

Government to gazette latest legislative amendments, directions and specifications under the Prevention and Control of Disease Ordinance

Having regard to the development of the COVID-19 epidemic situation in Hong Kong, the Government will gazette today (October 20) the latest legislative amendments, directions and specifications under the Prevention and Control of Disease Ordinance (Cap. 599) to continue to relax social distancing measures in a gradual and orderly manner.

A spokesman for the Food and Health Bureau said, "Although the seven-day average number of locally confirmed cases has dropped gradually after reaching a high level early last week, there were cases with unknown sources of infection among the additional confirmed cases reported last week, indicating the existence of silent transmission chains in the community. Meanwhile, the severe global epidemic situation may also bring public health risks to Hong Kong.

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"Nevertheless, as we have reiterated time and again, under the new normal, we cannot and should not aim at having no confirmed case in the community for an extended period of time. Although we would much prefer seeing no local cases, it would be unavoidable to have sporadic cases and clusters in the community from time to time as the virus will co-exist with us for quite a long period of time before effective treatment and vaccination become available. In this regard, we will continue to adopt a targeted approach for reducing the risk of the virus entering and spreading within the community as far as practicable, avoid the one-size-fits-all approach when adjusting social distancing measures, and work closely with the relevant trades to strengthen infection control measures at the premises concerned, in order to allow members of the public to maintain social and economic activities to a certain extent as far as practicable under the new normal."

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ã€€ã€€After taking into account the latest public health risk assessment and having struck a balance with economic needs and level of acceptance of the society, the Government amends the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (Cap. 599G) to expand the scope of the existing exempted group gatherings to cover local tours and relax the restrictions on the number of persons allowed at wedding ceremonies and meetings that are held in accordance with any Ordinance or other regulatory instrument that governs the operation of the company or its business. The amendments will come into effect on October 23, 2020. For other social distancing measures, apart from minor refinements, the Government will largely maintain the measures currently in place for a period of seven days effective from October 23, 2020 till October 29, 2020.

The spokesman added, "As we have stressed time and again, co-operation and self-discipline of members of the public are the keys to the effectiveness of social distancing measures in preventing the spread of the disease in the community. Only with the co-operation of society as a whole can the Government continue to allow resumption of social and economic activities in a gradual and orderly manner. Therefore, the public's concerted efforts in fighting the epidemic and compliance with requirements and restrictions applicable to individual premises are of utmost importance. Otherwise, when there is another outbreak in the community, the Government will have no choice but to significantly tighten social distancing measures in order to safeguard public health."

Details of the aforementioned social distancing measures which are to take effect from October 23, 2020 are as follows:

(I) Catering business and scheduled premises

(1) The requirements and restrictions applicable to catering business and scheduled premises (see Annex 1 for details) will largely be maintained during the seven-day period from October 23 to 29, 2020. Amongst others, activities and facilities involving higher health risks such as dancing activities, steam and sauna facilities and ball pits will continue to be suspended or prohibited from opening. To provide more opportunities for the general public to exercise to maintain physical and mental health so that the public will be fit to continue to combat the epidemic, the latest directions will allow team sports at swimming pools with the maximum number of persons allowed at more than four persons based on the particular team sports activities.

Persons responsible for carrying on catering businesses and managers of scheduled premises that contravene the statutory requirements under the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F) would have committed a criminal offence. Offenders are subject to a maximum fine of \$50,000 and imprisonment for six months.

(II) Group gatherings

(2) Taking into account the public's wish to resume social activities and to allow the travel industry, which has been hard hit by the epidemic, to develop local businesses, the Government amends Cap. 599G to expand the scope of exempted group gatherings (at Annex 3) to allow licensed travel agents to organise local tours involving not more than 30 people. Travel agents must register with the Travel Industry Council of Hong Kong for each tour in advance and undertake to strictly implement a series of anti-epidemic measures, including wearing of masks by participants all the time except when having a meal, restricting the maximum number of persons on a conveyance to 50 per cent of its seat capacity, etc.;

(3) The maximum number of persons at wedding ceremonies, at which no food or drink is served, will increase from 20 to 50.

(4) The maximum number of persons in a room or partitioned area at a meeting that is held in accordance with any Ordinance or other regulatory instrument that governs the operation of the organisation or its business (including shareholders' meeting of listed company), at which no food or drink is served, will increase from 20 to 50.

(5) Unless exempted, the prohibition on group gatherings of more than four persons in public places will continue during the seven-day period from October 23 to 29, 2020.

Any person who participates in a prohibited group gathering; organises a prohibited group gathering; owns, controls or operates the place of such gathering and knowingly allows the taking place of such 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 \$2,000.

(III) Mask-wearing requirement

(6) The mandatory mask-wearing requirement will be extended for a period of seven days from October 23 to 29, 2020. During the aforementioned period, a person must wear a mask all the time when the person is boarding or onboard 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 the Prevention and Control of Disease (Wearing of Mask) Regulation (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 2 (\$5,000). 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 \$2,000.