVID-19 transmission, the threat on the province’s hospital system capacity, and the increasing risks posed to the public by COVID-19 variants” as reasons for the emergency declaration. Hospitalizations due to COVID-19 have increased by 28.2% between March 28 and April 5, 2021, the government reported, while the number of intensive care unit patients increased by a reported 25% during the same period of time. In accordance with an announced “[provincewide emergency brake](#)” policy, the *Rules for Areas in Stage 1*⁷ were amended on April 7, 2021 by [Ontario Regulation 267/21](#), adding a number of restrictions to retail businesses.

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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⁴ O Reg 265/21; see the regulation webpage for the full list of permitted purposes, online:

<https://www.ontario.ca/laws/regulation/r21265>.

⁵ SO 2020, c. 17.

⁶ O Reg 82/20, Schedule 9, s 1(1)–(2).

⁷ *Ibid*, online: <https://www.ontario.ca/laws/regulation/200082>.