

FEHD reminds catering premises under Type D Mode of Operation and bars/pubs to ensure customers comply with COVID-19 vaccination requirements

The Food and Environmental Hygiene Department (FEHD) has continued to take stringent enforcement action against non-compliance with anti-epidemic regulations by stepping up inspections in various districts including conducting joint operations with the Police. During inspections in Central and Western District, Wan Chai District, Yau Tsim Mong District and Sha Tin District over the past weekend (September 10 to 12), stringent enforcement action targeted operators of catering premises in defiance of requirements under the vaccine bubble. A spokesman for the FEHD today (September 14) again reminded operators of catering business and members of the public to remain vigilant and strictly comply with the requirements and directions under the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F) (the Regulation), including the relevant vaccination requirements for staff and customers of catering premises choosing to operate under Type D Mode of Operation and bars/pubs and other establishments under the vaccine bubble.

As at September 9, the number of catering premises registered for Type C and Type D Modes of Operation were 2,332 and 1,150 respectively. Over the past weekend (including joint operations conducted with the Police), the FEHD inspected 1,447 catering premises and initiated procedures on prosecution against 19 operators of catering premises under Type B, Type C or Type D Modes of Operation or bars/pubs suspected of breaching the requirements of the Regulation and required these premises to take corresponding measures for reducing the risk of transmission. These premises have to, from the subsequent day after being identified for irregularities by the enforcement officers, cease selling or supplying food or drink for consumption on the premises from 6pm to 4.59am of the subsequent day, and allow no more than two persons to be seated together at one table, for three, seven or 14 days respectively, while bars/pubs are required to be closed for 14 days. Fixed penalty notices (FPNs) were issued to three staff members of catering premises and 24 customers suspected of breaching the requirements. Two staff members were suspected of breaching the vaccination requirement, and one was suspected of breaching the regular testing requirement. The customers concerned were mainly suspected of breaching the requirements related to the "LeaveHomeSafe" mobile app, or the relevant vaccination requirements when in Designated Zone D of catering premises or in bars/pubs. In addition, the relevant department also took enforcement action including issuing FPNs in the same period.

The spokesman said, "To fulfil the requirement of ensuring that customers have complied with the relevant requirement about COVID-19

vaccination in order to enter the relevant premises/designated zones, operators of catering premises choosing to operate under Type D Mode of Operation and bars/pubs must perform due diligence checks by using the 'QR Code Verification Scanner' mobile application provided by the Government to scan the customers' COVID-19 vaccination record QR code for checking whether the customers have complied with the relevant requirement concerning COVID-19 vaccination."

The spokesman reiterated that if a person responsible for carrying on a catering business contravenes the Regulation, he or she is liable to being prosecuted and, upon conviction, to a maximum fine of \$50,000 and imprisonment for six months. Persons who are present at any premises of a catering business must comply with directions applicable to them. Non-compliance with the relevant directions would be an offence and offenders are subject to a maximum fine of \$10,000. The liability may be discharged by paying a fixed penalty of \$5,000. In addition, for customers in breach of the requirement on the maximum number of persons per table within catering premises, they are liable to a fixed penalty of \$5,000 for violating Cap. 599G. For customers not wearing a mask when they are eating or drinking not at a table therein or they are not eating or drinking, they are liable to a fixed penalty of \$5,000 for contravening the Prevention and Control of Disease (Wearing of Mask) Regulation (Cap. 599I).

The FEHD will continue to step up law enforcement on catering premises and inspect staff and customers' records of receiving vaccinations, as well as conduct joint operations with the Police. Stringent enforcement action will be taken against offenders. To minimise the risk of transmission of COVID-19, the spokesman strongly appealed to operators and staff members of all premises as well as members of the public to comply with the relevant regulations on prevention and control of disease in a concerted and persistent manner, and not to defy and break the law.