

Ministry of Health

# Proof of Vaccination Guidance under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*

Version 4– November 16, 2021

## Introduction

This document provides guidance for businesses, organizations, facilities and locations to which the proof of vaccination requirements set out in section 2.1, of Schedule 1 of [O. Reg. 364/20: Rules for Areas at Step 3 and at the Roadmap Exit Step](#) (O. Reg. 364/20) under the [Reopening Ontario \(A Flexible Response to COVID-19\) Act, 2020](#) (ROA) apply. This includes:

- businesses and organizations listed in subsection 2.1(2), Schedule 1 of [O. Reg. 364/20](#);
- select businesses and facilities listed in subsection 2.2(5), Schedule 1 of [O. Reg. 364/20](#), which may elect to opt-in to the section 2.1 proof of vaccination requirements; and
- wedding, funeral or a religious service, rite or ceremony locations, as outlined in section 7, Schedule 3 of [O. Reg. 364/20](#), which may elect to opt-in to the section 2.1 proof of vaccination requirements.

Pursuant to subsection 2.1(4), Schedule 1 of [O. Reg. 364/20](#), this guidance published by the Ministry of Health must be complied with and specifies:

- (1) what constitutes proof of identification, being fully vaccinated against COVID-19, and being entitled to an exemption; and
- (2) the manner of confirming that a patron is fully vaccinated against COVID-19 or is entitled to an exemption.

This guidance document does not preclude businesses, organizations, facilities and locations that are subject to section 2.1 from establishing their own additional policies or requirements pertaining to their patrons. These settings may wish to consult a lawyer should they consider creating their own additional policies or requirements.

This guidance document only pertains to proof of vaccination requirements and is not intended to be a comprehensive description of all requirements that may apply with respect to patrons entering certain settings. There may be other rules in [O. Reg. 364/20](#) that also apply, such as screening and contact information recording requirements.

This guidance document is not intended to take the place of medical advice, diagnosis, treatment, or legal advice. In the event of any conflict between this guidance document and the [ROA and its regulations](#), the [ROA](#) and its regulations prevail. Businesses, organizations and facilities etc. must also comply with any applicable municipal by-laws, section 22 orders issued by local Medical Officers of Health under the [Health Protection and Promotion Act](#) (HPPA), and any other applicable instructions, policies or guidelines issued by the Government of Ontario.

All applicable legislative or regulatory requirements related to health and safety such as those in the [Occupational Health and Safety Act](#) (OHSA) and its regulations continue to apply. While the [ROA](#) sets out certain specific requirements, with respect to worker health and safety, the OHSA requires that employers must take every precaution reasonable in the circumstances to protect the health and safety of workers. This includes protecting workers from hazards posed by infectious diseases. Employers must meet all requirements under both statutes.

## Application

### **Specified businesses and organizations where proof of vaccination is required**

Section 2.1 of Schedule 1 in [O. Reg. 364/20](#) provides a list of businesses and organizations where proof of vaccination is required.

Should an individual choose not to share the required information to enter a specified area of the premise of a business or organization where proof of identification and proof of vaccination is required, they will not be permitted to enter (subject to limited exceptions – see the exemptions section of this document for more information).

In order to enter the business and organization, with limited exemptions, the person responsible for the business or organization is accountable to ensure that each patron who enters provides:

- proof of identification
- proof of being fully vaccinated or

- proof of a valid exemption (i.e., medical, or clinical trial exemption)

**No person** shall retain, record, copy, modify, use or disclose any information provided for the purpose of section 2.1 of Schedule 1 of [O. Reg. 364/20](#) under the [ROA](#).

A business or organization may use information provided as above solely for the purpose of confirming that a patron is fully vaccinated against COVID-19 or is entitled to an exemption.

Patrons must provide complete and accurate information for the purpose of satisfying the proof of identification and vaccination requirements in [O. Reg. 364/20](#).

In accordance with subsection 2.1(5), Schedule 1 of [O. Reg. 364/20](#), an individual is considered **fully vaccinated** if they have received:

- The full series of a COVID-19 vaccine authorized by Health Canada, or any combination of such vaccines, or
- One or two doses of a COVID-19 vaccine not authorized by Health Canada, followed by one dose of a COVID-19 mRNA vaccine authorized by Health Canada, or
- Three doses of a COVID-19 vaccine not authorized by Health Canada; and
- They received their final dose of the COVID-19 vaccine at least 14 days before providing the proof of being fully vaccinated.

Patrons seeking access to the following areas of the premises of the following businesses or organizations must show proof of identification and proof of being fully vaccinated against COVID-19 before they can enter the area, with limited exceptions<sup>1</sup>:

Businesses or Organizations	Additional Information
Meeting and event spaces (includes banquet halls, conference and convention centres)	Indoor areas Outdoor areas that have a usual capacity of 20,000 or more persons Excludes spaces used for day/overnight camp, child care and/or social services

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<sup>1</sup> This chart provides a summary of the provisions. For the full details, refer to section 2.1, Schedule 1 of [O. Reg. 364/20](#).

Businesses or Organizations	Additional Information
Restaurants, bars and other food or drink establishments <b>with</b> dance facilities, including nightclubs and restoclubs and other similar establishments	Indoor and outdoor areas Excludes delivery and takeout
Restaurants, bars, and other food and drink establishments <b>without</b> dance facilities <sup>2</sup>	Indoor areas only Excludes outdoor areas (i.e., outdoor patios), delivery and takeout
Facilities used for sports and recreational fitness activities, including waterparks and facilities where personal fitness trainers provide instruction, including where spectators watch events	Indoor areas Outdoor areas that have a usual capacity of 20,000 or more persons Excludes facilities used for day/overnight camp, child care and/or social services
Casinos, bingo halls, and other gaming establishments	Indoor areas
Concert venues, theatres, and cinemas	Indoors areas Outdoor areas that have a usual capacity of 20,000 or more persons
Bathhouses, sex clubs and strip clubs	Indoor areas
Horse racing tracks, car racing tracks and other similar venues	Indoor areas Outdoor areas that have a usual capacity of 20,000 or more persons
Indoor areas where film and TV productions take place with studio audiences	Does not include cast and crew members (studio audience only)

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<sup>2</sup> For a quick service restaurant or other establishment at which food or drink is sold where all dine-in patrons order or select their food or drink at a counter, food bar or cafeteria line and pay before receiving their order, the person responsible for the restaurant or establishment may require dine-in patrons to provide proof of vaccination at the counter, food bar or cafeteria line. This does not apply to establishments with dance facilities including nightclubs, restoclubs, and other similar establishments.

Note that the proof of vaccination requirements in section 2.1, Schedule 1 of [O. Reg. 364/20](#) do **not** apply to any businesses or organizations not listed above, and proof of vaccination is not required to access to medical care, groceries, and basic medical supplies, among other necessities.

Businesses not legally required to adopt the proof of vaccination measures in section 2.1 of Schedule 1 of [O. Reg. 364/20](#) may choose to do so on their own accord, and/or may institute their own entry requirements. Businesses may wish to consult a lawyer should they consider doing so.

## **Businesses and facilities that may opt-in to proof of vaccination requirements**

As per section 2.2, Schedule 1 of [O. Reg. 364/20](#), the person responsible for certain businesses and facilities may elect to require patrons to provide proof of identification and of being fully vaccinated against COVID-19 in accordance with the requirements set out in section 2.1.

An election may be made each day the place of business or facility is open to the public and is in effect for the duration of the day on which it is made.

During the period when a specified business or facility opts into the proof of vaccination requirements:

- The person responsible for the business or facility is (1) not required to limit capacity to the number of persons that can maintain a physical distance of 2 metres; and (2) must post signs at all entrances to the premises in a conspicuous location visible to patrons that inform patrons that proof vaccination is required in order to enter.
- Individuals are not required to maintain a physical distance of at least two metres from other persons.

All other applicable public health and workplace safety measures in [O. Reg. 364/20](#) continue to remain in effect during the opt-in period (which may include, but are not limited to patron screening, masking, and collection of patron contact information where required).

The following is a summary of the businesses and facilities that may opt-in to proof of vaccination requirements<sup>3</sup>:

<b>Businesses or Facilities</b>	<b>Additional Information</b>
Real estate agencies	Open house events hosted by the real estate agency only
Businesses that provide personal care services relating to the hair or body	Includes hair salons and barbershops, manicure and pedicure salons, aesthetician services, piercing services, tanning salons, spas and tattoo studios
Indoor recreational amenities	
Outdoor recreational amenities	Indoor clubhouses only
Photography studios and services	Indoor areas
Museums, galleries, aquariums, zoos, science centres, landmarks, historic sites, botanical gardens and similar attractions	Indoor areas
Amusement parks	Indoor areas
Fairs, rural exhibitions, festivals and similar events	Indoor areas
Businesses that provide tour and guide services, including guided hunting trips, tastings and tours for wineries, breweries and distilleries, fishing charters, trail riding tours, walking tours and bicycle tours	Indoor areas
Businesses that provide boat tours	If permitted to operate under section 30 of Schedule 2 of O. Reg. 364/20
Marinas, boating clubs and other organizations that maintain docking facilities for members or patrons	Indoor areas

<sup>3</sup> For the full details, refer to section 2.2, Schedule 1 of [O. Reg. 364/20](#).

## Wedding, funeral or religious service, rite or ceremony locations

As per section 7 of Schedule 3 of [O. Reg. 364/20](#), the person responsible for a location where a wedding, funeral or religious service, rite or ceremony takes place may elect to opt-in and require attendees to provide proof of identification and proof of being fully vaccinated in accordance with the requirements set out in section 2.1 of Schedule 1 for any or all of those events.<sup>4</sup>

During this opt-in period:

- The person responsible for the location in which the wedding, funeral or religious service, rite or ceremony is taking place is (1) not required to limit the number of persons in the room to the number that can maintain a physical distance of 2 metres; and (2) must post signs at all entrances to the room in a conspicuous location visible to patrons that inform patrons that proof vaccination is required in order to enter the room.
- Individuals are not required to maintain a physical distance of at least two metres from other persons.

All other applicable public health and workplace safety measures in [O. Reg. 364/20](#) continue to remain in effect during the opt-in period (which may include, but are not limited to patron screening, masking, and collection of patron contact information where required).

## Exemptions

Unless otherwise specified by a local medical officer of health or a specific organization, the proof of identification and proof of vaccination against COVID-19 requirements under provincial [O. Reg. 364/20](#) **do not** apply to:

- a) Workers, contractors, repair workers, delivery workers, students, volunteers, inspectors or others who are entering the business or organization for work purposes and not as patrons.
- b) A patron who is entering an indoor area solely for the following purposes:
  - to use a washroom;

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<sup>4</sup> This does not apply with respect to a wedding, a funeral or a religious service, rite or ceremony that takes place at a private dwelling.

- 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, including placing a bet or picking up winnings in the case of a horse racing track;
- while paying for an order;
- to purchase admission; or
- as may be necessary for the purposes of health and safety.

All other public health measures (e.g., masking and physical distancing) continue to apply to patrons.

c) Children under 12 years of age.

- Businesses or organizations specified in the regulation must require patrons who are 12 years of age or older and who do not qualify for an exemption to provide proof of identification and proof of being fully vaccinated against COVID-19 prior to entering an area specified in section 2.1 of Schedule 1 of [O. Reg. 364/20](#). 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 patron is under 12 years of age.

d) Patrons under 18 years of age who are 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, in accordance with the guidance below and in Appendix A:

- The exemption relating to youth under 18 years of age actively participating in indoor organized sport applies to training, practices, games and competitions.

Examples of an organized sport for which the exemption applies include:

- sports leagues
- organized pick-up sports
- dance classes
- martial arts
- swimming classes

- The exemption does not apply to youth who are spectators at sporting events. Nor does the exemption apply to youth who are using a gym or other area with exercise equipment or weights unless actively participating in an organized sport.
  - Proof of being fully vaccinated against COVID-19 and proof of identification (or proof of being entitled to another exemption) is required for patrons 18 years and older, including parents or guardians of youth actively participating in an organized sport. 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 patron is under 18 years of age. Proof of identification and proof of being fully vaccinated is not required for workers or volunteers, including coaches and officials.
- e) Patrons who are entering the indoor premises of a meeting or event space, including a conference centre or convention centre, 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 (See Appendix B).
- f) Patrons who are entering the indoor premises of a meeting or event space that is 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](#), for the purposes of attending a social gathering associated with a funeral service, rite or ceremony (See Appendix B).
- g) Patrons who provide a documentation completed and authorized 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.

When reviewing proof of a medical exemption for not being fully vaccinated against COVID-19, the business or organization must ensure:

- The name of the person in the written documentation matches the identification provided.
- The physician's or registered nurse's information is complete by including:
  - Name and contact information of the physician or registered nurse in the extended class;

- o Logo or letterhead identifying the physician or registered nurse in the extended class;
  - o Statement that there is a medical reason for the individual's exemption from being fully vaccinated against COVID-19; and
  - o Any effective time-period for the medical reason which includes the date the patron is seeking access to the business or organization.
- h) Patrons who provide documentation that confirms they are currently participating in a COVID-19 vaccine clinical trial authorized by Health Canada and specified in this guidance, including Appendix C.

To review proof of 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"<sup>5</sup> 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)<sup>2</sup> 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.

Sample Statement of Exemption due to Participation in a COVID-19 Vaccine Clinical Trial Public Use			
<b>Review the Proof of Vaccination Guidance for Businesses and Organizations under the Reopening Ontario Act prior to certifying an exemption to ensure all criteria are met.</b>			
<b>Section 1 – Individual Information</b>			
Last Name	First Name	DOB (www/mm/dd)	
<b>Section 2 – COVID-19 Vaccine Clinical Trial Details</b>			
Company name			
Control number			
Time period	Clinical Trial Start Date www/mm/dd	Expected End Date www/mm/dd	
<b>Section 3 – Business Address</b>			
Unit Number	Street Number	Street Name	PO Box
City/Town	Province	Postal Code	Country
Email address			Phone number

<sup>5</sup> Available through the clinical trial organizer (i.e., authorization holder) outlined in Appendix C.

- The COVID-19 vaccine clinical trial information, including:
  - 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 (the patron).

## Proof of Vaccination

### Verification by enhanced vaccine certificate or by vaccine receipt

Unless a patron has proof of a medical exemption or clinical trial exemption, businesses and organizations must verify eligibility of patrons to enter as described by **Enhanced Method** and **Original Method** below.

If there is a medical or clinical trial exemption, the business or organization must verify the proof of the exemption (see “Exemptions” section) and match the name and date of birth on the patron’s ID to allow entry.

Regardless of whether a patron uses the **Enhanced Method** or **Original Method** to provide proof of vaccination, identification is still required as described below under “Proving Identity”.

If the above exemptions do not apply, starting October 15, there will be two ways to verify a patron’s eligibility to enter prescribed settings. The **Enhanced Method** is based on new vaccine certificates (certificates are a convenient, easy-to-use, easy-to-carry digital format) with QR codes that can be scanned by Ontario’s new Verify Ontario app. This enhanced approach to verifying proof of vaccination provides greater security and privacy protection. The QR code contains only necessary personal and health information: first name, last name, date of birth and vaccine dose information to the reader. The app will assess their vaccine record and immediately confirm to the business or organization whether the patron is eligible for entry.

Some patrons may not use this enhanced approach and opt for using the **Original Method** which requires a visual verification of a paper or downloaded proof of vaccination document (see “Example of Steps Required based on an Ontario vaccination receipt” below). Both are acceptable proof of vaccine documentation.

## Applications (Apps) Authorized to Verify Vaccination Status to Enter Prescribed Settings

The following apps are authorized to verify vaccination status to enter prescribed settings.

Authorized QR Code Verifier App Name	Provider
Verify Ontario	Government of Ontario

### Enhanced Method: The QR code and Verify Ontario app method to verify proof of full vaccination

Individuals who have downloaded Ontario's new, enhanced vaccine certificate with a QR code can present it in paper form or show it on their mobile device.

Ontario has released a QR code verification app called **Verify Ontario** for businesses and organizations to download from Apple's App Store or Google Play. **Verify Ontario is the only authorized app<sup>6</sup>** for use by businesses and organizations that need to confirm eligibility of patrons to enter prescribed settings under Ontario Regulation 364/20 under the *Reopening Ontario Act*.

The app has minimum configuration requirements just like any other downloadable app and has download instructions including giving the app access to the device's camera to enable scanning QR codes. You must use:

- a phone model released after 2014
- Apple devices, such as iPhone, iPad, or iPod Touch running iOS 11 or newer operating systems

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<sup>6</sup> Various third-party applications have been developed claiming to either convert vaccination receipts into QR codes for storage on mobile devices or to permit verification of QR codes. Third Party QR codes and verifier applications are **not authorized for use** in validating entry to prescribed settings and may result in privacy breaches. Businesses must use the official Verify Ontario application to validate entry and to help assure the public that their personal health information will remain private.

- Android devices, such as phones or tablets running Android 6 or newer operating systems

To preserve patrons' personal information and personal health information, **the app does not retain or store any data.** The app does not collect personal data about users or businesses. Specifically, it does not store any information that links specific locations, visitors or businesses to each other. To help evaluate and improve the app, only aggregate metrics such as total number of scans, and the number of valid, invalid, or warning results are collected.

For ease of use, the app can be used without an internet connection to scan most government-issue QR codes; however, you must connect to the internet every week for the latest content and rules. When connected to the internet, the application will automatically be updated with current vaccine or entry requirements and you will be notified if there is an updated version of the application available.

The application will send the following message if the application has not been connected to the internet within a certain timeframe:

**Your device needs to connect to the internet to update entry requirements;**

**If the app is not updated in the next [3, 2 or 1] days, it will stop scanning;**

**You can check for updates anytime on the settings and information page.**

If the application is not connected to the internet within **seven** days, it will stop working until updated. **Best practice is to refresh the app every week, using a cellular or Wi-Fi signal to ensure the latest content and rules are loaded.**

### **Scanning the QR code with the Verify Ontario app: what to look for**

The app will read the QR code to verify whether it is a legitimate Ontario government issued code that is free of tampering. It will then notify the business or organization if the patron is verified to enter the premises with proof of full vaccination.

When the app scans a QR code, there are three possible results (Figure 1):

1. **Verified:** This vaccine certificate meets the Ontario requirements for entry. The patron is fully vaccinated. Confirm this person's name and date of birth with a piece of identification.
2. **Invalid certificate:** This certificate does not meet the criteria to allow entry:
  - a. The person is only partially vaccinated;
  - b. Fourteen days have not passed since full vaccination; or
  - c. If fully vaccinated and 14 days have elapsed, the person has not downloaded the proof of vaccination demonstrating this status.

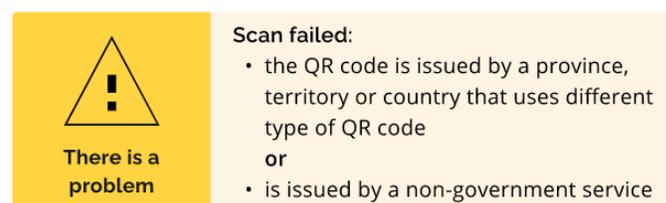
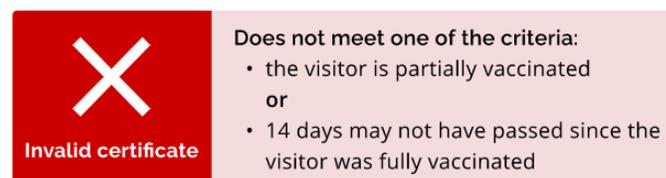
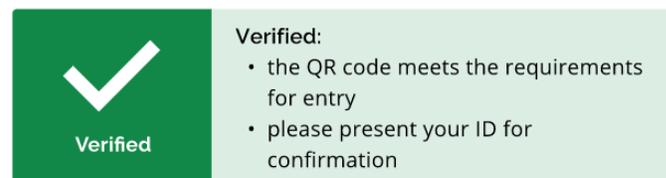


Figure 1: Verify Ontario scan results (exact wording may vary)

3. **There is a problem:** The scan failed because:
  - a. The QR code is damaged, creased, or has been altered in some fashion;
  - b. The QR code is issued by a province, territory or country that uses a different type of QR code; or
  - c. QR code is issued by a non-government service.

In the case of scenario 2 and 3, the patron may NOT enter the premises, unless an alternative proof of vaccination can be provided (i.e., the PDF version in electronic or paper formats). Visitors who are denied access may be redirected to [Ontario.ca/verify-results](https://ontario.ca/verify-results) for result details and can call 1-833-943-3900 for additional assistance.

### Scanning the QR code with the Verify Ontario app

Open the Verify Ontario app previously downloaded to a camera-equipped mobile device. Select the blue scan button (Figure 2).

**Scan the QR code** with the official Verify Ontario app by centering the QR code in the camera window opened on the app.

1. Verify Ontario will verify the proof of full vaccination of the patron returning one of three results as described above (Figure 1).
2. If Verify Ontario returns a **“Verified”**, match the name and the date of birth of the patron shown on Verify Ontario against the name and date of birth on a valid piece of identification (see “Proving Identity” below).

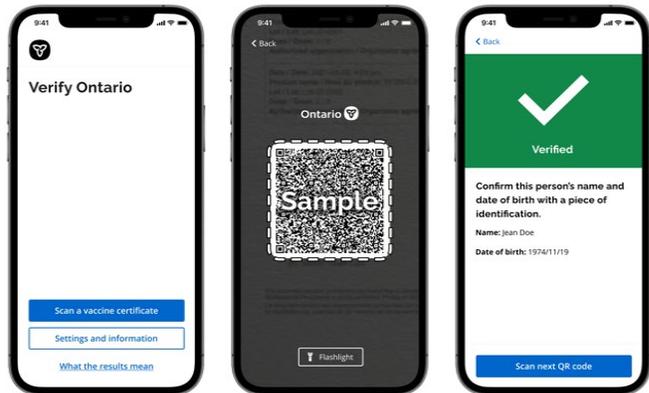


Figure 2: Scanning the QR code

3. If Verify Ontario returns a **“There is a problem”** result, the app provides some steps to resolve the issue. Unless resolved, the patron may not enter.
4. If Verify Ontario returns an **“Invalid certificate”** result, the app provides some steps to resolve the issue. Unless resolved, the patron may not enter.

If the camera cannot detect a QR code and returns a grey screen, take one or more of the following actions and attempt to rescan:

1. Wipe the camera lens;
2. Turn the flashlight on or off;
3. If the QR code is printed on paper, try to flatten the paper;
4. If the QR code is on a device, turn up the brightness of the device's screen; and
5. Ensure external light is not reflecting on the QR code.

### **Original Method: Visual verification of eligibility to enter**

Patrons who cannot or choose not to use an Ontario enhanced vaccine certificate may still use a vaccination receipt (printed or pdf) to provide proof of being fully vaccinated against COVID-19 (see footnote for definition of “fully vaccinated”). Businesses or organizations specified in the regulation must accept both forms of proof. The receipt must include key information about the vaccination event, including the individual's name, date of birth, number of doses received, date of vaccination and product name of the vaccine received (i.e., Pfizer, Moderna, etc.).

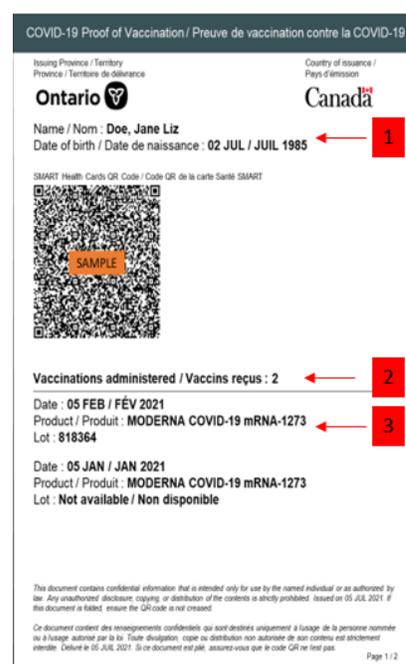
Patrons may present a receipt issued by the Ontario government (which may include a watermark), or a receipt signed by an Indigenous health provider, or a receipt from another jurisdiction (including a CAF (Canadian Armed Forces) proof of vaccination). This can be a paper copy or a downloaded version of the same stored on a mobile device.

Regardless of the type of receipt, a patron seeking access to a business or organization specified in the regulation must provide the receipt that shows that they are fully vaccinated<sup>7</sup> against COVID-19 and proof of identification (unless they qualify for an exemption).

Proof of vaccination will be accepted if the person's name and date of birth on their identification document matches the vaccination receipt with name and date of birth and if the person is fully vaccinated.

### Example of Steps Required based on an Ontario vaccination receipt

1. Match the **name** and the **date of birth** of the patron listed on the vaccination receipt against the name and date of birth on a piece of identification
2. Verify that the receipt shows that the holder is fully vaccinated
3. Verify that the **date of administration** of the final shot in the series is at least **fourteen days** prior to the date the patron is seeking access to the business or organization.



<sup>7</sup> An individual is considered fully vaccinated if they have received,

- the full series of a COVID-19 vaccine authorized by Health Canada, or any combination of such vaccines,
- one or two doses of a COVID-19 vaccine not authorized by Health Canada, followed by one dose of a COVID-19 mRNA vaccine authorized by Health Canada, or
- three doses of a COVID-19 vaccine not authorized by Health Canada; and
- they received their final dose of the COVID-19 vaccine at least 14 days before providing the proof of being fully vaccinated.

Health Canada approved vaccines and number of doses to be 'fully vaccinated':

- 2 doses: Pfizer-BioNtech, Moderna, AstraZeneca/COVISHIELD
- 1 dose: Janssen/Johnson & Johnson

## Proving Identity

Validation of identification is necessary to ensure that the vaccination receipt offered by the patron belongs to them. Validation of vaccination will be based on **two key identifiers**:

1. **Name of the identification holder; and**
2. **Date of birth.**

**A photo identification is not required.**

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. Examples of identification documents that may be used to confirm the identity of the holder of the vaccine receipt include:

- Birth certificate
- Citizenship card
- Driver's licence
- Government (Ontario or other) issued identification card, including health card<sup>8</sup>
- Indian Status Card /Indigenous Membership Card
- Passport
- Permanent Resident card

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<sup>8</sup> Individuals may voluntarily offer an Ontario health card (issued under the *Health Insurance Act*) for identification purposes, however a person or entity who is not a health information custodian must not record or copy the health card number. Individuals have a right to refuse to provide their health cards. It is an offence under PHIPA to require the production of a health card or health card number in certain circumstances.

Further information regarding the use of Ontario health cards for confirming the identity of individuals is available from the Information and Privacy Commissioner (IPC) at: <https://www.ipc.on.ca/resource/frequently-asked-questions-health-cards-and-health-numbers>. If you have any questions or concerns about the production of health cards or the collection, use or disclosure of health numbers, please contact the IPC at: [info@ipc.on.ca](mailto:info@ipc.on.ca).

Validation of identification is considered to have been completed/successful when the **name and date of birth of the presenter of the vaccination receipt and the name and date of birth on the identification document match**. If the name and date of birth on both documents do not match, the individual should not be granted entry to the business or organization.

For Ontario residents, expired Ontario government issued identification, including drivers' licences, and expired Canadian government issued documents, such as passports, may be provided as proof of identification. Visitors from within Canada may provide expired passports but may not provide expired provincial documents as proof of identification. All patrons visiting from abroad may not use expired documents as proof of identification.

The patron seeking entry to the business or organization is **solely responsible** for demonstrating that they are the legitimate holder of the vaccination receipt or vaccine credential, and that the information being provided is complete and accurate. If they cannot demonstrate that to the business or organization, the individual should not be granted entry to the business or organization.

## Compliance

As these requirements are specified in the rules for Step 3 under [O. Reg. 364/20](#) under the [ROA](#), existing enforcement provisions, as provided for under that Act, apply.

Businesses or organizations are responsible for ensuring they meet the requirements regarding proof of identification and proof of vaccination against COVID-19 as outlined in the regulation.

Patrons are required to ensure that any information they provide to the business or organization to demonstrate proof of vaccination (or proof of qualifying for an exemption) and proof of identification is complete and accurate.

[Canada's Criminal Code](#) deals with matters such as violent acts and threats. The police should be contacted in these situations. Harassment may also be a matter that falls under the Criminal Code or Ontario's [Human Rights Code](#).

In the event of harassment or threats of acts of violence, law enforcement should be contacted.

Under the [Occupational Health and Safety Act](#) (OHSA) employers have a responsibility to take every precaution reasonable in the circumstances to protect a worker. This includes assessing risk and implementing multiple control measures to address the risk of COVID-19 transmission, as well as the risk of workplace violence where that hazard may exist.

Tools and resources are available to help business implement the necessary safety measures including a guidance to develop workplace violence and harassment measures and procedures as part of their COVID-19 Safety Plan.

Examples of resources include (but are not limited to):

- [Developing your COVID-19 Workplace 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](#)

## Penalties

Failing to comply with the requirements of [O. Reg. 364/20](#) can result in charges under the [ROA](#). If charged under Part I of the [Provincial Offences Act](#) (POA), set fine amounts are \$750 for individuals and \$1,000 for corporations.

Maximum-penalties based on a prosecution under Part I or Part II of the [POA](#) include fines of up to \$100,000 and up to a year in jail for an individual; up to \$500,000 and up to a year in jail for an individual who is a director or officer of a corporation; and up to \$10 million for a corporation.

Violence in the workplace is never acceptable. Obstructing any person exercising a power or performing a duty (including workers) in accordance with requirements in [O. Reg. 364/20](#) can also result in charges under the [ROA](#).

## Next Steps

QR codes and associated receipts that encode legitimate medical exemptions and exemptions due to participation in a Health Canada authorized COVID-19 clinical trial are under development to make it easier for businesses to verify eligibility of the patron to enter and to provide the same experience for patrons with authorized exemptions as other patrons using the QR codes.

The guidance provided in this document is subject to updates, due to evolution of the pandemic, the evolution of technology, public health advice and direction, and ongoing engagement with Indigenous communities and organizations.

## Resources

- [Proof of Vaccination for Businesses and Organizations Guidance Questions and Answers](#) (PDF)
- [Poster: Proof of vaccination](#) (PDF)
- [COVID-19 \(coronavirus\) in Ontario](#) webpage (find a testing location, check your results, how to stop the spread of the virus)
- [COVID-19: Help for businesses in Ontario](#) webpage
- COVID-19 Patron Screening requirements
  - Refer to [COVID-19 Signage Questions for Businesses and Organizations](#) for signage details.
  - The COVID-19 Screening Tool for Businesses and Organizations (Screening Patrons) can be [downloaded](#) or patrons can complete the screening [online](#) and confirm the “good to go” result. [Proof of COVID-19 vaccination](#) webpage
- Ministry of Labour, Training and Skills Development's [Resources to prevent COVID-19 in the workplace](#)
- [Screening for COVID-19: guidance for employers](#) webpage

## Questions

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

## Appendix A: Requirements for Patrons in Indoor Sport and Recreational Fitness Facilities<sup>9</sup>

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"> <li>• sports leagues</li> <li>• organized pick-up sports</li> <li>• dance classes</li> <li>• martial arts</li> <li>• swimming classes</li> </ul>	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

Note: Proof of vaccination (or proof of being entitled to an exemption) is not required for workers or volunteers, including coaches and officials.

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<sup>9</sup> A number of local Public Health Units have issued letters of instruction requiring additional requirements on facilities offering indoor sports and recreational activities. Businesses may wish to consult with local PHUs to learn if additional requirements have been instituted in their area.

## Appendix B: Requirements for Funerals and Weddings

### Funerals

Event	Location	Proof of Vaccination
Funeral services, rites or ceremonies	Any setting (including meeting or event spaces, places of worship, funeral establishments)	Not required <b>(Except where the person responsible for a location where a funeral, rite or ceremony takes place elects to require attendees to provide proof of identification and of being fully vaccinated against COVID-19)</b>
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

Event	Location	Proof of Vaccination
Wedding services, rites or ceremonies	Any setting (including meeting or event spaces, places of worship)	Not required <b>(Except where the person responsible for a location where wedding service, rite or ceremony takes place elects to require attendees to provide proof of identification and of being fully vaccinated against COVID-19)</b>
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

## Appendix C: List of COVID-19 Vaccine Clinical Trials Authorized by Health Canada Where an Exemption for Proof of Vaccination Applies

Trial	Authorization Holder	Principal Investigator
BOOST KIDNEY: A Multi-Centre 12 Month Parallel-Group Randomized Control Trial of BNT162b2 versus mRNA-1273 COVID-19 Vaccine Boosters in Chronic Kidney Disease and Dialysis Patients With Poor Humoral Response following COVID-19 Vaccination	Sunnybrook Research Institute	Dr. Michelle Hladunewich, MD, FRCPC
A Randomized, Double-blind, Placebo-Controlled Phase 3 Study: Efficacy and Safety of Recombinant BCG VPM1002 in Reducing SARS-CoV-2 Infection Rate and COVID-19 Severity	Princess Margaret Cancer Centre	Alexandre R Zlotta, MD PhD
A Randomized, Observer-Blind, Placebo-Controlled Phase 2/3 Study to Assess the Safety, Efficacy, and Immunogenicity of a Recombinant Coronavirus-Like Particle COVID-19 Vaccine in Adults 18 Years of Age or Older	Medicago Inc.	Brian Ward, MD

Trial	Authorization Holder	Principal Investigator
Immunogenicity and adverse events following immunization with alternate schedules of authorized COVID-19 vaccines in Canada: MOSAIC study (Mix and match of the second COVID-19 vaccine dose for safety and immunogenicity)	Dalhousie University/Canadian Immunization Research Network (CIRN)  Ottawa Hospital Research Institute, University of Ottawa	Juthaporn Cowan, MD, PhD, FRCPC
COV-IMMUNO - A Randomized, Phase III Trial of Immunization with IMM-101 versus Observation for the Prevention of Severe Respiratory and COVID-19 Related Infections in Cancer Patients at Increased Risk of Exposure	Canadian Cancer Trials Group, Cancer Research Institute, Queen's University	Rebecca A Auer, MD, MSc, FRCSC
A Phase I/II, First-in-human, Observer-blinded, Randomized, Placebo-controlled, Parallel Group Study to Evaluate the Safety and Immunogenicity of TAP-COVID-19 SARS-CoV-2 Vaccine with CpG Adjuvant in Healthy Adults Aged 18-49 and 50-85	Kentucky Bioprocessing, Inc.	Timothy Salter, MD

Trial	Authorization Holder	Principal Investigator
A Phase 2, Randomized, Double-dummy, Observer-Blind, Study to Evaluate the Safety, Tolerability, and Immunogenicity of PTX-COVID19-B Compared to Pfizer-BioNTech COVID-19 Vaccine in Healthy Seronegative Adults Aged 18 to 64 Years.	Providence Therapeutics Holdings Inc.	Dr. Noah Vale Dr. Alexander Abitbol Dr. Janice Faulkner Dr. William Yang Dr. Brian Zidel
A Phase Ia/Ib, First-in-Human, Observer-Blinded, Randomized, Placebo Controlled, Ascending Dose Study to Evaluate the Safety, Tolerability, and Immunogenicity of PTX-COVID19-B Vaccine in Healthy Seronegative Adults Aged 18-64 and $\geq 65$	Providence Therapeutics Holdings Inc.	Dr. Noah Vale Dr. Alexander Abitbol Dr. Janice Faulkner Dr. William Yang Dr. Brian Zidel
A Phase 1a/1b, Randomized, Observer-Blind, Placebo-Controlled Study to Evaluate the Safety, Tolerability, and Immunogenicity of the COVID-19 (SARS-CoV-2) Vaccine Candidate VBI-2902a and VBI-2905a in Healthy Adults	VBI Vaccines Inc.	Joanne M Langley, MD