

COVID-19 – LEGAL AND REGULATORY CHANGES – IMPACT ON BUSINESS
AS OF APRIL 15, 2020

On March 17, 2020 Premier Ford declared a State of Emergency. On March 30, the Ontario government [announced](#) that the declaration and subsequent emergency orders, regulations and amendments issued under s.7.0.1 and 7.0.2(4) of the *Emergency Management and Civil Protection Act* are extended until April 14, 2020. On April 14, such declaration was extended for an additional 28 days until May 12, 2020.

We have been updating this page as new announcements are made. Since our last email on April 6, 2020, we have added **five** more updates, found here in the first **5** bulleted paragraphs. We will continue to update this page as new announcements are made.

1. Cannabis retailers allowed to offer pick-up and delivery options

- a. **LINKS:** [ACGO Newswire](#); [OReg 128/20](#);
- b. **LEGISLATION:** O. Reg. 128/20: Order under Subsection 7.0.2(4) of the *Emergency Management and Civil Protection Act* – Pick Up and Delivery of Cannabis
- c. **SUMMARY:** the Alcohol and Gaming Commission of Ontario (AGCO) is authorizing cannabis retail stores in Ontario to offer delivery and curbside pick-up. Permitted hours are from Monday to Sunday, from 9 am to 11 pm and will last for 14 days.

2. Competition Bureau relaxes scrutiny on short-term collaborations

- a. **LINKS:** [Government of Canada Summary](#);
- b. **SUMMARY:** where firms are "acting in good faith, and motivated by a desire to contribute to the crisis response rather than achieve competitive advantage", the Competition Bureau expressed that it "does not wish to see specific elements of competition law enforcement potentially chill what may be required to help Canadians."
 - i. "The Bureau therefore wishes to signal that in circumstances where there is a clear imperative for companies to be collaborating in the short-term to respond to the crisis, where those collaborations are undertaken and executed in good faith and do not go further than what is needed, it will generally refrain from exercising scrutiny."
 - ii. However, the Bureau will not tolerate any attempts to abuse such flexibility
 - iii. Accordingly, the Bureau has created a team to assess proposed collaborations on an accelerated basis; businesses can apply to the Bureau and provide certain information to be assessed
- c. **BUSINESS IMPACT:** businesses looking to respond to COVID-19 can now more openly consider collaborations with other businesses that may have before been viewed as anti-competitive behaviour. If such collaboration is considered, the businesses should submit a proposal to the Bureau for assessment.

3. Canada provides additional details on the Canada Emergency Wage Subsidy

- a. **LINKS:** [Government of Canada Summary](#); [BetaKit](#)
- b. **SUMMARY:** the Federal Government provided additional eligibility criteria for business considering the Canada Emergency Wage Subsidy:

- iv. Eligible companies include private corporations, non-profit organizations, and registered charities; public companies are ineligible
 - v. Companies must have seen a drop in revenue of at least 15% in March 2020 and a 30% decline in months thereafter
 - a. To calculate this decline, companies can either compare to a YOY decline from the corresponding month in 2019 or to an average of revenue brought in during January and February 2020
 - vi. Once a company is found eligible for a certain period, it will automatically qualify for the next period
- c. **BUSINESS IMPACT:** businesses should review March revenues to see if they have experienced a drop of at least 15% in revenues compared to either the start of 2020 or March 2019.

4. Construction lien deadlines are not suspended during COVID-19

- a. **LINKS:** [Order in Council](#)
- b. **LEGISLATION:** amendment to s. 7.1 of the *Emergency Management and Civil Protection Act*
- c. **SUMMARY:** Ontario's Attorney General has confirmed that the suspension of time and limitation periods does not apply to limitation and procedural time periods under the *Construction Act*. The clarification comes into effect on April 16, 2020.
- d. **BUSINESS IMPACT:** construction liens must be preserved and perfected within the timelines set out in the *Construction Act*, otherwise, such liens will expire. Accordingly, holdback either can or must be released in accordance with the *Construction Act*. Contractors should continue to apply for release of holdback and owners should continue to follow ordinary procedures when releasing holdback.

5. Ontario accelerates essential construction projects

- a. **LINKS:** [Ontario News Release; CP24](#)
- b. **LEGISLATION:** temporary suspension of by-laws limiting noise during certain hours
- c. **SUMMARY:** Ontario is extending construction hours for essential construction projects, like critical projects in the health care sector, to 24 hours a day. Accordingly, work on new hospital builds, expansions, and COVID-19 assessment centres will be able to continue any time of the night or day.
 - vii. As a result, noise by-laws will temporarily be overridden
 - viii. This will allow construction managers to stagger shifts such that fewer workers are on a construction site at a given time, thereby promoting social distancing
- d. **BUSINESS IMPACT:** businesses should consider whether or not they have any ongoing essential construction projects and should adjust work schedules accordingly.

****PREVIOUS UPDATES AS OF April 6, 2020****

6. Ontario announces the COVID-19 Residential Relief Fund

- a. **LINKS:** [Ontario Ministry of Children, Community and Social Services News Release](#)
- b. **LEGISLATION:** expansion of Premier Ford's previous order under the *Emergency Management and Civil Protection Act*

c. **SUMMARY:** To help protect some of Ontario's most vulnerable people, the province is providing \$40 million specifically to support residential service providers through the COVID-19 Residential Relief Fund (CRRF). The following would be eligible for CRRF:

- ix. Children's residential services
- x. Gender-based violence residential programming
- xi. Indigenous Healing and Wellness Strategy residential programming
- xii. Intervenor services
- xiii. Adult Developmental Services residential supports

d. **BUSINESS IMPACT:** businesses that fall under the above list should consider applying for funding under the CRRF to cover exceptional costs during COVID-19, such as costs from additional staff and compensation, residential respite for caregivers, protective equipment and supplies, costs to support social distancing and transportation, and additional cleaning costs.

7. Ontario providing relief for remote northern property taxpayers

a. **LINKS:** [Ontario News Release](#)

b. **SUMMARY:** During the COVID-19 outbreak, the Ontario government is deferring \$15 million in property taxes for people and businesses in parts of Northern Ontario located outside of municipal boundaries.

- i. Such taxpayers will now have 90 extra days to pay the four 2020 Provincial Land Tax installments without incurring interest or penalties

d. **BUSINESS IMPACT:** businesses located in Northern Ontario should check to see whether they are eligible for the tax deferral. Such deferral would provide businesses with additional cash to meet short-term liabilities.

8. Ontario orders all non-essential businesses to shut down, updates list of what is deemed "essential"

a. **LINKS:** [Ontario News Release](#); [List of Essential Workplaces](#); [CTV News](#); [National Post](#)

b. **LEGISLATION:** expansion of Premier Ford's previous order under the *Emergency Management and Civil Protection Act*

c. **SUMMARY:** workplaces previously ordered to close shall remain closed; all other workplaces must close unless deemed an "essential service" as of March 24, 2020 at 11:59 pm. The mandatory order was updated on April 3rd, and will remain in effect for 14 days from Saturday, April 4, 2020 (subject to a further extension). The province has now deemed the following workplaces as "essential", among others:

- i. Businesses that supply other essential businesses or essential services with support
- ii. Businesses that primarily sell food, beverages and consumer products necessary to maintain households and businesses
- iii. Services (pharmacies, gas stations, laundromats/dry cleaners, security, vehicle repair, couriers, funeral services, staffing services, veterinary clinics, home child care services, hotels/motels, cheque cashing services)
- iv. Stores that sell hardware products, vehicle parts, pet and animal supplies, office supplies, and safety supplies may continue to operate, but only if they provide alternative methods of sale
- v. Certain financial services
- vi. Telecommunications and IT infrastructure/service providers

- vii. Maintenance services for safety, security, sanitation and essential operation of properties and buildings
 - viii. Certain transportation services
 - ix. Manufacturing businesses that supply inputs to other businesses
 - x. Agriculture and food production
 - xi. A limited number of **construction** projects, (see 3.A below)
 - xii. Resources and energy
 - xiii. Community services
 - xiv. Research facilities
 - xv. Health care and social services
- d. **BUSINESS IMPACT:** a business should understand whether it provides an "essential service" or not by referencing the list linked above. For businesses, failure to comply with an emergency order could carry punishments up to \$500,000 for a director of a corporation, or \$10,000,000 for the corporation itself.

8.A Essential Construction Projects under new Emergency Declarations

- a. **SUMMARY:** The following are construction projects deemed essential by the Province and permitted to stay operating. All other construction projects are required to shut down until Saturday April 18, 2020, subject to further extension. Fines may be imposed on businesses for breach of this direction.
- i. Construction projects and services associated with the healthcare sector;
 - ii. Construction projects and services required to ensure safe and reliable operations of, or to provide new capacity in, critical provincial infrastructure, including transit, transportation, energy and justice sectors beyond the day-to-day maintenance;
 - iii. Critical industrial construction activities required for,
 - a. the maintenance and operations of petrochemical plants and refineries,
 - b. significant industrial petrochemical projects where preliminary work has already commenced,
 - c. industrial construction and modifications to existing industrial structures limited solely to work necessary for the production, maintenance, and/or enhancement of Personal Protective Equipment, medical devices (such as ventilators), and other identified products directly related to combatting the COVID-19 pandemic.
 - iv. Residential construction projects where,
 - a. a footing permit has been granted for single family, semi-detached and townhomes
 - b. an above grade structural permit has been granted for condominiums, mixed use and other buildings, or
 - c. the project involves renovations to residential properties and construction work was started before April 4, 2020.
 - v. Construction and maintenance activities necessary to temporarily close construction sites that have paused or are not active and to ensure ongoing public safety.

9. WSIB premium payments deferred for employers for 6 months

- a. **LINKS:** [Ontario News Release](#); [Canadian HR Reporter](#); [WSIB](#)

- b. **LEGISLATION:** Workplace Safety and Insurance Act, section 159(2) gives the WSIB broad powers to establish policies concerning the premiums payable by employers
- c. **SUMMARY:** WSIB and Government of Ontario developed a financial relief package worth \$1.9 billion to help employers reduce the financial burden from COVID-19
 - i. Employers can defer WSIB premium payments up to six months (until August 31, 2020)
 - ii. All employers are automatically eligible for the deferral
 - iii. No interest will accrue on outstanding premium payments and no penalties will be charged during the period
- d. **BUSINESS IMPACT:** businesses are able to defer payments and keep more cash-on-hand to satisfy other, immediate obligations.

10. Ontario introduces \$17 billion rescue package

- a. **LINKS:** [Ontario News Release](#); [National Post](#); [Full Action Plan](#)
- b. **SUMMARY:** Government of Ontario released "Ontario's Action Plan: Responding to COVID-19"
 - i. \$7 billion committed to additional resources for the health care system and direct support for people and jobs
 - ii. \$10 billion in support for people and businesses through tax and other deferrals to improve their cash flow
 - a. \$6b: in deferred taxes
 - b. \$1.9b: WSIB deferrals (see above)
 - c. \$1.8b: deferring municipal education property tax payments.
- c. **BUSINESS IMPACT:** businesses can defer payment of provincial taxes, providing them with additional cash-on-hand for short-term liabilities.

11. Provisions of the Ontario's Corporations Act and Business Corporations Act suspended under the Emergency Management and Civil Protection Act

- a. **LINKS:** [O Reg 107/20](#)
- b. **LEGISLATION:** *Emergency Management and Civil Protection Act*, section 7.1(2) gives the Lieutenant Governor in Council authority to, *inter alia*, temporarily suspend the operation of a provision of a statute, regulation or by-law and set out replacement provisions where appropriate
- c. **SUMMARY:** The new regulation applies retroactively to March 17, 2020 and provides for the following changes to Ontario's *Corporations Act* ("**CA**") and *Business Corporations Act* ("**OBCA**"):
 - i. the following changes were made to the **OBCA**:
 - a. **section 94(1)(a)** – this requires annual general meetings of shareholders to be held within 18 months of incorporation and every 15 months thereafter; this has been replaced with the requirement that annual general meetings that are to be held during the state of emergency must instead be held no later than 90 days after the termination of the state of emergency. Further, meetings to be held within the 30-day period after the state of emergency need be held no later than 120 days after the termination of the state of emergency.

- b. **section 126(13)** – this section is replaced so that director meetings or a meeting of a committee of directors can be held virtually or electronically despite an provision in a corporation’s bylaws or constating documents
 - ii. the following changes were made to the **CA**:
 - a. **sections 125.1** and **283(3.1)** – have been suspended/replaced so that meetings may be held virtually or electronically, despite the corporation's by-laws or constating documents
 - b. **section 293** – this section is suspended and deadlines are extended similarly to section 94(1)(a) of the OBCA
 - c. **section 159(1)** – a shareholders meeting to elect directors, as normally required within the first three months of the year, must now only take place within 90 days after the termination of the state of emergency
 - d. **BUSINESS IMPACT:** a corporation can hold virtual meetings notwithstanding the fact that their by-laws or other applicable constating documents do not provide for meetings to be held virtually or electronically. Instead, corporations can hold such electronic and virtual meetings if they wish. Further, directors and shareholders should be aware of when the state of emergency is officially terminated and diarize the deadline for future meetings accordingly.

12. Ontario Superior Court of Justice suspends regular operations

- a. **LINKS:** [Ontario Courts](#); [Update](#)
- b. **SUMMARY:** effective March 17, 2020, the Superior Court of Justice suspended all regular operations until further notice
 - i. The Court continues to hear "urgent matters" during this period, which includes certain matters related to public health and safety, family and child protection, urgent and time-sensitive civil and commercial list matters, and any other matter the Court deems necessary and appropriate to hear on an urgent basis
 - ii. The Court's website sets out the process to file urgent documents, schedule a hearing, and participate in the hearing
- c. **BUSINESS IMPACT:** will delay businesses and their stakeholders from taking certain legal steps to enforce certain rights and obligations. However, if the matter is sufficiently urgent, then this will likely not have a negative impact on businesses and their stakeholders.

13. Federal Government announces details on the "Canada Emergency Response Benefit" ("CERB") – Applications Now Open

- a. **LINKS:** [Government of Canada](#); [Application Details](#)
- b. **SUMMARY:** provides \$2,000 per months for up to four months to workers (including self-employed) who lose their income as a result of COVID-19
 - i. The CERB would cover Canadians who have lost their job, are sick, quarantined, or taking care of someone who is sick with COVID-19, as well as working parents who must stay home without pay to care for children who are sick or at home because of school and daycare closures.

- ii. The CERB would apply to wage earners, as well as contract workers and self-employed individuals who would not otherwise be eligible for Employment Insurance (EI).
 - iii. Also applies to workers who are still employed but not receiving income because of work disruptions
- c. **BUSINESS IMPACT:** Self-employed workers in particular may be able to benefit from this emergency relief. Applications are now open; applicants may apply over the telephone or on-line. Note that additional funding is being planned for those that do not qualify for the CERB (see [here](#)).

14. Federal Government Announces 4 month 75% Temporary Wage Subsidy for qualifying businesses

- a. **LINKS:** [Government of Canada](#); [National Post](#); [Additional Details Here](#)
- b. **SUMMARY:** On March 27, the Federal Government announced it would be expanding the Temporary Wage Subsidy for businesses it had previously announced, from 10% of employee wages to 75%, on the first \$58,700 of an employee's pay. This means eligible employers could receive up to \$847 per week per employee, retroactive to March 15, 2020, to keep employees on payroll.
 - i. At the time of writing the specific details about the implementation of changes to the Temporary Wage Subsidy program had not yet been set out by the government.
- c. **BUSINESS IMPACT:** To receive a wage subsidy, the business must have had at least a 30% decrease in revenue as a result of the COVID-19 pandemic. The government is expected to announce further details about application and eligibility processing requirements in the coming days.

15. Federal Government Announces the "Canada Emergency Business Account"

- a. **LINKS:** [Prime Minister's Announcement](#); [Government of Canada](#)
- b. **SUMMARY:** This program will provide up to \$25 billion to eligible financial institutions to provide interest-free loans of up to \$40,000 to small businesses, guaranteed by the government. To qualify, businesses will need to demonstrate they paid between \$50,000 to \$1 million in total payroll in 2019. Repaying the balance of the loan on or before December 31, 2022 will result in loan forgiveness of 25 percent (up to \$10,000).
- c. **BUSINESS IMPACT:** This additional credit is being made available through financial institutions. Small businesses should speak with their financial institutions about accessing this credit.

16. Federal Government Announces Loan Guarantee & Co-Lending Programs for Small and Medium Enterprises

- a. **LINKS:** [Government of Canada](#)
- b. **SUMMARY:** These programs, which will be implemented through Business Development Canada and Export Development Canada are both capped at \$20 billion dollars. This additional credit is being made available through financial institutions and will be available to domestic businesses, not just those in the export sector. The term loans of up to \$6.25 million will be made available through financial institutions.
- c. **BUSINESS IMPACT:** Businesses who require additional liquidity to continue business operations should inquire with their financial institutions.

****PREVIOUS UPDATES AS OF MARCH 23, 2020****

17. Premier Ford Declares a State of Emergency under the *Emergency Management and Civil Protection Act*

- a. **LINKS:** [Ontario News Release](#); [National Post](#); [Globe & Mail](#); [CTV News](#)
- b. **LEGISLATION/REGULATION:** State of emergency declared by Premier pursuant to section 7.0.1 of the [Emergency Management and Civil Protection Act](#)
- c. **SUMMARY:**
 - i. The Premier ordered the following to close immediately:
 1. all facilities providing indoor recreational programs,
 2. all public libraries,
 3. all private schools,
 4. all licensed child care centers,
 5. all bars and restaurants,
 6. all theatres and cinemas, and concert venues;
 7. all non-essential workplaces [further details to be released tomorrow]; and any gathering of over 50 people is prohibited.
 - ii. These orders were approved by the Lieutenant Governor in Council and **will remain in place for the next 14 days, with possibility of extension.**
 - iii. Ontario is also investing up to \$304 million to enhance the province's response to Covid-19 by providing money to increase hospital capacity, increase testing and screening, protect frontline workers, fund long-term care homes and residential facilities in developmental services, protect seniors, and protect indigenous communities.
 - iv. legal limitation periods and procedural timelines have been temporarily suspended.
- d. **BUSINESS IMPACT:** Employers may need to temporarily lay off employees as cash-flows disappear. The terms of employment contracts will impact the scope of employer rights. Closures may prevent parties from fulfilling their contractual obligations. Contractual provisions such as “Force Majeure” and “Material Adverse Change” and common law principles of frustration may come into play, depending on the circumstances. Changes to employment laws are outlined below and impacts on employers are detailed in in our article [Key Considerations for Employers managing the fallout from Covid-19](#).

18. City of Toronto announces 60-day grace period for property tax and utility bills

- a. **LINKS:** [John Tory Tweet/News Release](#); [CityNews](#); [Toronto Star \(paywall\)](#); [Global News](#)
- b. **SUMMARY:** 60 day-grace period for City of Toronto property tax, water and solid waste utility bill payments for all residents and businesses (note that this extends the previously announced 30 day grace period for businesses)
 - i. Retroactive effect on all bills issued on or after March 16, 2020
 - ii. Late payment penalties will also be waived for 60 days
- c. **BUSINESS IMPACT:** individuals *and* businesses can now defer payments for a longer time without suffering penalties. This will provide for additional cash-on-hand in the short-term.

19. Government extends other tax deadlines

- a. **LINKS:** [Government of Canada](#) (see "Flexibility for Taxpayers" and "Flexibility for Businesses Filing Taxes" section); [CTV News](#); [National Post](#)
- b. **SUMMARY:**
 - i. For individuals: personal tax filing date has been pushed back to **June 1, 2020**
 - ii. The deadline to pay any income tax owing has been pushed back to **September 1, 2020**. This means that there will not be penalties or interest if the balance due or instalments are paid by **September 1, 2020**.
 - iii. For trusts with a taxation year ending December 31, 2019, the filing date has been pushed back to **May 1, 2020**
 - iv. Corporations can now defer income tax payments owing on or after March 18, 2019 and before September 1, 2020 until **September 1, 2020**, with no interest or penalties.
 - v. CRA will not contact any small or medium business to initiate any GST/HST or Income Tax audits for the next four weeks from March 18, 2020. For the vast majority of businesses, CRA will suspend audit activity.
 - vi. CRA will temporarily recognize taxpayer's electronic signatures for authorization forms T183 and T183CORP, which are forms that authorize tax preparers to file their taxes.
 - vii. The federal government has proposed a temporary wage subsidy as a three-month measure to allow eligible employers to reduce the amount of payroll deductions that are required to be remitted to CRA. Eligible employers include charities, non-profits and certain Canadian-controlled private corporations. The subsidy will equal 10% of remuneration paid from March 18, 2020 to June 20, 2020, up to a maximum of \$1,375 per employee and \$25,000 per employer.
- c. **BUSINESS IMPACT:** Tax deferral is now available to individuals *and* businesses. This will allow individuals and businesses to increase their cash flow in the short term. The extensions provided also eliminate the need to meet short-term filing deadlines. These measures may give rise to further questions about appropriate tax planning needs for 2020.

20. Ontario Legislature passes the Employment Standards Amendment Act (Infectious Disease Emergencies), 2020

- a. **LINKS:** [News Ontario](#);
- b. **LEGISLATION/REGULATION:** *Employment Standards Amendment Act (Infectious Disease Emergencies), 2020* – [Bill 186](#)
 - i. This amends the *Employment Standards Act, 2000* – primarily repeals and replaces subsection 50.1 of the *ESA*
- c. **SUMMARY:** Amends the *ESA* to address when emergency leave is available to employees in case of infectious disease emergencies. The changes expand the circumstances in which an employee can take a leave of absence:
 - i. The amendment entitles an employee to a leave of absence without pay, starting on the prescribed date, if the employee will not be performing his or her duties because of a designated infectious disease (including being in quarantine or providing care to someone affected by the designated infectious disease),

- ii. The employer is also able to direct the employee to not attend the workplace due to a concern about the spread of an infectious disease
- d. **BUSINESS IMPACT:** Employees choosing to, or being directed to self-quarantine, or stay home to care for a relative will be entitled to do so without pay, without risk of losing their job. Employers seeking to change the employment arrangement temporarily in light of Covid-19 should discuss with counsel regarding temporary layoffs or terminations where an employee has taken such steps.

21. Changes to the Business Credit Availability Program

- a. **LINKS:** [Government of Canada news release](#);
- b. **SUMMARY:** The government of Canada is implementing the following measures to support individuals and businesses negatively affected by Covid-19:
 - i. [Business Credit Availability Program](#) (BCAP): the program will further support financing in the private sector through the Business Development Bank of Canada (BDC) and Export Development Canada (EDC); here, BDC and EDC will enhance their cooperation with private sector lenders to coordinate financing and credit insurance solutions for Canadian businesses.
 - ii. The Office of the Superintendent of Financial Institutions (OSFI) is lowering the [Domestic Stability Buffer](#) requirement for domestic systemically important banks by 1.25% of risk weighted assets, effective immediately. This action will increase the lending capacity of Canada's large banks and support the supply of credit to the economy during the period of disruption related to Covid-19. The release of the buffer will support in excess of \$300 billion of additional lending capacity.
 - iii. The Bank announced a new [Bankers' Acceptance Purchase Facility](#), which will support a key funding market for small- and medium-size businesses at a time when they may have increased funding needs and credit conditions are tightening.
 - iv. The scope of the [bond buyback](#) program is widening.
 - v. The previously announced [Standing Term Liquidity Facility](#) will soon be launched. Under this program, the Bank could provide loans to eligible financial institutions in need of temporary liquidity support and where the Bank has no concerns about their financial soundness.
 - vi. The government is suspending the coming into force of the new Benchmark Rate for the minimum qualifying rate for insured mortgages until further notice.
- c. **BUSINESS IMPACT:** The Government has taken steps to make it easier for banks to provide credit to businesses, and through the BCAP initiative will be able to provide support to eligible businesses. Clients may be eligible to apply for and receive funding through these programs.

22. Toronto continuing to process applications for probate and hear urgent matters

- a. Premier Ford's mandated closure of non-essential workplaces may impact the points below. Please check back tomorrow for further updates.
- b. Applications for Certificates of Appointment (formerly referred to as probate certificates) are still being accepted and processed by the Toronto Estates Office. The

Toronto Estates Office counter services are working on reduced hours and requesting for materials to be delivered by courier and not in-person wherever possible.

- c. Judges of the Estates List and Commercial List will continue to hear and decide urgent and time sensitive matters. All regular matters which have been scheduled and are not urgent, or time sensitive, have been adjourned to after June 1, 2020 and are not currently being rescheduled, subject to any further direction from the court.
- d. **BUSINESS IMPACT:** Executors can proceed to apply for probate certificates to gain authority to deal with a deceased individual's personal and business assets. In addition, urgent matters (whether commercial or estates-related) continue to be heard by Judges.

23. Government releases economic response plan

- a. **LINKS:** [Government of Canada \(here and here\)](#); [CBC](#)
- b. **SUMMARY:** The Federal Government has announced an \$82 Billion aid package to help Canadians and businesses cope with the economic impact of COVID19.
 - i. **Support to Canadians:** \$27 billion in direct supports
 - 1. Temporary income support for workers and parents
 - a. 1 week EI waiting period waived
 - b. Medical certificate waived for EI sickness benefits
 - c. Emergency care benefit for workers that don't qualify for EI sickness benefits and parents
 - 2. Longer-term income support for workers
 - a. Emergency Support Benefit for workers facing unemployment who are not eligible for EI
 - b. EI Work Sharing Program, which gives EI benefits for workers on reduced hours
 - 3. Income support for individuals who need it most
 - a. \$400 for individuals and \$600 for couples to boost income for those who need help with finances
 - b. Increase to Canada Child Benefit
 - c. Miscellaneous other measures (interest-free period on student loans(!), funds for Indigenous communities, reducing required minimum withdrawals from RRIFs, etc.)
 - 4. Flexibility for taxpayers (see above)
 - ii. **Support to Businesses:** \$55 billion to help business liquidity through tax deferrals.
 - 5. Changes to the Canada Account to allow the government to provide additional support to Canadian companies through loans, guarantees, or insurance policies
 - 6. Small employers will receive a temporary wage subsidy of 10% for three months
 - 7. Businesses can defer payment of taxes (above)
 - 8. Business Credit Availability Program (above)
 - 9. Insured Mortgage Purchase Program (above)
- c. **BUSINESS IMPACT:** The supports may be available to businesses and their employees. If businesses need additional liquidity to help cover costs during the economic downturn, these resources may be available to them.

24. Canada Closes Borders to Most Foreigners under *Aeronautics Act*

- a. **LINKS:** [Government of Canada Release](#); [Global News](#); [National Post](#); [CTV News](#)
- b. **LEGISLATION/REGULATION:** Pursuant to its power under section 4 of the [Aeronautics Act](#),
- c. **SUMMARY:**
 1. The Minister of Transport now:
 - i. Requires air operators to deny boarding of a traveller who is symptomatic (regardless of citizenship) **beginning March 19, 2020**; and
 - ii. Requires air carriers on flights to Canada to deny boarding any passenger who is not a Canadian citizen or permanent resident, and has resided in any country other than the US in the last 14 days, **beginning March 18**.
 2. The government of Canada also is enhancing support to impacted Canadians abroad by establishing a recoverable fund assistance program.
 - iii. The government will also be redirecting some international inbound flights to four major hubs (Toronto Pearson, Vancouver International, Montreal-Pierre Elliott Trudeau, and Calgary International) **beginning March 18, 2020**.
- d. **BUSINESS IMPACT** Businesses that have employees abroad, or require employees to travel for work purposes have been disrupted. For those employers who still have employees abroad, the repatriation assistance programs may be available to assist such employees.

25. Canada provides update on exemptions to travel restrictions

- a. **LINKS:** [Government of Canada](#); [Global News](#)
- b. **SUMMARY:** on March 18, Canada closed its borders to foreign nationals, subject to certain exemptions – on March 20, the Government of Canada announced several additional exemptions in order to "support the economy" (though such exemptions are not yet in place). Such further exemptions include:
 - i. seasonal agricultural workers, fish/seafood workers, caregivers and all other **temporary foreign workers**
 - ii. **international students** who held a valid study permit, or had been approved for a study permit, when the travel restrictions took effect on March 18, 2020
 - iii. **permanent resident applicants** who had been approved for permanent residence before the travel restrictions were announced on March 16, 2020, but who had not yet travelled to Canada
 - iv. However, all individuals entering from abroad must isolate for 14 days upon their arrival in Canada
- c. **BUSINESS IMPACT:** Canadian employers that rely on seasonal, foreign workers can continue to operate. This will be particularly important given that planting and harvesting activities will resume shortly. Employers should inform their employees to arrive in Canada *at least* two weeks before their start date to account for the isolation period.

26. Canada-US border closure for non-essential travel

- a. **LINKS:** [Government Global News](#); [BNN Bloomberg](#)
- b. **SUMMARY:** Trudeau announced that a non-essential travel ban between the US and Canada would take effect last Friday night/early Saturday morning.

- i. Essential travel will not be stopped, and the new measures will not disrupt the supply chains bringing essential goods to Canada
 - ii. Minister Freeland stated that officials would be taking a negative list approach, screening for people that should not be travelling, such as tourists or for pleasure. The government has stated that people needing to travel for daily life or work, including anyone with “valid work responsibilities” would be allowed to cross.
- c. **BUSINESS IMPACT:** Companies should be aware of travel restrictions and what constitutes essential cross-border travel by employees. More rigorous questioning by CBSA regarding the purpose of travel is expected.