

# Latest amendments to Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation and Prevention and Control of Disease (Prohibition on Group Gathering) Regulation

In view of the development of COVID-19 epidemic situation in Hong Kong, the Government will gazette the amendments to the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F) and the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (Cap. 599G) today (November 18). The amendments provide the legal framework for the Government to promulgate relevant measures later to restrict group gatherings and strengthen the infection prevention and control in hotels/guesthouses, as well as to enhance the legal power under Cap. 599F and Cap. 599G.

A spokesman for the Food and Health Bureau said, "Since the fourth wave of outbreak could happen at any moment, the Government has to implement preventive measures in a targeted manner to reduce the infectious risks brought by mask-off gatherings."

"As announced by the Secretary for Food and Health on November 14, we notice that there has recently been an increasing trend of 'staycation' activities in hotels/guesthouses. The participants of the relevant gatherings usually did not wear masks, and sometimes there were a considerable number of participants in such gatherings. Since there was a cluster of COVID-19 cases related to this kind of gatherings earlier, the relevant health risks should not be overlooked. Furthermore, as general travellers arriving in Hong Kong from places outside China must be put under compulsory quarantine in hotels for 14 days, we consider it necessary to strengthen measures to reduce cross infection risks between confinees and local guests. The Government will therefore amend the relevant legislations to restrict gatherings and strengthen infection prevention and control measures in hotels/guesthouses, as well as imposing legal responsibility to people who organise or participate in prohibited group gatherings. Compared with the current practice where the hotel/guesthouse operators could only appeal for the self-discipline of customers, this legislative amendment exercise will facilitate the operators to manage infection prevention and control within the premises more effectively."

The latest details of the Regulations are as follows:

(1) Hotels/guesthouses referred under the Hotel and Guesthouse Accommodation

Ordinance (Cap. 349) will be incorporated into the list of scheduled premises under Cap. 599F.

(2) The legal power under Cap. 599F and Cap. 599G will be enhanced, which includes expanding the scope of Cap. 599G to prohibit group gatherings at non-public places of scheduled premises regulated under Cap. 599F (for examples places within club-houses). Accordingly, for all the group gatherings in premises regulated under Cap. 599F, the participants must comply with the relevant group gathering requirements and restrictions specified under Cap. 599F in order to be exempted under Cap. 599G. Otherwise, summons can be issued against the participants under Cap. 599G.

(3) The enforcement power of authorised officers under Cap. 599F and Cap. 599G will be aligned, and a defence will be provided to the manager of the scheduled premises if he has taken all reasonable steps to ensure that the group gatherings comply with the requirements.

The relevant legislative amendments will take effect from November 20, 2020. Regarding amendment (1) above, after discussing the details with the hotel/guesthouse industry, the Government will separately gazette the directions under Cap. 599F to set out the details and the effective date of the measures restricting group gatherings and strengthening infection prevention and control in hotels/guesthouses.

Furthermore, the Department of Health (DH) has tightened the requirement to disallow visitors for any person under compulsory quarantine in hotels during the quarantine period starting from today (November 18). If confinees have the need to replenish goods or food, their friends, family members or hotel staff can place them outside the guestrooms for the confinees to pick up without face-to-face contact. If a person under compulsory hotel quarantine requires the company of a carer, with the prior permission from DH, the carer also has to be quarantined in the hotel till the end of the quarantine period. Breaking quarantine orders, including leaving quarantine places without permission or allowing visitors to enter quarantine guestrooms, is a criminal offence and offenders are subject to a maximum imprisonment of six months and a fine of \$25,000.

The spokesman said, "The Government will review the various measures in place from time to time in accordance with the development of the epidemic situation, and make suitable adjustments taking into account all relevant factors."