
Montreal, September 9, 2020

Subject: COVID-19 and Gatherings in Places of Worship

Dear member,

Following the announcement of the reopening of places of worship in Quebec, we are receiving many questions about the gatherings and the risks associated with legal action against the organizers. In times of pandemic, it is best to be informed on these subjects.

Gatherings in closed public places

Although the Quebec government recommends avoiding them, gatherings of 250 people in closed public places are now permitted. But beware, whether the gatherings are indoors or outdoors, it is important to know that they must be seriously supervised.

What safeguards must be followed?

The following measures must be respected by the organizers and participants of the gathering:

- A minimum distance of two metres must be maintained between people who do not come from the same household. If it is not possible to maintain the recommended physical distance, the number of participants must be reduced;
- Wearing a mask or face covering is mandatory for people 10 years of age and older;
- Wearing a mask or face covering is strongly recommended for people under 10 years of age when it is not possible to maintain a distance of two meters from other people;
- Individuals who have been diagnosed with COVID-19, who are awaiting a test result, who have symptoms of COVID-19 or who have been instructed to isolate should not participate in gatherings. This applies to both the guests and host of a gathering and to people living in the same household.

The host of the gathering and the guests are responsible for enforcing health regulations for everyone.



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Can organizations have participants or the host sign a waiver to avoid lawsuits from participants who have been affected by COVID-19 during the event?

No. Indeed, article 1474 of the Civil Code of Québec states that it is impossible to avoid liability for bodily or moral injury. Consequently, the person affected could decide to sue the organization in court, and this, despite the signing of such a release. The organization could then decide to take legal action against the host of the event. Such a release would, however, be applicable if it is to exclude property damage. Depending on the situation, signing a liability waiver does not exclude the possibility of legal action.

How can we make the people present at the rally responsible and control the attendance?

Organizations are advised to keep a record of the contact information and exact number of participants. In fact, this register will help to control the number of people attending the event and will also be useful to the authorities, who will be able, in case of contagion, to warn those present at the event and thus prevent an even greater spread of the virus.

Finally, in order to hold the hosts and participants of the gathering accountable, it is recommended that organizations ask participants to sign a statement of intent that includes the following three questions:

1. Have you travelled in the last few weeks?
2. Do you believe you have been in contact with an infected person or are you waiting for a COVID-19 test result?
3. Do you have any symptoms associated with COVID-19 (runny nose, cough, fever, sore throat or headache, sudden loss of smell, difficulty breathing)?

If a person answers "yes" to any of these questions, he or she should refrain from participating in the gathering.

If you have any further questions about this or any other matter covered by your free legal telephone assistance program, please do not hesitate to contact the program's lawyers at 1-844-545-8198, Monday to Friday from 8 a.m. to 6 p.m.

N.B. Several websites offer sample posters to identify actions to be taken with respect to COVID-19. Check them out!

The Mutuelle