

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

â€‹The Government will gazette the extension of most existing social distancing measures for 14 days till October 13. Meanwhile, the maximum number of persons allowed per banquet in catering businesses adopting Type D Mode of Operation will be relaxed to 240.

"Given the high transmissibility of the mutant strains and the relatively low vaccination rate of the elderly, it is worrying that the elderly will be subject to extremely high risks of getting seriously ill and death if there is a fifth wave of epidemic. In this regard, we need to maintain most of the social distancing measures currently in place," said a spokesman for the Food and Health Bureau.

"Meanwhile, under the principle of 'vaccine bubble', taking into account the fact that catering business premises adopting Type D Mode of Operation have already taken stringent anti-epidemic measures including the requirements that all staff must have completed their vaccination course and at least two-thirds of the customers must have received the first dose of vaccine, the maximum number of persons allowed per banquet in such premises will be relaxed to 240."

The spokesman noted that the Comirnaty and CoronaVac vaccines are highly effective in preventing severe cases and deaths from COVID-19. They can provide effective protection to those vaccinated in preventing serious complications and even deaths after infection. The Government continues to call on persons who are not yet vaccinated, especially senior citizens, chronic patients and other immunocompromised persons, who face a much higher chance of death after COVID-19 infection, to get vaccinated as early as possible for better self-protection before the fifth wave strikes Hong Kong.

According to the 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), the details of the requirements and restrictions which will take effect from September 30 till October 13 (the specified period) are as follows (see Annex 1 for requirements and restrictions under Cap. 599F):

## Catering business

(1) The maximum number of persons allowed per banquet in catering business premises adopting Type D Mode of Operation will be relaxed to 240. Other relevant requirements will remain the same, including the requirements that

all staff must have completed their vaccination course and at least two-thirds of the banquet participants must have received the first dose of vaccine.

(2) The other 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.

#### 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) 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 Mode of Operation 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) cruise ships.

(5) 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 the persons responsible for carrying on the premises 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 taken through combined nasal and throat swabs and by professionals, or to complete a COVID-19 vaccination course as an alternative).

(6) 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 continue to 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

(7) 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.

(8) According to Cap. 599G, 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. 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. Any participant, staff member or 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

(9) 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)).

(10) 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.