

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE MINISTER OF PUBLIC SAFETY AND
SOLICITOR GENERAL

Emergency Program Act

Ministerial Order No. M193

WHEREAS a declaration of a state of emergency throughout the whole of the Province of British Columbia was declared on March 18, 2020;

AND WHEREAS a person infected with SARS-CoV-2 can infect other people with whom the infected person is in contact;

AND WHEREAS in order to mitigate the risk of the transmission of SARS-CoV-2 among inmates at correctional centres, staff of correctional centres and other persons who are in contact with inmates at correctional centres, measures must be taken to designate and manage classes of inmates and induction units for the confinement of inmates so as to manage and operate correctional centres in accordance with emergency and public health guidance;

AND WHEREAS section 10 (1) of the *Emergency Program Act* provides that I may do all acts and implement all procedures that I consider necessary to prevent, respond to or alleviate the effects of any emergency or disaster;

I, Mike Farnworth, Minister of Public Safety and Solicitor General, order that the attached Correctional Centre Measures (COVID-19) Order is made.

June 17, 2020

Date


Minister of Public Safety and Solicitor General

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Emergency Program Act*, R.S.B.C. 1996, c. 111, s. 10

Other: MO 73/2020; OIC 310/2020

CORRECTIONAL CENTRE MEASURES (COVID-19) ORDER

Definitions

1 In this order:

“**admission**” has the same meaning as in the *Correction Act* and includes admission after a return from a court appearance or after another absence from a correctional centre;

“**correctional centre**” has the same meaning as in section 1 of the *Correction Act*;

“**COVID-19 pandemic**” means the emergency that is the subject of the declaration described in section 2 of this order;

“**emergency and public health guidance**”, in relation to the management, operation and security of a correctional centre, means any of the following with respect to the COVID-19 pandemic:

- (a) an order made under the *Emergency Program Act*;
- (b) an instruction or order of a health officer, as defined in the *Public Health Act*;
- (c) guidelines of the British Columbia Centre for Disease Control;
- (d) guidelines of the Public Health Agency of Canada;
- (e) guidelines published on a website maintained by or on behalf of the government;
- (f) guidelines of
 - (i) a regional health board designated under the *Health Authorities Act*,
 - (ii) the First Nations Health Authority, and
 - (iii) the Provincial Health Services Authority;
- (g) guidelines of a regulatory authority or body having jurisdiction with respect to a person operating or providing the management, operation and security of the correctional centre;

“**induction unit**” means an area designated by a person in charge, under section 4 (a) of this order, to isolate one or more inmates or a class of inmates;

“**inmate**” has the same meaning as in section 1 of the *Correction Act*;

“**person in charge**” has the same meaning as in section 1 of the *Correction Act Regulation*;

“**provincial director**” has the same meaning as in section 1 of the *Correction Act Regulation*.

Application

2 This order only applies during the period that the declaration of a state of emergency made March 18, 2020 under section 9 (1) of the *Emergency Program Act* and any extension of the duration of that declaration is in effect.

Classes of inmates

- 3 The provincial director may designate classes of inmates, including classes of inmates based on the date of admission to a correctional centre, for the purposes of ensuring that the management, operation and security of a correctional centre under the *Correction Act* is in accordance with emergency and public health guidance.

Induction units

- 4 For the purposes of managing and operating a correctional centre in accordance with emergency and public health guidance, a person in charge
 - (a) may designate an area in the correctional centre as an induction unit,
 - (b) may order that one or more inmates or a class of inmates be confined in the induction unit, and
 - (c) must ensure that the induction unit is managed and operated in accordance with the *Correction Act* and regulations.