

Government further tightens social distancing measures and extends expiry dates of Regulations under Prevention and Control of Disease Ordinance

In view of the development of COVID-19 epidemic situation in Hong Kong, the Government announces today (December 8) that it will further tighten social distancing measures with effect from December 10, 2020 for a period of 14 days to December 23, 2020, and will extend the expiry dates of various regulations under the Prevention and Control of Disease Ordinance (Cap. 599) to March 31, 2021.

A spokesman for the Food and Health Bureau said, "Hong Kong is experiencing a peak period of COVID-19 epidemic. Although the Government has tightened social distancing measures since December 2 to suppress the latest wave of the epidemic, we do not observe significant reduction of gathering activities in the community. It is imperative to adopt more stringent measures in order to discourage members of the public from going out unnecessarily.

"The Government strongly appeals to the public to stay at home to fight against the epidemic together, dine out less often, and avoid unnecessary social activities including private gatherings. The Government also strongly appeals to private employers to fight the virus together and arrange employees to work from home as far as possible, with a view to reducing all unnecessary gathering activities. Maintaining social distancing and good personal hygiene at all times are also keys to prevention of infection and the spread of the virus in the community."

Social distancing measures

The latest details of requirements and restrictions are as follows:

(I) Catering premises (details at Annex 1)

(1) From 6pm to 4.59am of the subsequent day, save for specific premises (details at Annex 2), 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; and close any premises, or part of the premises, on which food or drink is sold or supplied by the business for consumption on the premises. The premises concerned may still sell or supply food and/or drink for takeaway services and deliveries. A person responsible for carrying on a catering business is also required to put up a notice at the entrance to the catering premises to remind customers that food or drink should not be consumed in areas adjacent to the catering premises.

(2) The number of people participating in banquets in catering premises is limited to 20.

(3) Other requirements and restrictions on catering business will be maintained, including the following requirements: no more than two persons may be seated together at one table within any catering premises; the number of customers must not exceed 50 per cent of the normal seating capacity; persons must not consume food or drink and must wear a mask when they are away from the table; and no live performance and dancing is allowed, etc. 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 which must be unobstructed at any one time so that it is readily accessible for scanning with a mobile phone by a person entering the catering premises and the size of the image of the poster displayed must not be not less than 210 x 297mm (A4 size).

(4) Bars or pubs will continue to be closed.

(II) Scheduled premises (details at Annex 1)

(5) Except club-houses and hotels or guesthouses, all scheduled premises regulated under the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F) as listed below must be closed:

- (a) Amusement game centres;
- (b) Bathhouses;
- (c) Fitness centres;
- (d) Places of amusement;
- (e) Places of public entertainment;
- (f) Premises (commonly known as party rooms) that are maintained or intended to be maintained for hire for holding social gatherings;
- (g) Beauty parlours;
- (h) Establishments (commonly known as clubs or nightclubs) that are open late into the night, usually for drinking, and dancing or other entertainment;
- (i) Karaoke establishments;
- (j) Mahjong-tin kau premises;
- (k) Massage establishments (save for those set out in Annex 3);
- (l) Sports premises; and
- (m) Swimming pools.

(6) For club-houses and hotels or guesthouses, managers must comply with the relevant restrictions under Cap. 599F, including the following requirements: closing the facilities therein that are being used or operated as premises mentioned in point (5) above, such as fitness centres or swimming pools; the number of persons in meeting rooms or function rooms must not at any one time exceed 50 per cent of the normal capacity of that room; and no more than four persons are allowed in a guest room or a rental unit of hotels or guesthouses, etc.

The Government has gazetted the relevant directions and specifications under Cap.599F to implement the above measures. The above measures will take

effect from December 10 for a period of 14 days till December 23, 2020. Persons responsible for carrying on catering businesses and managers of scheduled premises that contravene the statutory requirements under Cap. 599F would have committed a criminal offence. Offenders are subject to a maximum fine of \$50,000 and imprisonment for six months.

(III) Group gathering

(7) Unless exempted, the prohibition on group gatherings of more than two persons in public places will continue during the 14-day period from December 10 to December 23, 2020. The requirement is also applicable to group gatherings in catering business and scheduled premises regulated under Cap. 599F in which the relevant requirements or restrictions are not complied with.

Any person who participates in a prohibited group gathering; organises a prohibited group gathering; owns, controls or operates the place of such a gathering; and knowingly allows the taking place of such gathering commits an offence under the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (Cap. 599G). Offenders are liable to a maximum fine of \$25,000 and imprisonment for six months. Persons who participate in a prohibited group gathering may discharge liability for the offence by paying a fixed penalty, the level of which will be raised to \$5,000 starting from December 11, 2020.

(IV) Mask-wearing requirement

(8) The mandatory mask-wearing requirement under the Prevention and Control of Disease (Wearing of Mask) Regulation (Cap. 599I) will be extended for a period of 14 days from December 10 to December 23, 2020. During the aforementioned period, a person must wear a mask all the time when the person is boarding or on board a public transport carrier, is entering or present in an MTR paid area, or is entering or present in a specified public place (i.e. all public places, save for outdoor public places in country parks and special areas as defined in section 2 of the Country Parks Ordinance (Cap. 208)).

Under Cap. 599I, if a person does not wear a mask in accordance with the requirement, an authorised person may deny that person from boarding a public transport carrier or entering the area concerned, as well as require that person to wear a mask and disembark from the carrier or leave the said area. A person in contravention of the relevant provision commits an offence and the maximum penalty is a fine at level 3 (\$10,000) starting from December 11, 2020. In addition, authorised public officers may issue fixed penalty notices to persons who do not wear a mask in accordance with the requirement and such persons may discharge liability for the offence by paying a fixed penalty, the level of which will be raised to \$5,000 starting from December 11, 2020.

Extension of expiry dates of regulations

The global and local epidemic situations remain severe. In view of the

need to continue implementing various infection control measures subject to the epidemic situation in the near future, there is a need to extend the expiry dates of various regulations under Cap.599 so that the Government can respond swiftly to the epidemic and implement the corresponding measures under the relevant statutory framework.

The Government will extend the expiry dates for the below regulations from December 31, 2020 for three months to March 31, 2021.

- (1) Compulsory Quarantine of Certain Persons Arriving at Hong Kong Regulation (Cap. 599C)
- (2) Prevention and Control of Disease (Disclosure of Information) Regulation (Cap. 599D)
- (3) Compulsory Quarantine of Persons Arriving at Hong Kong from Foreign Places Regulation (Cap. 599E)
- (4) Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F)
- (5) Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (Cap. 599G)
- (6) Prevention and Control of Disease (Regulation of Cross-boundary Conveyances and Travellers) Regulation (Cap. 599H)
- (7) Prevention and Control of Disease (Wearing of Mask) Regulation (Cap. 599I)

The spokesman pointed out that, extending the expiry dates of the relevant regulations did not imply that the restrictions currently imposed under those regulations would be maintained until the corresponding expiry dates. Rather, the relevant statutory framework had provisions in place to allow flexibility such that the Government may tighten or relax or even suspend specific requirements and conditions subject to development of the epidemic situation.

"We will continue to closely monitor the development of the epidemic situation and review the various measures in place from time to time with a view to making suitable adjustments taking into account all relevant factors," said the spokesman.