

FEHD steps up inspections and joins interdepartmental joint operations around Christmas to take stringent enforcement actions relating to anti-epidemic regulations

The Food and Environmental Hygiene Department (FEHD) continued to take stringent enforcement actions relating to anti-epidemic regulations during the Christmas period. The FEHD stepped up inspections in various districts and conducted joint operations with the Police in Wan Chai, Eastern District, Yau Tsim, Tuen Mun, Yuen Long and Sai Kung yesterday (December 27). The Government reminded catering business and scheduled premises operators to 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), and customers patronising catering premises to comply with the various anti-epidemic regulations and restrictions, including the requirements on group gatherings and wearing of masks.

A total of 263 catering premises and seven other premises were inspected during the joint operations, and 650 catering premises were inspected by the FEHD on its own yesterday. The FEHD initiated procedures on prosecution against four catering business operators suspected for breaching the requirements under the Regulation (relating to providing dine-in services after 6pm, distance or partition between tables, mask-wearing, more than two persons seated together at one table, and proper display of the poster containing the "LeaveHomeSafe" venue QR code). The FEHD also issued fixed penalty tickets to a total of nine persons in two catering premises for violating the relevant group gathering requirement. In addition, the FEHD initiated procedures on prosecution against one person suspected for operating food businesses without a licence in contravention of the Food Business Regulation (Cap. 132X). Enforcement actions were also taken by the Police during the joint operations.

During the past four days (December 24 to 27), the FEHD (including in joint operations involving other departments) inspected a total of 3 029 catering premises and 32 other premises, and initiated procedures on prosecution against 24 persons suspected for breaching the requirements under the Regulation (23 catering business operators, including two providing dine-in services after 6pm; and the remaining one being scheduled premises manager). The FEHD also issued fixed penalty tickets to a total of nine persons for violating the relevant group gathering requirement. In addition, the FEHD initiated procedures on prosecution against eight persons (seven persons for operating food businesses without a licence and 1 person for operating a place of public entertainment without a licence) suspected for

breaching other Ordinances, including arresting two of the food business operators. Separately, a premises that has publicised holding a place of entertainment activity was found not in operation during the relevant period.

An FEHD spokesman said, "The latest directions issued by the Secretary for Food and Health in relation to social distancing measures in catering business and scheduled premises under the Regulation has been extended till January 6, 2021. Catering business operators must strictly comply with a series of requirements and restrictions, which include requirements that a person responsible for carrying on a catering business must cease selling or supplying food or drink for consumption on the premises of the business from 6pm to 4.59am of the subsequent day; and the number of people participating in a banquet in catering premises is limited to 20; no more than two persons may be seated together at one table within any catering premises, the total number of customers allowed in catering premises must not exceed 50 per cent of the normal seating capacity; no live performance and dancing is allowed; a mask must be worn within the premises except when the person is consuming food or drink at a table therein; tables must be arranged in a way to ensure there is a distance of at least 1.5 metres or some form of partition which could serve as an effective buffer between one table and another table; body temperature screening must be conducted before the person is allowed to enter the catering premises; and hand sanitisers must be provided, etc. In addition, a person responsible for carrying on a catering business must display the poster containing the 'LeaveHomeSafe' venue QR code at the entrance of the premises or at a conspicuous location. Relevant scheduled premises operators must strictly comply with the direction on closure of scheduled premises, which include places of public entertainment."

If a person responsible for carrying on a catering business or scheduled premises contravenes the regulations under the Regulation, he or she is liable to prosecution and, upon conviction, to a maximum fine of \$50,000 and imprisonment for six months.

For customers in breach of the requirement on no more than two persons per table within catering premises, they are liable to a fixed penalty of \$5,000 for violating the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (Cap. 599G). Moreover, for customers not wearing a mask when they are not eating or drinking 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 spokeman said, "Under section 31(1) of the Food Business Regulation (Cap. 132X), except with a licence granted, no person shall carry on any food businesses like food factories or restaurants etc. Offenders are liable to be prosecuted, and upon conviction to a maximum fine at level 5 (\$50,000) and imprisonment for six months, and, for a continuing offence, a fine of \$900 for each day."

The spokeman continued, "Under section 4(1) of the Places of Public Entertainment Ordinance (Cap. 172), without a licence granted, no person shall keep or use any place of public entertainment. Offenders are liable to

be prosecuted, and upon conviction to a maximum fine at level 4 (\$25,000) and imprisonment for six months, and, for a continuing offence, a fine of \$2,000 for every day."

The spokesman stressed that the FEHD will continue to step up law enforcement and publicity efforts and will deploy additional manpower to conduct joint operations with the Police during the New Year period. Stringent enforcement actions will be taken against offenders to ensure compliance of relevant regulations. The FEHD also urged catering business and scheduled premises operators and the public to abide by the law.

The spokesman reminded catering business and scheduled premises operators and the public to exercise self-discipline and co-operate to fight the virus together. He also appealed to operators concerned to comply with relevant regulations on prevention and control of disease in a concerted and persistent manner, with a view to keeping their staff, customers and the public safe. Members of the public also have to comply with the related regulations and directions on group gatherings and mask wearing at catering premises.