



# MANITOBA

## ORDER IN COUNCIL

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DATE: **May 26, 2021**

ORDER IN COUNCIL NO.: **164/2021**

RECOMMENDED BY: **Minister of Infrastructure**

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### ORDER

The Declaration of State of Emergency in the whole of the Province of Manitoba due to the communicable disease known as COVID-19 dated March 20, 2020 and last extended by Order in Council 141/2021 is hereby extended for a further period of 30 days, commencing as of 4:00 p.m. on May 29, 2021.

### AUTHORITY

*The Emergency Measures Act*, C.C.S.M. c. E80, states:

#### **Declaration of a state of emergency**

**10(1)** In the event of a major emergency or disaster the minister may declare a state of emergency in respect to all or any part of the province.

#### **Description of emergency and affected area**

**10(2)** A declaration of a state of emergency

- (a) must describe the major emergency or disaster that is the subject of the declaration;
- (b) must state whether the declaration applies to all or a part of the province;
- (c) must, if the declaration applies to a part of the province, describe the affected area; and
- (d) must, if the duration of the declaration is to be less than 30 days, state its duration.

#### **Communication of declaration**

**10(3)** Immediately after the declaration of a state of emergency, the minister shall cause the details of the declaration to be communicated by the most appropriate means to the residents of the affected area.

#### **Duration of declaration**

**10(4)** A declaration under subsection (1) is valid for a period of 30 days beginning on the day the declaration is made, unless a shorter period is stated in the declaration in accordance with clause (2)(d). The Lieutenant Governor in Council may, if necessary, extend the duration of a declaration — with any changes to the geographic area affected by the declaration considered necessary — for further periods of up to 30 days each, in which case subsections (2) and (3) apply.

#### **Statutes and Regulations Act does not apply**

**10(5)** *The Statutes and Regulations Act* does not apply to a declaration under subsection (1) or to an extension of the duration of a declaration under subsection (4).

### BACKGROUND

1. On March 20, 2020, pursuant to subsection 10(1) of *The Emergency Measures Act*, the Minister responsible for *The Emergency Measures Act* issued a Declaration of State of Emergency in the whole of the Province of Manitoba due to COVID-19 as of 4:00 p.m., March 20, 2020.

2. The Declaration of State of Emergency dated March 20, 2020, was last extended for a further period of 30 days commencing on April 30, 2021, by Order in Council 141/2021, in accordance with the provisions of subsection 10(4) of *The Emergency Measures Act*.
3. The Lieutenant Governor in Council deems it necessary to extend the duration of the Declaration of State of Emergency for a further period of 30 days, in accordance with the provisions of subsection 10(4) of *The Emergency Measures Act*.