

LCQ2: Ventilation requirement for dine-in catering premises

Following is a question by the Hon Wong Ting-kwong and a written reply by the Secretary for Food and Health, Professor Sophia Chan, in the Legislative Council today (April 28):

Question:

To reduce the risk of the coronavirus disease 2019 spreading in catering premises, the Government announced on the 17th of last month that the seating areas of dine-in catering premises must be in compliance with the following requirement on or before the 30th of this month: (1) fresh air change per hour therein must be at six times or above, or (2) air purifiers meeting the specified specifications have been installed. Quite a number of catering business operators (the operators) have relayed to me that as they lack the knowledge about ventilation and air purifiers, they can hardly complete the ventilation works concerned and obtain a certificate of compliance issued by a registered specialist contractor (ventilation works category) (contractor) within such a short time. The expenditure to be incurred for complying with the requirement will also aggravate their already heavy financial burden. In this connection, will the Government inform this Council:

(1) whether it will publish, for reference by the operators, the ranges of the fees to be charged by a contractor for (i) undertaking the works concerned and (ii) issuing the certificate; if so, of the details; if not, the reasons for that;

(2) whether it will expeditiously provide subsidies and technical support for the operators, so as to facilitate their compliance with the requirement; if so, of the details; if not, the reasons for that; and

(3) whether it will exercise discretion to provide a grace period for the operators or postpone the commencement date of the requirement; if so, of the details; if not, the reasons for that?

Reply:

President,

In the directions issued on March 17, 2021 in relation to catering business under the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F), the Secretary for Food and Health stipulated a requirement on air change or air purifiers to be complied with in dine-in catering premises. Operators are required to register on the website of the Food and Environmental Hygiene Department (FEHD) on or before April 30, 2021 to declare that the seating areas of their premises have a minimum of six air changes per hour or air purifiers that

meet the specified specifications installed according to the on-the-ground situation (including the site condition) and the manufacturer's manual. Certification issued by a registered specialist contractor (ventilation works category) has to be submitted at the same time.

At present, there is no uniform worldwide standard on ventilation requirements for catering premises to prevent the transmission of COVID-19. Yet it is generally agreed that ventilation improvement measures could assist in infection control. The Government has made reference to various materials from other places, such as ventilation standards applicable to non-residential buildings, relevant scientific and clinical research, and information provided by the Chartered Institution of Building Services Engineers of the United Kingdom and others on design guidelines for ventilation systems at public venues (including catering premises). A balance has been struck between relevant factors including the effectiveness of the measures and their affordability to the trade.

We hope that the trade could fulfil the relevant ventilation requirement as soon as possible to protect the health of staff, customers and the public and to reinforce the public's confidence in patronising catering premises. We could then refrain from using a "stop and go" approach on the catering industry in the face of epidemic situations in future as far as possible.

My reply to the various parts of the question is as follows:

(1) and (2) To enable the smooth implementation of the requirement, the FEHD has established a Working Group comprising experts from a wide spectrum of backgrounds including public health, engineering, surveying and ventilation. The Working Group and relevant government departments are adopting a multi-pronged approach to help catering business operators and ventilation works contractors fulfil the requirement. Apart from meeting with representatives of catering premises, specialist contractors (ventilation works category), electrical appliance suppliers, hotels and other relevant trades, site visits have been conducted at a number of catering premises (including a bar, a Chinese restaurant, a Hong Kong-style tea restaurant and a hotel restaurant).

On assisting catering business operators and specialist contractors (ventilation works category), the Working Group and relevant government departments have made the following progress:

(i) an online platform, with a link (www.bd.gov.hk/en/resources/online-tools/registers-search/registrationsearch.html) to the webpage of the Buildings Department containing the list of 180 specialist contractors (ventilation works category), was launched by the FEHD on March 18, 2021 for registration in respect of catering premises;

(ii) a list of air purifiers meeting the specified specifications was announced and uploaded to the FEHD's website on April 1, 2021. The composite list (www.fehd.gov.hk/english/licensing/guide_general_reference/Information_air_changes_purification.html) will be updated from time to time based on

supplementary information submitted. As at April 19, 2021, a total of 305 air purifiers met the specified specifications. According to the information obtained by the Working Group, there is a stock of around 36 000 air purifiers of models that meet the specified specifications available in the market (while individual demand and supply may be subject to commercial considerations); and

(iii) a Guide on Compliance with Requirement on Air Change/Air Purifiers in Seating Areas of Dine-in Catering Premises

(www.fehd.gov.hk/english/licensing/guide_general_reference/guide_on_compliance_with_requirement_on_air_change.html) was promulgated on April 12, 2021 with a video uploaded to the FEHD's website

(www.fehd.gov.hk/english/licensing/guide_general_reference/Reference_Video_for_ACH-Air_purifier.mp4) to enable the trade to master the essential points on specific technical details and facilitate expeditious follow-up arrangements for the prompt compliance with the relevant ventilation requirement.

According to the information obtained by the Working Group from the Hong Kong Registered Specialist Contractors (Ventilation) Association, contractors in general will use specific calibration instrument to assess the per hour air change level of catering premises and then complete the registration at FEHD's website by providing the data as well as the certificate issued by them certifying the relevant air change level per hour and/or the air purifiers installed. The Association has set up a telephone hotline for catering business operators to directly contact contractors who are interested in providing the service. In addition, the Working Group has invited device suppliers to provide on the FEHD's website information (including price range) on their air purifiers that meet the specified specifications.

The Working Group and relevant Government departments will continue to enhance publicity and education with a view to assisting the trade in grasping the key concepts and relevant follow-up arrangements regarding enhancement of air change of premises and installation of air purifiers; organise a webinar for direct communication between catering business operators and specialist contractors (ventilation works category); and continue to meet with representatives of the trades and the stakeholders.

(3) According to the guideline issued on March 17, 2021, catering business operators must submit an application to the FEHD for extension of time if they cannot complete the registration before the deadline. The FEHD will consider each application on individual merits. Catering business operators need not be overly worried. If they have taken reasonably practicable steps in an attempt to meet the relevant requirement but still consider it necessary to apply for an extension, they can download the application form from the FEHD's website

(www.fehd.gov.hk/english/licensing/guide_general_reference/Application_for_extension_of_time_for_registration_on_air_change_installation_of_air_purifier_in_catering_premises.html) and submit their applications accordingly.

During the initial period of implementing the new requirement, the FEHD

will focus on publicity, education and giving advice, and will monitor the relevant situation closely for timely adjustments to the arrangement.