

CANADA
NUNAVUT

PUBLIC HEALTH ACT, S. Nu. 2016, c. 13

ORDER TO AIR CARRIERS #7

WHEREAS:

- A. The Minister of Health has declared a Public Health Emergency in Nunavut effective March 20, 2020 to address the novel coronavirus COVID-19 pandemic, and the Minister may extend this declaration every fourteen (14) days for the duration of the Public Health Emergency;
- B. Pursuant to section 41(1) of the *Public Health Act* (“the Act”) the Chief Public Health Officer may take certain actions, including issuing directions or orders for the purposes of protecting the public health and preventing, remedying or mitigating the effects of the public health emergency;
- C. Pursuant to the *Aeronautics Act*, the federal Minister of Transport issued the *Interim Order Respecting Certain Requirements for Civil Aviation due to COVID-19, No. 8* effective September 15, 2020; and
- D. The Chief Public Health Officer wishes to align the instructions to air carriers and licensed resellers with the instructions issued by the Minister of Transport;

THEREFORE, and pursuant to subsection 41(1)(g) of the Act, the Chief Public Health Officer hereby issues this order to all air carriers, licensed resellers and private operators operating flights to and within Nunavut (collectively, “operators”):

1. The Order issued to Air Carriers (#6) issued on July 13, 2020 is rescinded and replaced with this Order.
2. In this Order:
 - a. “Air Carrier” means any person who operates a commercial air service under Subpart 1, 3, 4 or 5 of Part VII of the Canadian Aviation Regulations;
 - b. “Emergency Service Provider” means:
 - i. Members of the Royal Canadian Mounted Police on active duty;

- ii. Members of the Canadian Armed Forces on active duty;
 - iii. Members of the Correctional Service of Canada or the Nunavut Department of Justice Corrections Division on active duty;
 - iv. Employees or agents of the Nunavut Department of Health escorting patients detained under orders pursuant to the *Mental Health Act* or the *Public Health Act*;
 - v. Members of the Canadian Coast Guard and Canadian Coast Guard Auxiliary on active duty; and
 - vi. Members of any other law enforcement agency established under a law of Canada or Nunavut, on active duty.
 - c. “Military Flight” means any flight operated on Canadian Armed Forces Aircraft or on aircraft of another military service authorized to operate in Canada; and
 - d. “Private Operator” means the holder of a private operator registration document as defined in the Canadian Aviation Regulations.
3. Except as authorized by this Order, no person exhibiting any symptoms of novel coronavirus COVID-19 shall be permitted to travel to Nunavut.
4. All air carriers and private operators must ask questions of every passenger to verify whether they exhibit the following symptoms (the “health check” questions):
- a. fever exceeding 38° Celsius (100.4° Fahrenheit);
 - b. coughing; and
 - c. breathing difficulties.
5. All air carriers and private operators must ask every passenger the following additional questions (the “additional questions”):
- a. whether they have or suspect they have novel coronavirus COVID-19;
 - b. whether they have been refused boarding in the past 14 days due to a medical reason related to novel coronavirus COVID-19, and
 - c. whether they are the subject of a mandatory quarantine order as a result of recent travel or as a result of a provincial, territorial, or local public health order.

6. All air carriers and private operators must advise every passenger not to provide answers to the health check questions or the additional questions that they know to be false or misleading.
7. Passengers who answering health check questions or the additional questions must:
 - a. Answer all questions; and
 - b. Not provide answers that they know to be false or misleading.
8. A competent adult may answer all questions on behalf of a person who is not a competent adult.
9. All air carriers and private operators are not required to conduct a health check for the following persons:
 - a. a crew member;
 - b. a passenger who provides a medical certificate certifying that any symptoms referred to in paragraph 3 that they are exhibiting are not related to novel coronavirus COVID-19; or
 - c. if the person bears a letter of authorization from the Chief Public Health Officer or a Medical Health Officer stating that the symptoms referred to in paragraph 3 are unrelated to novel coronavirus COVID-19.
10. All air carriers and private operators are prohibited from allowing a passenger or crew member to board an aircraft for a flight that the operator operates if
 - a. the passenger's answers to the health check questions indicate that they exhibit
 - i. a fever and cough, or
 - ii. a fever and breathing difficulties;
 - b. the air carrier or private operator observes, during the health check, that the passenger or crew member is exhibiting
 - i. a fever and cough, or

- ii. a fever and breathing difficulties;
 - c. the passenger's answer to any of the additional questions asked of them under paragraph 5 is in the affirmative;
 - d. the passenger is a competent adult and refuses to answer any of the questions asked of them under paragraph 5; and
 - e. the passenger cannot produce either
 - i. the letter of authorization described in paragraph 13 or
 - ii. the letter designating the passenger as an exempt critical worker or Emergency Service Provider described in paragraph 15.
- 11. Passengers who are prohibited from boarding an aircraft under paragraph 10 are not permitted to board another aircraft for the purpose of being transported to Nunavut for a period of 14 days after the prohibition, unless they provide a medical certificate certifying that any symptoms referred to in paragraph 4 that they are exhibiting are not related to COVID-19.
- 12. All air carriers should advise air travellers who have been denied boarding to follow the guidance and directions from their provincial/territorial health authorities for dealing with the novel coronavirus COVID-19 infection.
- 13. All passengers must provide proof of authorization to travel issued by the Chief Public Health Officer:
 - a. certifying that they have completed the mandatory fourteen-day isolation period at a designated facility;
 - b. certifying that the passenger is exempt from the mandatory isolation period;
 - c. for passengers travelling on flights between Nunavut and the Northwest Territories, certifying that the passenger has been physically present in either Nunavut or the Northwest Territories for the fourteen (14) days prior to travel and has completed any mandatory self-isolation ordered by the Chief Public Health Officer of Nunavut or the Northwest Territories; or

- d. for passengers travelling on direct flights between Nunavut and Churchill, Manitoba, certifying that the passenger has been physically present in either Nunavut or Churchill, Manitoba for the fourteen (14) days prior to travel and has completed any mandatory self-isolation ordered by the Chief Public Health Officer of Nunavut or Manitoba.
14. Passengers travelling on scheduled flights between the Kitikmeot Region and any other part of Nunavut containing a stopover or change of aircraft in Yellowknife, Northwest Territories are exempt from the requirement to produce the proof of authorization in paragraph 13.
15. All Emergency Service Providers and exempted critical labour must produce a letter from the Office of the Chief Public Health Officer certifying that the passenger is within the classes of exempted critical labour listed in the Travel Restriction Order.
16. The Chief Public Health Officer may notify the air carrier in writing that certain passengers or classes of passenger are exempted critical labour.
17. Emergency Service Providers are exempt from the requirements in paragraphs 13 and 15 when:
 - a. Travelling on military flights;
 - b. Travelling on charter flights operated by a private operator or on aircraft operated by the emergency service; or
 - c. When the purpose of travel to Nunavut is to respond to a declared state of emergency under the *Emergency Measures Act* or the *Emergencies Act* (Canada), or to render aid to the civil power pursuant to the *National Defence Act* (Canada)
18. Failure to comply with this Order may be considered a breach of this Order issued under the *Public Health Act* and may result in penalties under the Act, which may include:
 - a. A \$575 fine for individuals; and
 - b. A \$2875 fine for corporations.

19. Providing false or misleading statements to the Chief Public Health Officer for the purposes of entering Nunavut or circumventing mandatory isolation constitutes a breach of this Order.

This order is effective at 12:01 am Eastern Time on Monday, October 5, 2020 and remains in effect for the duration of the Public Health Emergency, unless otherwise rescinded.



Dr. Michael Patterson
Chief Public Health Officer