

Government to maintain most of the social distancing measures

The Government will gazette amendments, 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, and introduce a new type of scheduled premises, namely "event premises", with a view to specifying restrictions and requirements applicable to certain events with greater clarity so that social and economic activities can be resumed gradually in a controlled manner. The above directions and specifications will take effect from 0.00am on July 22, for a period of 14 days till August 4 (the specified period).

A spokesman for the Food and Health Bureau said, "Many social and economic activities have gradually resumed over time under the two phases of relaxation of social distancing measures based on 'vaccine bubble', allowing the general public to resume normal life slowly."

"However, we note that members of the public may not be fully certain of the restrictions and requirements applicable to individual activities, especially for closed-door activities held in premises accessible by the public. To enhance clarity on the requirements that are to be complied with and ensure consistency of requirements applicable to activities of similar nature, the Government will introduce a new type of scheduled premises, namely 'event premises', where specified events such as meetings, forums, symposiums, exhibitions, ceremonial events and celebratory events (including weddings and certain business meetings) can be conducted subject to the adoption of relevant infection control measures. We believe the arrangement can allow event organisers to be more certain about the restrictions and requirements applicable to the events, while at the same time minimising public health risks, so that social and economic activities can resume in a gradual manner during this period with stable epidemic situation."

"If the vaccination rate in Hong Kong can be raised sooner to achieve herd immunity, the social distancing measures can be further relaxed to allow Hong Kong to return to normality as soon as possible. Although the Government has procured sufficient doses of the CoronaVac and Comirnaty vaccines for the whole population, given the persistently tight global supply of vaccines, the quantity currently being delivered to Hong Kong have been unstable and may even result in shortage of supply. As a result, we call on the public to act immediately and receive vaccination as early as possible to get early protection."

The details of the latest requirements and restrictions during 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.

Bars and pubs

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

Scheduled premises

(3) Specified events (including meetings, forums, symposiums, exhibitions, ceremonial and celebratory events, as well as weddings and certain business meetings which were exempted group gatherings prior to the legislative amendments) can be conducted at event premises subject to relevant requirements and restrictions. The relevant requirements and restrictions include:

(a) if at least two-thirds of the people participating in the aforementioned specified event have received the first dose of COVID-19 vaccine, the number of persons to be allowed would be 100 per cent of the normal capacity of the event premises, otherwise the number of persons to be allowed would be 50 per cent of the normal capacity;

(b) unless otherwise specified, no more than four persons or the number of persons living in the same household, whichever is more, may be allowed in each group of guests or participants, except when the persons are participating in a photo-taking session and all of the relevant persons are wearing masks;

(c) for seating at an auditorium setting or spectator stands, seats to be occupied must not exceed 85 per cent of the seating capacity and no more than six consecutive seats in the same row may be occupied;

(d) catering premises in an event premise must operate in accordance with the aforementioned restrictions and requirements applicable to catering businesses, including to operate according to one of the operating modes among Types A, B, C and D Mode of Operation. Any part(s) of the event premises being used or operated as scheduled premises such as fitness centre, amusement game centre or sports premises must operate in accordance with the restrictions and requirements applicable to these premises.

(4) Starting from July 30, "cruise-to-nowhere" itineraries can resume subject to compliance with a set of infection control measures by cruise operators. The relevant measures include:

(a) all crew members must be fully vaccinated with COVID-19 vaccines before commencement of a cruise journey, except for those who can produce valid medical certificate to prove that they are unfit to do so because of health reasons; and all crew members are still required to undergo a COVID-19

polymerase chain reaction-based (PCR) nucleic acid test regularly;

(b) all passengers must be fully vaccinated before commencement of a cruise journey, except for those who can produce valid medical certificate to prove that they are unfit to do so because of health reasons and those aged below 16 (Note); and all passengers have to present a proof of negative result of a COVID-19 PCR nucleic acid test conducted within 48 hours prior to boarding;

(c) cruise operators are required to adopt a maximum 50 per cent passenger capacity on a cruise ship, comply with the respective sets of hygiene and social distancing measures in force at the time for various premises and facilities similar to those regulated under Cap. 599F, and put in place contact tracing mechanism for journeys; and

(d) passengers are required to use the "LeaveHomeSafe" mobile application to scan the "LeaveHomeSafe" venue QR code of the cruise ship before boarding. After boarding, they must also follow the social distancing and contact tracing mechanism executed by the cruise operators.

(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; and
- (e) mahjong-tin kau premises.

(6) As far as places of public entertainment are concerned, if all staff members and at least two-thirds of the visitors or customers have received the first dose of COVID-19 vaccine, the number of persons to be allowed would be 100 per cent of the normal capacity of the premises, otherwise the number of persons to be allowed would be maintained at the current levels.

(7) 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 PCR 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 starting from July 29, or complete a COVID-19 vaccination course as an alternative).

(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 exempted group gatherings under Cap. 599G as amended are in Annex 4), 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.

Note: Starting from September 1, 2021, all customers aged between 12 to 15 must have received the first dose of COVID-19 vaccine.