

# Government maintains most of the social distancing measures under Prevention and Control of Disease Ordinance

â€‹The Government gazettes directions and specifications under the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F), the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (Cap. 599G) and the Prevention and Control of Disease (Wearing of Mask) Regulation (Cap. 599I) to maintain most of the social distancing measures currently in place. The above directions and specifications will take effect at 0.00am on August 19 for a period of 14 days till September 1 (the specified period).

"The global COVID-19 epidemic situation is under serious threat from the Delta variant, with acute surges in the number of confirmed cases within a short period of time in many countries. Despite large-scale vaccination programmes, many places are also experiencing resurgence of the virus, which poses enormous challenges to our local anti-epidemic efforts. While the vaccination rate has been increasing steadily, the vaccination rate of the elderly is still low. The elderly will be subject to extremely high risk of getting seriously ill and death if there is a fifth wave of epidemic. In this regard, we need to maintain most of the existing social distancing measures," said a spokesman for the Food and Health Bureau.

"Comirnaty and CoronaVac vaccines are highly effective in reducing the chance of getting seriously ill and death caused by COVID-19. As elderly people face a higher chance of death after COVID-19 infection, we appeal to the elderly to get vaccinated as soon as possible."

"Taking into account the risk involved in the operation of catering business, especially the fact that customers within the premises are consuming food or drinks hence mask-off most of the time, we will tighten the testing requirement for staff of catering businesses which adopt Type B Mode of Operation with effect from August 26. The staff will be required to undergo more frequent testing, from the current requirement of testing once every 14 days to testing once every seven days. Fully vaccinated staff will continue to be regarded as having complied with the testing requirement. In addition, since one's health condition may change from time to time, staff members of premises under Cap. 599F who are unfit for COVID-19 vaccination due to health reasons should consult medical advice regularly and provide updated medical certificate to the managers of relevant premises or their employers."

The details of the requirements and restrictions in the specified period (see Annex 1 for requirements and restrictions under Cap. 599F) are as

follows:

#### Catering business

(1) The existing requirements and restrictions applicable to catering business will be maintained during the specified period. Except for bars or pubs which are subject to other requirements, all catering business must operate according to one of the operating modes among Types A, B, C and D Mode of Operation, with details in Annex 2.

(2) The staff of catering businesses which adopt Type B Mode of Operation will be required to undergo testing once every seven days, up from once every 14 days, and the samples for the tests must be collected by using combined nasal and throat swabs and must not be taken by the person to be tested. Fully vaccinated staff will continue to be regarded as having complied with the testing requirement.

#### Bars and pubs

(3) The existing requirements and restrictions applicable to bars and pubs will be maintained during the specified period, with details in Annex 2.

#### Scheduled premises

(4) Leisure pool, children's pool and toddlers' pool in swimming pools can be opened if specified measures are adopted. Jacuzzi must remain closed.

(5) During the specified period, the existing requirements and restrictions applicable to the following scheduled premises under Cap. 599F will be maintained. They can operate according to the specified operation mode if specified measures are adopted (details in Annex 1 and Annex 2). Otherwise, they should continue to be closed:

- (a) bathhouses;
- (b) premises (commonly known as party rooms) that are maintained or intended to be maintained for hire for holding social gatherings;
- (c) establishments (commonly known as clubs or nightclubs) that are open late into the night, usually for drinking, and dancing or other entertainment;
- (d) karaoke establishments;
- (e) mahjong-tin kau premises; and
- (f) cruises

(6) During the specified period, the existing requirements and restrictions applicable to other scheduled premises under Cap. 599F will be maintained. These scheduled premises can be opened when the relevant requirements and restrictions are fulfilled (including arranging for all staff members involved in the operation of the premises to undergo a polymerase chain reaction (PCR)-based nucleic acid test for COVID-19 once every 14 days, the samples of which must be collected by using combined nasal and throat swabs and must not be taken by the person to be tested, or complete a COVID-19 vaccination course as an alternative).

(7) The existing requirements and restrictions applicable to event premises will be maintained during the specified period. Specified events (such as meetings, forums, symposiums, exhibitions, ceremonial, celebratory events, weddings and certain business meetings) can be conducted at event premises subject to relevant requirements and restrictions.

(8) 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. In addition, persons who are present at any premises of a catering business or any scheduled premises have to 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 particular, a staff member or a customer who makes false declarations or provides false information under the relevant measures would be regarded as non-compliant with the directions issued under Cap. 599F and would be subject to a fixed penalty of \$5,000. Any contravention against group gathering requirements within a premises under Cap. 599F would be handled according to the requirements under Cap. 599G, which means that participants of the group gathering would be subject to a fixed penalty of \$5,000.

#### Group gathering

(9) Unless exempted, the prohibition on group gatherings of more than four persons in public places will continue during the specified period. 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.

(10) 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 a gathering commits an offence under 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 of \$5,000. A staff member or a customer who makes false declarations or provides false information under the relevant measures may be regarded as participating in a prohibited group gathering and subject to a fixed penalty of \$5,000.

#### Mask-wearing requirement

(11) The mandatory mask-wearing requirement under Cap. 599I will be extended during the specified period. A person must wear a mask at all times 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)).

(12) 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). 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 of \$5,000.