

Ministry of Health

Questions and Answers

Version 3 – October 15, 2021

The information in this Questions and Answers document is intended to help clarify requirements under Ontario Regulation 364/20 (under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*) related to proof of vaccination against COVID-19, as well as the Ministry of Health's [Proof of Vaccination Guidance for Businesses and Organizations under the Reopening Ontario Act](#) (the "Ministry's Guidance"). The material is not legal advice and does not purport to be or to provide an interpretation of the law. In the event of any conflict or difference between this summary information and any applicable legislation or regulation, the legislation or regulation prevails. Refer to [O. Reg. 364/20: Rules for Areas at Step 3 or and at the Roadmap Exit Step](#) for more information.

Supports:

1. Will an addendum be posted for additional Q&As?

The Ministry of Health will continually update this Q&A document, as needed, to support businesses and organizations throughout the implementation process.

2. Where do we submit questions?

Businesses and organizations can submit questions to the Ministry of Health via <https://www.ontario.ca/feedback/contact-us?id=25811&nid=98977>.

3. What supports are being provided to businesses to implement these new requirements?

A full list of supports available for businesses can be found on Ontario's COVID-19: Help for businesses [here](#).

4. Is there a resource page for the vaccine certificate for businesses to download signage, etc. from?

The Ministry of Health has created a [poster](#) that businesses and organizations can download to show that proof of vaccination is required to enter the premise.

5. Will the government provide financial assistance to businesses and non-profit organizations for staffing and training costs related to implementing this program?

These vaccine certificates give us the best chance to slow the spread of this virus while helping us to avoid further lockdowns. Organizations are responsible for implementing these changes, but this is a temporary and exceptional measure. We will only use these certificates for as long as they are needed and not one day longer.

Settings (Businesses and Organizations):

6. What is the full list of settings (i.e., businesses or organizations) where patrons must provide proof of identification and proof of being fully vaccinated against COVID-19?

- Indoor areas of restaurants, bars, and other food and drink establishments without dance facilities
- Indoor and outdoor areas of food or drink establishments with dance facilities, including nightclubs, restoclubs, and other similar establishments
- Indoor areas of meeting and event spaces with limited exceptions
- Indoor areas of facilities used for sports and recreational fitness activities, including waterparks, and personal physical fitness training with limited exemptions
 - Includes gyms, fitness/sporting/recreational facilities, pools, leagues, sporting events, waterparks, and indoor areas of facilities where spectators watch events
- Indoor areas of casinos, bingo halls, and other gaming establishments
- Indoor areas of concert venues, theatres, and cinemas
- Indoor areas of bathhouses, sex clubs and strip clubs
- Indoor areas of horse racing tracks, car racing tracks and other similar venues
- Indoor areas where commercial film and TV productions take place with studio audiences
- Any of the following outdoor areas that have a usual capacity of 20,000 or more people (i.e., where 75 percent capacity would be equal to or greater than 15,000 persons):
 - Outdoor meeting and event spaces, with limited exemptions

- Outdoor facilities used for sports and recreational fitness activities, including waterparks, and personal physical fitness training with limited exemptions
 - Includes gyms, fitness/sporting/recreational facilities, pools, leagues, sporting events, waterparks, and indoor areas of facilities where spectators watch events
- Outdoor concert venues, theatres, and cinemas
- Outdoor horse racing tracks, car racing tracks and other similar venues

7. Will the government add other businesses or organizations to the list of settings where proof of vaccination is required to gain access?

The introduction of a proof of vaccination policy is an important step to encourage eligible individuals in Ontario to get vaccinated and give people the tools to limit further spread of the virus, so that we can keep the province open and operational.

The government will continue to review data and evidence to ensure the appropriate and effective measures are in place to protect the health of Ontarians.

Vaccination Policies:

8. Can I choose to have my business require individuals to show proof of vaccination at the point of entry to gain access? Can my restaurant require proof of vaccination for the outdoor patio?

While only specified businesses or organizations are legally required to ask their patrons for proof of identification and proof of being fully vaccinated against COVID-19, [O. Reg. 364/20](#) and the Ministry's Guidance do not prevent the specified businesses or organizations from establishing additional policies or requirements pertaining to their patrons. This could include businesses or organizations that want to implement policies or requirements for part of their business (e.g., entire restaurant including the outdoor patio). Businesses or organizations considering creating their own additional policies or requirements may wish to consult a lawyer.

However, all Ontarians, regardless of their vaccination status, should continue to have access to necessary medical care, food from grocery stores, and basic medical supplies.

9. Why do patrons at the specified businesses and organizations have to be vaccinated but workers (i.e., staff/employees) do not have to be?

Employers are required under the [Occupational Health and Safety Act](#) (OHSA) to take every precaution reasonable in the circumstances for the protection of a worker. This includes identifying the risks and implementing appropriate controls.

There is an existing requirement for workers to wear protective personal equipment that provides protection of the eyes, nose and mouth if, in the course of providing services, the person is required to come within two metres of another person indoors who is not wearing a mask or face covering and is not separated by plexiglass or some other impermeable barrier.

This is specifically designed to protect workers, especially where they are required to come into close contact with many patrons who are unmasked (e.g., restaurant, gym).

Businesses or organizations are also required to implement comprehensive public health and workplace safety measures that are specific to protecting their workers.

Businesses and organizations may choose to implement policies that require workers to be vaccinated.

10. Are businesses and organizations able to implement workplace vaccination policies for employees?

Businesses and organizations can choose to implement workplace vaccination policies. They may also choose to leverage provincial guidance and technology to support implementation.

Businesses and organizations may wish to consult their legal counsel before implementation.

11. What are the proof of vaccination requirements for Indigenous people?

Ontario is committed to ongoing engagement with Indigenous communities and organizations, including ensuring OCAP principles are fully met. A receipt signed by an Indigenous Health Provider can be used as proof of vaccination.

An Indian Status Card or an Indigenous Membership Card with the name and date of birth are also appropriate documentation to provide proof of identity.

General:

12. Are outdoor areas covered by tents, canopies, retractable roofs, etc. considered indoor or outdoor settings?

A setting is considered to be outdoors if an outdoor area of the business or place is:

- Covered by a roof, canopy, tent, awning, or other element if at least two full sides of the area are open to the outdoors and not blocked by any walls or other impermeable physical barriers; or
- Equipped with a retractable roof and the roof is retracted, at least one full side of the outdoor area is open to the outdoors and is not blocked by any walls or other impermeable barriers.

It is possible to have indoor spaces in an outdoor setting (e.g., indoor food or drink establishment at a fair).

13. If time-limited exit and re-entry is possible, is it necessary to show credential on each entry, or will once suffice (e.g., parking validation)?

Businesses and organizations must follow the requirements of section 2.1 of Schedule 1 to [O. Reg. 364/20: Rules for Areas at Step 3 and at the Roadmap Exit Step under the Reopening Ontario \(A Flexible Response to COVID-19\) Act, 2020](#) (ROA), including:

- Patrons must provide, at the point of entry, proof of identification and proof of being fully vaccinated against COVID-19 to access the indoor area of the premises; and
- Not retaining, recording, copying, modifying, or disclosing any information provided by the patron or using it except solely for the purpose of confirming that a patron is fully vaccinated against COVID-19 or is entitled to an exemption.

This includes potentially storing vaccination details in an individual's file.

These requirements will help ensure the protection of an individual's health information.

14. Are businesses and organizations able to keep or retain any information related to proof of vaccination?

As per [O. Reg. 364/20](#), a business or an organization shall not retain, record, copy, modify or disclose any information provided by a patron as it relates to proof of vaccination, or use it except solely for the purpose of confirming that a patron is fully vaccinated against COVID-19 or is entitled to an exemption.

15. If a gym or dance studio has verified the vaccination status of their regularly participating members, do they need to check their vaccination status every time?

It is important when confirming that an individual has been vaccinated that their health data is protected. Businesses or organizations who wish to create their own additional policies or requirements may wish to consult with legal counsel. With the QR code and app, businesses are able to quickly scan the code upon entry in a secure manner.

16. For businesses that sell tickets online, does proof of vaccination have to be provided prior to purchase? Is the expectation that refunds will be provided if the person purchases a ticket but isn't eligible to enter?

When proof of being fully vaccinated against COVID-19 is required, patron proof of vaccination is required at the point of entry to the specified area of the premises of the business or organization, including at meeting or event spaces, and not at the point of sale, which may involve a different location or date.

Businesses and organizations should consider their refund policy as it relates to vaccine status and may wish to consult legal counsel.

17. Will capacity limits be adjusted for impacted businesses?

Effective October 9, 2021, at 12:01 a.m., capacity limits were lifted to allow 100 per cent capacity in the following settings:

- Concert venues, theatres and cinemas;
- Spectator areas of facilities for sports and recreational fitness (would not include gyms, personal training);
- Meeting and event spaces (indoor meeting and event spaces will still need to limit capacity to the number that can maintain physical distancing);
- Horseracing tracks, car racing tracks, and other similar venues; and
- Commercial film and television productions with studio audiences

Other public health and workplace safety measures continue to remain in effect for these settings. This can include wearing face coverings, screening and the collecting of patron information to support contact tracing. Additional information can be found in the [news release](#).

On September 25, 2021, capacity limits were increased in the majority of indoor public settings where proof of vaccination is required. Hard capacity caps were also increased in certain outdoor public settings. In addition, to work to maintain the safety of large outdoor events, proof of vaccination is required in outdoor settings with a usual capacity of 20,000 persons or more. Additional information can be found in the [news release](#).

The Chief Medical Officer of Health and the government will continue to review data and trends in key public health and health care indicators to ensure the safety of Ontarians and minimize disruptions to businesses.

18. Can vaccine receipts be laminated, or the size be changed?

Receipts can be laminated but cannot be altered in a way that affects the substance of the document. Laminating the certificate may impact the readability of QR code. Laminating the QR code or putting it behind a glossy barrier may cause the Verify Ontario app to return a yellow warning screen when the QR code is scanned. If this happens the patron is not eligible to enter, unless an alternative proof of vaccination can be provided. For example, staff may wish to ask the visitor to provide a government-issued, paper or digital, enhanced vaccine certificate.

There is no standard vaccine receipt size, but the receipt needs to be readable visually and the QR code needs to be scannable. If a person wants to use a small paper receipt (for example in the form of a laminated card), they should ensure it is visually readable and the QR code is scannable by the Verify Ontario application. An unreadable QR code will result in a warning response from the Verify Ontario app, leaving the businesses or organization unable to verify eligibility to enter. The business or organization will be required by law to either refuse entry or ask for another form of proof of vaccine (i.e., the PDF version).

19. Will the "certificate" still be effective 6-12 months from now if those that have had two doses of the vaccine don't get a 3rd, in case a 3rd is recommended for the general population?

Requiring proof of vaccine is a temporary measure to address health and safety in the COVID-19 pandemic. Requirements related to the policy will be monitored and changes made as needed based on data, the COVID-19 context in Ontario, and the advice of the Chief Medical Officer of Health.

Proof of Vaccination:

20. Do I need to bring both receipts or just my second dose receipt to show proof of vaccination?

A patron seeking access to a business or organization specified in the regulation must provide a receipt that shows that they are fully vaccinated. See the [Guidance Document](#) for the definition of fully vaccinated.

Between September 22 and October 22, 2021, in addition to proof of identity, a patron must show a paper or electronic version of the PDF receipt.

After October 22, 2021, in addition to proof of identity, a patron may present a paper **or** electronic version of the PDF receipt or the enhanced vaccine certificate with QR code to gain access to designated settings. Business and organizations must allow either method to be used for the purposes of verifying full vaccination (in the case of visually inspecting PDF documents) or eligibility to enter (in the case of scanning QR codes).

21. The receipts that can be downloaded from the Ministry's website have a watermark. Is that version required to have my proof of vaccination accepted?

All versions of the Ontario receipt are acceptable as proof of vaccination when paired with proof of identification. This can be the version received at the vaccination site or a downloaded copy in any form that takes (e.g., PDF with watermark or PDF with QR code)

22. Do I need to get my vaccine receipt certified?

There is no need to get the receipt certified. As long as the receipt comes from an approved issuer, it is valid for the purpose.

A paper or electronic copy of the vaccination receipt that demonstrates someone is fully vaccinated constitutes a proof of vaccination. It must include their name, date of birth, date of vaccination and product name (brand of vaccine) at the time of vaccination. From October 22, each receipt will have a unique QR code that will allow users to securely and safely verify their vaccination status when scanned.

23. I'm not comfortable showing all my personal information on my receipt. Am I able to block certain information out?

Altering the substance of the receipt you receive as proof of vaccination in any way is not permitted and could render the receipt invalid.

In addition, showing ID is required as part of the process to match birthdates as well as name.

The law prohibits any person from retaining any of the information shared to gain access to the select spaces.

24. Does a previous COVID-19 infection or a recent negative test allow people who are not fully vaccinated to be considered fully vaccinated?

A negative COVID-19 test or recent COVID-19 infection is not the same as being fully vaccinated.

The National Advisory Committee on Immunization recommends individuals with prior COVID-19 infection be immunized as it protects them reinfection given the emergency of new strains, variants of concern (VOCs), etc.

25. How does someone prove they are fully vaccinated if documents are from out of province or out of country?

Patrons from outside the province or the country will be required to show they are fully vaccinated against COVID-19 and identification to enter specified settings.

Proof of vaccination from outside of Ontario will be accepted if the person's name and date of birth on their identification document matches their vaccination receipt and they meet the definition of fully vaccinated as outlined in the guidance document.

This may require showing one or more pieces of information. Ontario residents who received their first dose or both doses of the COVID-19 vaccine outside Ontario or Canada can register their vaccination records through their local public health unit.

If the vaccination receipt or proof of identity from out of country is in a language that the business or organization cannot use to verify the documents, the business or organization may request a translated copy in addition to the original receipt.

Ontario residents who received both appropriate doses of a Health Canada-authorized COVID-19 vaccine outside of Ontario will be able to obtain a vaccination receipt through the provincial portal at [COVID-19 vaccination provincial portal](#), once their vaccination information is successfully registered through a public health unit. Information on non-Health Canada approved vaccines can be found [here](#).

QR codes issued by Québec, British Columbia and Yukon will be compatible with Ontario's verification app for businesses on October 22, 2021. It is anticipated that other provinces QR codes will eventually become compatible with Ontario's verification app..

26. What do businesses need to see when presented with out of province vaccination receipts?

If the person is not an Ontario resident, it is uncertain what format their proof of vaccination will take. Regardless of the origin of the vaccine receipt, the business will need to go through the process described in the guidance to verify that the person is fully vaccinated and that the name and date of birth on the vaccine receipt is the same as the name and date of birth on their identification.

In discussions with other provinces, many are working to redesign their existing credentials to present a common standard layout. In addition, Canada's provinces are exploring inter-operability of QR codes

27. How do I get my vaccination receipt if I received my first or second dose of the COVID-19 vaccine out of province/out of country?

Ontarians who received their first or second dose of the COVID-19 vaccine out of province should contact their local public health unit. PHUs can support individuals who received an out of province vaccine. They can verify and register their vaccination records in COvaxON and, if the individual does not have an Ontario health card, provide them with a unique pass code called a COVID ID.

Once registered, individuals with green health cards will be able to obtain a vaccination receipt through the provincial portal at COVID-19 vaccination provincial portal or by calling the Provincial Vaccine Contact Centre (PVCC) at 1-833-943-3900. Individuals with red and white health cards or COVID IDs can call the PVCC, once registered, to provide their health card number or COVID ID. The call center agent can then email them a secure URL through which they can access their vaccine receipt.

28. Will international and out of province visitors travelling to Ontario be able to download the QR code after October 22, 2021?

It is anticipated that out of province visitors to Ontario will not be able to download a version of the receipt. They must present paper copies of their proof of vaccination and one additional piece of identification to gain access to designated businesses and organizations.

QR codes issued by Québec, British Columbia and Yukon will be compatible with Ontario's verification app for businesses on October 22, 2021. It is anticipated that other provinces QR codes will eventually become compatible with Ontario's verification app.

Medical Exemptions:

29. Are medical notes from outside the province, or country valid?

Out of province or out of country medical documentation will be honoured in Ontario if the individual's name, the physician's name and physician's contact information are provided. The note must clearly state that there is a medical reason for the individual not to be fully vaccinated against COVID-19 and the effective time-period for the medical reason.

30. Is there a standard form of medical exemption/doctor's note?

A sample template for physicians and registered nurses in the extended class can be found here: [COVID-19 Sample Medical Exemption Template \(gov.on.ca\)](https://www.ontario.ca/gov/content/covid-19-sample-medical-exemption-template).

31. Will those who carry medical exemptions need to show proof of negative COVID-19 test?

Individuals with medical exemptions will not be required to show proof of a negative COVID-19 test.

[O. Reg. 364/20](#) and the Ministry's Guidance do not prevent the specified businesses or organizations from establishing additional policies or requirements pertaining to their patrons. This could include businesses or organizations that want to require individuals with medical exemptions to show proof of a negative COVID-19 test. Businesses or organizations considering creating their own additional policies or requirements may wish to consult a lawyer.

32. What is the rationale for why testing is not required or provided by government for those with medical exemptions?

It is anticipated that the number of people with medical exemptions accessing settings that require proof of vaccination will be very low, and as such, will not significantly increase the risk of COVID-19 transmission in these settings. O. Reg. 364/20 and the Ministry's Guidance do not prevent a specified business or organization from establishing additional policies or requirements pertaining to their patrons. This could include businesses or organizations that want to require individuals with medical exemptions to show proof of a negative COVID-19 test. Businesses or organizations considering creating their own additional policies or requirements may wish to consult a lawyer.

33. Will the business or organization be responsible for ensuring the reason for the medical exemption meets the provincial guidelines?

No, the business or organization only needs to review proof of a documented medical reason for not being vaccinated against COVID-19. This means the business or organization must ensure:

- The name of the person in the written documentation matches the identification provided.
- The physician or registered nurse's in the extended class's information is complete by including:
 - Name and contact information of the physician or registered nurse in the extended class;
 - Logo or letterhead identifying the physician or registered nurse in the extended class;
 - Statement that there is a medical reason for the individual's exemption from being fully vaccinated against COVID-19; and
 - Any effective time-period for the medical reason which includes the date the patron is seeking access to the business or organization.

The Ministry continues to work with the College of Physicians and Surgeons of Ontario (CPSO), College of Nurses of Ontario (CNO), Ontario Medical Association (OMA), and Registered Nurses Association of Ontario (RNAO) to ensure medical exemptions that are provided are appropriate.

34. What is acceptable proof of medical exemption? Are medical or other exemptions built into the app?

Patrons with a medical exemption must provide documentation, completed and supplied by a physician (designated as "MD") or by a registered nurse in the extended class (designated as "Registered Nurse (Extended Class)", "RN(EC)", "Nurse Practitioner" or "NP") stating that the individual is exempt for a medical reason from being fully vaccinated against COVID-19 and the effective time-period for the medical reason. The patron must also provide identification.

The physician or registered nurse in the extended class must ensure the medical exemption aligns with definition(s) and parameters outlined in the Ministry's Guidance.

The exempt individual must still present ID where the name and birth date match the details on the exemption documentation.

Updates will be provided on the timing of these exemptions being including in the QR code.

35. What are legitimate medical exemptions set out by the province?

There are very few medical exemptions to COVID-19 vaccination. Please refer to the Ministry of Health's [Medical Exemptions to COVID-19 Vaccination Guidance](#) for more information.

Proof of Identity:

36. Do minors between the ages of 12-17 need to provide identification as they may not have identification to verify their identity?

If somebody is required to be fully vaccinated, they must prove both vaccination status and identity.

The identification requirements are flexible, and identification is required to confirm only name of the person and date of birth – government identification can be used for this purpose; however, is not the only type of ID accepted. Proof of identity can be established using documentation issued by an institution or public body, provided it includes the name of the holder and date of birth. Identification that young people may have access to that include name and date of birth could include birth certificate, or a passport, among other forms of ID.

Businesses or organizations should establish processes to ensure compliance with this requirement, including processes to ensure compliance with this requirement when a business or organization is uncertain whether a person is under 12 years of age.

However, there is an exemption from this requirement if the patron is under 18 years of age and is entering the indoor premises of a facility used for sports and recreational fitness activities solely for the purpose of actively participating in an organized sport, as further described with the Ministry's Guidance.

Businesses or organizations should also establish processes to ensure compliance with requirements in O. Reg. 364/20 when a business or organization is uncertain whether a person is under 18 years of age, as applicable.

Other exemptions may also apply.

37. For photo ID of youth aged 12-17, what photo ID do they require? Some don't have passports, so what is the alternative? Are they allowed to carry a photocopy or phone screenshot of their passport in lieu of the actual hard copy?

Photo ID is not required for any age group. While passports can be used as identification for this purpose; many other types of identification are also acceptable, including: birth certificate, citizenship card, driver's licence, government (Ontario or other) issued ID including health card, Indian Status Card / Indian Membership Card, or Permanent Resident Card.

Photocopies of ID and digital versions (stored in phone) are generally not acceptable, but allowed for youth.

Meeting and Event Spaces and Multi-Purpose Organizations:

38. Can a patron show a negative antigen test result to attend a social gathering associated with a wedding service, rite or ceremony or a social gathering associated with a funeral service, rite or ceremony in a meeting or event space?

From **September 22 to October 12, 2021**, instead of showing proof of vaccination, patrons were able to provide proof of a negative COVID-19 antigen test to attend a social gathering associated with a wedding service, rite or ceremony or a social gathering associated with a funeral service, rite or ceremony in a meeting or event space..

This is no longer in effect.

Patrons must show proof of identity and vaccination to attend a social gathering associated with a wedding service, rite or ceremony or a social gathering associated with a funeral service, rite or ceremony in a meeting or event space.

A negative COVID-19 antigen test is not required to attend a social gathering associated with a funeral service, rite or ceremony in the indoor premises of a meeting or event space located in a place of worship or in a funeral establishment, cemetery, crematorium or similar establishment that provides funeral, cemetery or cremation services and that is operated by a person licensed under the *Funeral, Burial and Cremation Services Act, 2002*.

39. Who, in a meeting or event space, is responsible for checking vaccination status? Are operators permitted to delegate this to the convener of a meeting or does it need to be staff of that business?

The person responsible for the business or organization (i.e., meeting or event space), is required to verify proof of identification, proof of full vaccination against COVID-19, or confirm the patron is exempt, at the point of entry to areas of the premises where it is required as outlined in [O. Reg. 364/20](#).

The person responsible for the business or organization may delegate this responsibility to a staff person, but the person responsible for the business or organization remains responsible for ensuring compliance with the requirements under ROA.

40. My business or organization is a multi-use facility (e.g., community centres, community hubs, co-working spaces, library, museum, gallery) that has several different activities (e.g., gym, child care centre, meeting and event space). Do individuals in those spaces need to show proof of vaccination?

There may be different requirements for proof of vaccination for different spaces within a business or organization, as there are currently for other restrictions in Step 3 (e.g., active screening is required prior to entry at sports and recreational fitness facilities, but not for other services that may be provided in the same multi-purpose facility).

Businesses or organizations will be required to verify proof of full vaccination against COVID-19 at the point of entry of areas of the premises where it is required, for each patron, with limited exceptions (e.g., medical exemptions, children under 12, etc.).

In addition, there are exemptions if a *meeting or event space* is being rented out:

- for a day camp or overnight camp for children;
- to a provider of child care within the meaning of the [Child Care and Early Years Act, 2014](#);
- for the purpose of the provision of social services;
- for the purpose of delivering or supporting the delivery of court services;
- for operations by or on behalf of a government; or
- for the purpose of delivering or supporting the delivery of government services.

Table A provides detail with respect to requirements for funerals and weddings.

Table A: Requirements for Funerals and Weddings

Event	Location	Proof of Vaccination
Funerals		
Funeral services, rites, or ceremonies	Any setting (including meeting or event spaces, places of worship, funeral establishments)	Not required
Social gatherings (e.g., receptions) associated with funeral service, rite, or ceremony	Meeting or event spaces located in places of worship, funeral establishments, cemeteries, a crematorium, and similar establishments	Not required
	Other meeting or event spaces (e.g., conference or conventions centres)	Required*
Weddings		
Wedding services, rites, or ceremonies	Any setting (including meeting or event spaces, places of worship)	Not required
Social gatherings (e.g., receptions) associated with a wedding service, rite, or ceremony	Any meeting or event spaces (including conference or conventions centres, places of worship)	Required*

*unless patron qualifies for an exemption

41. Is an individual exempt from the requirements if they are entering a recreational facility for an activity that does not require proof of vaccination?

The requirements for proof of vaccination apply to the individual's purpose of attendance at the facility co-located with other services.

There may be different requirements for proof of vaccination for different spaces within a business or organization, as there are currently for other restrictions in Step 3 (e.g., active screening is required prior to entry at sports and recreational fitness facilities, but not for other services that may be provided in the same multi-purpose facility).

Businesses or organizations will be required to verify proof of identification and full vaccination against COVID-19 at the point of entry of areas of the premises where it is required, for each patron, with limited exceptions (e.g., medical exemptions, children under 12, etc.).

In addition, there are exemptions if a meeting or event space is being rented out:

- for a day camp or overnight camp for children;
- to a provider of child care within the meaning of the *Child Care and Early Years Act, 2014*;
- for the purpose of the provision of social services;
- for the purpose of delivering or supporting the delivery of court services;
- for operations by or on behalf of a government; or
- for the purpose of delivering or supporting the delivery of government services.

Businesses and organizations should consult their own legal counsel if they have further questions about the application of the Act or regulation.

42. Multi-service organizations like neighbourhood houses would have licensed child care and recreation spaces under the same roof but possibly subject to different rules (e.g., child care workers can opt for negative tests, but users of gyms cannot). Which policy would prevail in this context?

There may be different requirements for proof of vaccination for different spaces within a facility, as there are currently for other restrictions in Step 3 (e.g., active screening is required prior to entry at sports and recreational fitness facilities, but not for other services that may be provided in the same multi-purpose facility).

Businesses or organizations will be required to verify proof of full vaccination against COVID-19 at the point of entry of areas of the premises where it is required, for each patron, with limited exceptions (e.g., medical exemptions, children under 12, etc.).

Sector Specific:

43. Do the requirements apply to cast and crew members (i.e., workers) of a film and television production who are accessing a facility for the purposes of a film or television production occurring within a facility (e.g., restaurant, bar)?

Businesses or organizations will be required to verify proof of full vaccination against COVID-19 at the point of entry of areas of the premises where it is required, **for each patron**, with limited exceptions (e.g., medical exemptions, participation in a specified COVID-19 vaccine clinical trial, children under 12, etc.).

It will not be required for contractors or workers, including the cast and crew members of a film and television production.

44. Do the requirements apply to or caterers, florists, etc. who are accessing meeting or event spaces such as a wedding?

Businesses or organizations will be required to verify proof of full vaccination against COVID-19 at the point of entry of areas of the premises where it is required, **for each patron**, with limited exceptions (e.g., medical exemptions, participation in a specified COVID-19 vaccine clinical trial, children under 12, etc.).

It will not be required for contractors or workers, including florists, photographers, DJs, etc. temporarily accessing a meeting or event space.

45. Will proof of vaccination be required for gyms or meeting or event spaces within an apartment building, condo building, or retirement home? What about hotels?

Facilities in apartment buildings, condo buildings, and retirement homes that are not open or accessible to the public are likely not public settings or facilities that would be subject to proof of vaccination requirements. However, these organizations may implement their own rules respecting use of gyms or meeting or event spaces. These organizations may wish to consult their legal counsel if they are considering such a measure.

Proof of vaccination would be required for patrons to access certain areas within a hotel, unless an exemption applies (e.g., child under 12, people unable to be vaccinated due to valid medical reasons, participation in a specified COVID-19 vaccine clinical trial, people under 18, in the case of certain sports or recreational/fitness facilities). For example, proof of vaccination is required for patrons to enter an indoor gym located within a hotel, with limited exceptions (e.g., medical exemptions, participation in a specified COVID-19 vaccine clinical trial, children under 12, etc.).

46. Are overnight guests in hotels required to show proof of vaccination? Does this apply to the entire hotel?

Guests in hotels or motels are not required to show proof of vaccination.

However, there may be areas in a hotel or motel where proof of vaccination is required to gain access. For example, a restaurant, bar, and other food or drink establishment, facilities used for sports and recreational fitness activities (e.g., gym, pool), and meeting and event spaces.

Hotels or motels may also choose to implement a vaccination policy for its entire establishment or facility.

47. Do hotel breakfast areas require patrons to show proof of vaccination?

Patrons of indoor areas of restaurants, bars, and other food and drink establishments must show proof of vaccination before they can enter the area. However, this does not apply to takeout.

48. Can proof of vaccination be collected prior to a patron's arrival at a hotel instead of screening at the door?

Patrons must provide proof of identification and of being fully vaccinated *at the point of entry of any area* of the business or organization specified in [O. Reg. 364/20](#).

49. Can a tour operator who will visit various businesses or organizations specified in the regulation check proof of vaccination on behalf of the businesses? Does the tour operator have to provide proof?

It is the responsibility of each business or organization to determine how it meets the requirements outlined in [O. Reg. 364/20](#). This includes confirming a patron's proof of identification and proof of being fully vaccinated against COVID-19 at the point of entry (where required).

50. Do patrons who are dining indoors at food courts need to show proof of vaccination?

Patrons of food or drink establishments (excluding outdoor patios, takeout, and delivery) must provide proof of identification and proof of being fully vaccinated. This includes food or drink establishments in food courts.

51. Do patrons dining indoors at airports need to show proof of vaccination?

Patrons of restaurants, bars and food or drink establishments (excluding outdoor patios, takeout, and delivery) must provide proof of identification and proof of being fully vaccinated at the point of entry (with limited exemptions).

52. Can a restaurant allow unvaccinated patio patrons to dine inside if it starts to rain?

Patrons can dine in indoor areas of restaurants, bars, and other food or drink establishments if they are fully vaccinated. Patrons must provide proof of identification and of being fully vaccinated against COVID-19 at the point of entry.

53. Are there any proof of vaccination requirements for wineries, breweries and distilleries that sell and serve their wine, beer, and spirits to patrons for consumption at their manufacturing site (i.e., “by the glass” servings of alcohol)?

Patrons of restaurants, bars, and other food or drink establishments (excluding outdoor patios, takeout, and delivery) must provide proof of identification and of being fully vaccinated against COVID-19 at the point of entry.

54. Do youth under 18 years of age actively participating in an organized sport, including training, practices, games, and competitions, need to show proof of vaccination?

Requirements for an indoor premise of a facility used for sports and recreational fitness activities are outlined in Table B.

Adult (18+) patrons accessing the facility for any purpose, including parents or guardians of youth participating in an organized sport are required to provide proof of identification and of being fully vaccinated against COVID-19 at the point of entry.

Table B: Requirements for Patrons in Indoor Sport and Recreational Fitness Facilities

Setting	Activity	Proof of Vaccination
Indoor premises of a facility used for sports and recreational fitness activities	Youth under 18 years of age actively participating in an organized sport, including training, practices, games, and competitions. Examples include: <ul style="list-style-type: none"> • sports leagues • organized pick-up sports • dance classes • martial arts • swimming classes 	Not required
	Youth under 18 years of age using a gym or other area with exercise equipment or weights	Required*
	Youth spectating, including at sporting events	Required*
	Adult (18+) patrons accessing the facility for any purpose, including parents or guardians of youth participating in an organized sport	Required*

*unless patron qualifies for an exemption

55. What is the rationale for exempting those under 18 from proof of vaccination requirements for sport and recreation when youth over the age of 12 have been eligible to receive vaccines?

Proof of vaccination is not required for youth under 18 years of age actively participating in an organized sport, including training, practices, games, and competitions. Examples include sports leagues, organized pick-up sports, dance classes, martial arts, and swimming classes. These activities are important for youth development and go towards supporting their physical well-being and mental health.

Businesses or organizations may establish additional policies or requirements pertaining to their patrons. Those considering creating their own additional policies or requirements may wish to consult a lawyer.

56. Will quick service restaurants (QSRs) be required to collect patron information for contact tracing when the vaccine certificate system is implemented?

As per [O. Reg 364/20: Rules for Areas at Step 3 and at the Roadmap Exit](#), Schedule 2, Section 1, the collection of patron information for contact tracing **is not** required for:

- A patron who temporarily enters a food establishment to place, pick up or pay for a takeout order,
- An establishment which requires all dine-in patrons to order or select their food or drink at a counter, food bar or cafeteria line and pay before receiving their order.

The collection of patron information for contact tracing will not be required in the above circumstances, even as vaccination certificates are implemented. The collection of patron information for contact tracing is required for all other restaurants, bars and other food or drink establishments.

57. Where and how should QSRs check for proof of vaccination?

QSRs are responsible for requiring each patron (except for takeout and delivery service) to provide, at the point of entry, proof of identification and of being fully vaccinated against COVID-19, as outlined in O. Reg. 364/20.

Verifying proof of identification and proof of vaccination needs to occur:

- At the point of entry; or
- At the counter, food bar, or cafeteria line.

QSRs should consult their own legal counsel if they have further questions about the application of the Act or regulation.

58. Food courts are typically in malls. Since proof of vaccination is not required in malls, what is considered “point of entry”? The counters are pick-up only, so are they responsible for checking, or should the verification happen if the customer “enters” the seating area?

Businesses and organizations are responsible for ensuring they meet the requirements regarding requiring patrons to provide proof of identification and proof of being fully vaccinated against COVID-19 (or entitlement to an exemption), as outlined in O. Reg. 364/20.

Depending on the location and arrangement of the food or drink establishment in the food court, proof of identification and proof of vaccination may need to occur at the service counter, in situations where it is the point of entry of the premises for QSRs located in a food court.

QSRs, or malls, should consult their own legal counsel if they have further questions about the application of the Act or regulation.

59. Our live racing is outdoors. What are the requirements for us and patrons?

Proof of identification and proof of being fully vaccinated against COVID-19 at the point of entry of a business is required for **outdoor** areas of horse racing tracks, car racing tracks, and other similar venues with a usual capacity of 20,000 persons or more.

Proof of identification and proof of being fully vaccinated against COVID-19 at the point of entry of a business is also required for **indoor** areas of horse racing tracks, car racing tracks and other similar venues. It is not required when a patron is entering the indoor area solely to use a washroom or place a bet or pick up winnings in the case of a horse racing track (among other limited exceptions).

60. A hotel rents their large ballroom out to a church group who uses it for a place of worship once a week. Are these attendees exempt because they are going to the ballroom for worship or because it is a hotel and not a church that they must provide vaccination status?

Attendees of religious services within a meeting or event space, such as a hotel, are required to provide proof of identification and of being fully vaccinated against COVID-19 at the point of entry.

Attendees of religious services within a meeting or event space are only exempt from this requirement if they are entering the indoor premises solely for the purposes of attending a wedding service, rite or ceremony, or a funeral service, rite or ceremony, but not an associated social gathering. Otherwise, the rules for meeting and event spaces apply, as outlined in O. Reg. 364/20, Schedule 1, clause 2.1 (6) (d).

The hotel and/or church should consult their own legal counsel if they have further questions about the application of the Act or regulation.

61. A church wants to rent out a movie theatre for their services. Do they go by movie theatre rules (i.e. proof of vaccination required), or place of worship religious service rules (i.e., exempt from requiring proof of vaccination)?

A movie theatre that rents out its space is considered a meeting or event space. As such, the proof of vaccination rules for meeting and event spaces would apply.

Attendees of religious services within a meeting or event space, such as a movie theatre, are required to provide proof of identification and of being fully vaccinated against COVID-19 at the point of entry.

Attendees of religious services within a meeting or event space are only exempt from this requirement if they are entering the indoor premises solely for the purposes of attending a wedding service, rite or ceremony, or a funeral service, rite or ceremony, but not an associated social gathering. Otherwise, the rules for meeting and event spaces apply, as outlined in O. Reg. 364/20, Schedule 1, clause 2.1 (6) (d).

The movie theatre and/or church should consult their own legal counsel if they have further questions about the application of the Act or regulation.

62. Would a social gathering and dinners located at places of worship (i.e., a church) be exempt from requiring proof of vaccination?

Proof of identification and of being fully vaccinated against COVID-19 is required for each patron who enters certain areas of businesses and organizations.

This includes, but is not limited to indoor areas of meeting and event spaces that are rented out with limited exemptions, and food or drink establishments, among others.

However, this does not include social gatherings unless held in a business or organization where proof of identification and vaccination is required.

63. Are there proof of vaccination expectations for paramedics and firefighters, especially since these emergency responders interact with lots of people on a regular basis?

The proof of vaccination requirement applies to *patrons* who enter an area of the premises of the business or organization that requires proof of vaccination, as outlined in O. Reg 364/20: Rules for Areas at Step 3 and at the Roadmap Exit Step, Schedule 1, Section 2.1.

Further, there are limited exemptions to the proof of identification and vaccination requirements. This includes for the purposes of health and safety.

64. Are patrons, including truck drivers, driving through Ontario from other provinces required to show proof of vaccination to use the washrooms at rest stops?

Patrons who want to access indoor areas of restaurants, bars and other food or drink establishments must show proof of identification and of being fully vaccinated against COVID-19 in accordance with section 2.1 of Schedule 1 of [O. Reg. 364/20 under the Reopening Ontario \(A Flexible Response to COVID-19\) Act, 2020](#).

This does not apply to individuals who enter the indoor area for takeout or delivery service.

The requirement also does not apply to a patron who is entering an indoor area solely:

- to use a washroom;
- to access an outdoor area that can only be accessed through an indoor route;
- to make a retail purchase;
- while placing or picking up an order;
- while paying for an order; or
- as may be necessary for the purposes of health and safety.

65. Will proof of vaccination be required in personal care settings where a mask cannot always be worn?

Businesses and organizations that provide personal care services are not included in the list of settings where patrons must show proof of identification and proof of being fully vaccinated against COVID-19.

Requirements related to vaccine credentials will be monitored and changes made as needed based on data, the COVID-19 context in Ontario, and the advice of the Chief Medical Officer of Health

Other businesses and organizations, beyond those required by the government, may establish their own vaccination policies for employees and patrons.

Compliance and Enforcement:

66. Who can enforce these proof of vaccination requirements under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*?

Police, special constables, First Nation constables and those designated as provincial offences officers by the Solicitor General have the authority to enforce all orders under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020* ([ROA](#))

Provincial offences officers include by-law, police, public health inspectors and regulatory officers from several ministries and agencies.

67. How will these requirements be enforced?

The enforcement of the proof of vaccine requirements will be a graduated approach with emphasis on education, promotion, and localized compliance and enforcement as required. This measured approach to enforcement has been featured throughout the province's pandemic response. Provincial offences officers involved in ROA enforcement utilize both proactive approaches based on data and advice from the local public health unit, as well as reactive responses to complaints and issues.

68. Who is implicated when by-law officers do business checks and find unvaccinated individuals in attendance? What is the scope of enforcement powers of by-law officers?

Businesses and organizations are responsible for ensuring they meet the requirements regarding proof of vaccination outlined in in the ROA, O. Reg. 364/20 (Step 3).

Patrons are required to ensure that any information provided to the business or organization to demonstrate proof of vaccination or proof of identification is complete and accurate.

Failure of a business or organization or a patron to comply with the requirements in [O. Reg. 364/20 \(Rules for Areas at Step 3 and at the Roadmap Exit Step\)](#) is an offence under the [Reopening Ontario \(A Flexible Response to COVID-19\) Act, 2020](#).

69. What does a business or organization do if it discovers fraud? Who do they call? Does the business take a name/confiscate the credentials? How will the rules be practically enforced/fines assessed?

Specified businesses or organizations that are open must require patrons who enter their premises to provide, at the point of entry, proof of identification and proof of being fully vaccinated (or being entitled to an exemption) as set out in the rules for Step 3 in [O. Reg. 364/20 \(Rules for Areas at Step 3 and at the Roadmap Exit Step\)](#) under the [Reopening Ontario \(A Flexible Response to COVID-19\) Act, 2020](#), subject to exemptions.

These businesses and organizations are expected to deny entry to those who fail to produce the required identification and proof of vaccination (or exemption).

Where the business or organization considers it appropriate, they could seek assistance from law enforcement by contacting their local police department.

Businesses and organizations must take steps to prevent, identify and respond to racial profiling, racial discrimination, harassment, and other violations of the Ontario Human Rights Code.

70. Who is responsible for checking ID and proof of vaccination prior to granting entry to patrons?

Specified businesses and organizations are responsible for ensuring they meet the requirements regarding requiring patrons to provide proof of identification and proof of being fully vaccinated against COVID-19 (or entitlement to an exemption) as outlined in [O. Reg. 364/20](#).

Patrons are required to ensure that any information provided to the business or organization to satisfy a requirement under [O. Reg. 364/20](#), including to demonstrate proof of vaccination (or entitlement to an exemption) or proof of identification, is complete and accurate. Except for limited circumstances set out in [O. Reg. 364/20](#), patrons are prohibited from entering the premises of the specified businesses or organizations without providing such information.

Failure of a business or organization or a patron to comply with the requirements in [O. Reg. 364/20](#) is an offence under the [Reopening Ontario \(A Flexible Response to COVID-19\) Act, 2020](#).

71. How can a business ensure the safety and security of its staff if they are forced to turn someone away who does not have proof of vaccination?

Many businesses are experienced at declining entry for legitimate reasons. For example, some establishments have experience preventing people under 19 from ordering or consuming alcohol or entering bars.

Individuals who have any trouble with patrons could, if the situation permits, inform the patron of the requirements under [O. Reg. 364/20](#) and offer alternate solutions (e.g., to sit on an outdoor patio, takeout).

All Provincial Offences Officers, including by-law, police, public health inspectors and regulatory officers from several ministries and agencies may provide education and enforcement of all the requirements under the [ROA](#), including the new proof of vaccination requirement.

If situations escalate, law enforcement, such as local police, can be contacted. In an emergency call 9-1-1.

If employers update their workplace violence and harassment policies and procedures, as required under the [Occupational Health and Safety Act](#) (OHSA) and all workers are informed of such, workplaces will be better able to respond to any unfortunate incidents that may occur in relation to the requirement for vaccination certificates.

Tools and resources are available to help businesses implement the necessary safety measures including guidance to develop workplace violence and harassment measures and procedures as part of their COVID Safety Plan.

Examples of some other helpful resources are (but not limited to):

- [Developing your COVID Safety Plan](#)
- [Understand the law on workplace violence and harassment](#)
- [Are your employees prepared to handle COVID-linked violence?](#)
- [WSPS Workplace Violence and Harassment Toolbox](#)

72. Is there firm protection for businesses from potential lawsuits?

In the case of this legislated requirement, the business or organization will be following provincial law just as they do when, for example, actively screening patrons before entry into a business, collecting patron contact information, or excluding people under 19 in bars.

The Ministry of Health will continue to support businesses in the implementation and rollout of vaccine certification services.

Digital Tools to Support Proof of Eligibility to Enter:

73. Do businesses or organizations have to use the Verify Ontario application?

Under Ontario Regulation 364/20, businesses and organizations are required to verify that people are eligible to enter designated settings in accordance with the Ministry's Guidance. If such a business or organization wishes to scan a vaccine certificate QR code to confirm vaccination status, it must use the Verify Ontario application. Pursuant to the Ministry's Guidance, Verify Ontario is currently the only application authorized for this purpose.

The business or organization may also validate full vaccination status by visually verifying vaccine receipts, medical exemption letters, or proof of participation in a clinical trial under the original process that continues to be described in the Guidance and was implemented on September 22nd. Children under the age of 12 are ineligible to receive the vaccine and remain exempt from the need to show proof of vaccination.

Regardless of the method of verification, businesses and organizations must also confirm that the patron's name and date of birth on their ID matches the Verify Ontario result, the proof of vaccination receipt, or the medical/clinical exemption letter.

74. What if I want to scan a vaccination receipt QR code but not for the purpose of determining vaccination status at the point of entry to prescribed settings? For example, what if I want to scan a QR code to support my business's employee vaccination policy?

The Verify Ontario application is designed and required for use by businesses and organizations that are required by O. Reg. 364/20 to confirm the vaccination status of patrons who wish to enter select settings.

There are no prohibitions on using it for other purposes.

75. Do I have to scan QR code receipts to let patrons enter my business, or can I still use visual or paper-based verification?

Businesses and organizations can use either method to verify entry – visual verification or digital tools. The enhanced certificate includes both a QR code and similar information in text form that can be read. Some legitimate proofs of vaccination, such as those issued by Indigenous health providers, will not have a QR code and need to be verified visually.

To be clear, however, businesses and organizations must accept legitimate receipts as set out in the Guidance document whether or not they include a QR code.

76. Can a business use only QR codes and the verification application to verify vaccination status and refuse to accept non-QR code receipts?

Businesses and organizations must accept legitimate receipts as set out in the Guidance document whether or not they include a QR code. Businesses are encouraged to use the verification application to scan QR codes as their primary verification method, but businesses or organizations specified in the regulation must accept both forms of proof.

77. When will the government require the use of the digital tools instead of less secure non-digital receipts?

Currently, both digital and non-digital proofs of vaccination must be accepted for entrance to prescribed settings. After the transition to the enhanced receipts with QR codes is complete, the government will consider whether the older forms of proof should be discontinued for these purposes. In that event, it is likely exception processes would still be required for people who may not have access to a certificate with a QR code, such as people with receipts issued by Indigenous health providers or other jurisdictions.

COVID-19 Vaccine Clinical Trial Exemptions:

78. Are individuals participating in COVID-19 vaccine clinical trials able to access businesses and organizations where proof of vaccination is required to gain entry?

People currently participating in a COVID-19 vaccine clinical trial that is authorized by Health Canada and specified in Ministry of Health Guidance are exempt from proof of vaccination requirements, but must provide documentation that confirms, in accordance with the Ministry's Guidance, that they are currently participating in a COVID-19 vaccine clinical trial authorized by Health Canada and specified in the Ministry's Guidance.

A list of COVID-19 vaccine clinical trials authorized by Health Canada where an exemption for proof of vaccination applies can be found in Appendix C of the [Proof of Vaccination Guidance for Businesses and Organizations](#).

79. As of October 13 2021, businesses or organizations specified in O. Reg. 364/20 are exempt from the requirement to confirm proof of vaccination in respect of patrons who provide documentation that confirms, in accordance with Ministry Guidance, that the patron is currently participating in a COVID-19 vaccine clinical trial that is authorized by Health Canada and specified in the Ministry's Guidance. Will the business or organization be responsible for ensuring the COVID-19 vaccine clinical trial exemption meets the provincial guidelines?

To review proof of current participation in a COVID-19 clinical trial, the business or organization must ensure the patron provides:

- 1) A completed "Statement of Exemption due to Participation in a COVID-19 Vaccine Clinical Trial" signed by the Principal Investigator and Study Participant (the patron) that matches the name and date of birth of the person in the identification provided; or
- 2) Documentation from the Principal Investigator (i.e., Authorization Holder)² indicating:
 - The first and last name of the person (the patron) participating in the COVID-19 vaccine clinical trial (the patron) in the written documentation that matches the first and last name of the person in the identification provided.
 - The date of birth of the person (the patron) participating in the COVID-19 vaccine clinical trial.
 - The COVID-19 vaccine clinical trial information includes all of the following:
 - Company name;
 - Control number;
 - Clinical trial start date and expected end date;
 - Business address, email address and phone number;
 - A declaration to certify that the individual is participating in a COVID-19 vaccine clinical trial that is authorized by Health Canada and specified in the guidance published by the Ministry of Health (outlined in Appendix C), signed and dated by the Principal Investigator; and
 - A declaration that the individual is participating in a COVID-19 vaccine clinical trial detailed in the document, signed and dated by the COVID-19 vaccine clinical trial participant.

Ontario is working to develop a way for legitimate COVID-19 vaccine clinical trial exemptions to be built into the QR code the verification application will read so people do not have to display the specified documentation and businesses do not have to verify the documentation.