

# Prevention and Control of Disease (Requirement and Directions) (Business and Premises) (Amendment) Regulation 2020 gazetted

The Government published in the Gazette today (April 1) the Prevention and Control of Disease (Requirement and Directions) (Business and Premises) (Amendment) Regulation 2020 (the Amendment Regulation).

In accordance with the Prevention and Control of Disease (Requirement and Directions) (Business and Premises) Regulation (the Regulation) (Cap. 599F) and the Amendment Regulation above, the Secretary for Food and Health (SFH) has issued directions today to be effective for 14 days from 6pm on April 1, 2020 (i.e. till 5.59pm on April 15):

- (a) The closure of karaoke establishments and the suspension of karaoke activities in catering premises and club-houses;
- (b) The closure of mahjong-tin kau establishments and the suspension of mahjong-tin kau activities in catering premises and club-houses;
- (c) The closure of establishment (commonly known as club or nightclub) that is open late into the night, usually for drinking, and dancing or other entertainment;
- (d) A person must wear a mask at any time where practicable within the beauty parlour, club-house and massage establishment premises as set out in Part 1 of Schedule 2 to that Regulation;
- (e) Body temperature screening on a person must be conducted before the person is allowed to enter the beauty parlour, club-house and massage establishment premises as set out in Part 1 of Schedule 2 to that Regulation; and
- (f) Hand sanitizers must be provided at any beauty parlour, club-house and massage establishment premises as set out in Part 1 of Schedule 2 to that Regulation.

## Amendment Regulation

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The Amendment Regulation is made in accordance with the Prevention and Control of Disease Ordinance (Cap. 599). Section 8 of the Ordinance empowers the Chief Executive in Council to make public health emergency regulation for the purposes of preventing, combating or alleviating the effects of a public health emergency and protecting public health.

The Amendment Regulation empowers the SFH to issue directions, for public health reasons, to restrict the mode of operation and operating hours or require closure of the following Scheduled Premises:

- (a) beauty parlour,
- (b) club-house,
- (c) establishment (commonly known as nightclub) that is open late into the night, usually for drinking, dancing and other entertainment,
- (d) karaoke establishment,
- (e) mahjong-tin kau premises, and
- (f) massage establishment.

The above premises are in addition to the following ones which have already been included on the list of Scheduled Premises on March 28:

- (a) amusement game centre,
- (b) bathhouse,
- (c) fitness centre,
- (d) place of entertainment,
- (e) place of public entertainment, and
- (f) premises that are maintained or intended to be maintained for hire for holding social gatherings (commonly known as party room).

The Amendment Regulation commenced at 3pm today and will be effective for the same period as the Regulation (i.e. till midnight of June 27, 2020).

Under the Regulation, the SFH may issue directions through a notice in the Gazette to regulate or restrict the mode of operation, or to direct closure, of the premises. The requirements are only effective through a notice made by the SFH published in the Gazette and each specified period must not exceed 14 days. The person responsible for the management of the scheduled premises commits an offence if he or she fails to comply with the requirements. Offences would attract a maximum fine at level 5, i.e. \$50,000, and imprisonment for six months.

#### Latest directions issued by the SFH in accordance with the Regulation

The SFH has issued two directions through notices in the Gazette in accordance with the Regulation. The directions will commence at 6pm on April 1 for a period of 14 days (i.e. till 5.59pm on April 15). Details of the directions are set out below:

##### Direction 1 – Catering Business

All karaoke and mahjong-tin kau activities at any premises on which food or drink is sold or supplied for consumption on the premises must be suspended.

##### Direction 2 – Scheduled Premises

The following premises as set out in Part 1 of Schedule 2 to that Regulation must be closed:

- (a) establishment (commonly known as club or nightclub) that is open late

into the night, usually for drinking, and dancing or other entertainment  
(b) karaoke establishment  
(c) mahjong-tin kau premises

Any karaoke and mahjong-tin kau activities carried on at club-house premises as set out in Part 1 of Schedule 2 to that Regulation must be suspended.

A person must wear a mask at any time where practicable within the beauty parlour, club-house and massage establishment premises as set out in Part 1 of Schedule 2 to that Regulation.

Body temperature screening on a person must be conducted before the person is allowed to enter the beauty parlour, club-house and massage establishment premises as set out in Part 1 of Schedule 2 to that Regulation.

Hand sanitisers must be provided at any beauty parlour, club-house and massage establishment premises as set out in Part 1 of Schedule 2 to that Regulation.

Other directions issued on March 28 and still prevailing

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The SFH has issued two directions regarding catering business and scheduled premises on March 28. Details of these directions, which remain valid from 6 pm on March 28 (till 5:59 pm on April 11, 2020) are repeated below:

#### Direction 1 – Catering Business

The relevant requirements include:

- (a) The number of customers at any premises on which food or drink is sold or supplied for consumption on the premises (catering premises) at any one time must not exceed 50 per cent of the normal seating capacity of the premises;
- (b) Tables available for use or being used by customers within any catering premises must be arranged in a way to ensure there is a distance of at least 1.5 metres or some form of partition which could serve as effective buffer between one table and another table at the premises;
- (c) No more than four persons may be seated together at one table within any catering premises;
- (d) A person must wear a mask at any time within any catering premises, except when the person is consuming food or drink on the premises;
- (e) Body temperature screening on a person must be conducted before the person is allowed to enter the catering premises; and
- (f) Hand sanitisers must be provided at any catering premises for any person at the premises.

#### Direction 2 – Scheduled Premises

All premises as listed below must be closed:

- (a) amusement game centres;
- (b) bathhouses;
- (c) fitness centres;
- (d) places of amusement;
- (e) places of public entertainment; and
- (f) premises that are maintained or intended to be maintained for hire for holding social gatherings (commonly known as "party room").

## Social distancing

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A spokesperson said that the Government has been reviewing the feasibility of relevant measures and will make adjustments on a timely basis in view of the latest developments of the disease. Putting in place the Amendment Regulation could help further enhance social distancing.

The Centre for Health Protection (CHP) urges members of the public to go out less and avoid social activities such as meal gatherings or other gatherings and maintain an appropriate social distance with other people as far as possible.

The CHP also strongly urges the public to maintain at all times strict personal and environmental hygiene, which is key to personal protection against infection and prevention of the spread of the disease in the community. On a personal level, members of the public should wear surgical masks when having respiratory symptoms, taking public transport or staying in crowded places. They should also perform hand hygiene frequently, especially before touching the mouth, nose or eyes.

The Department of Health (DH) will closely monitor the situation. Any updates will be issued through the media, the Government's "COVID-19 Thematic Website" ([www.coronavirus.gov.hk/eng/index.html](http://www.coronavirus.gov.hk/eng/index.html)) and the DH's webpage ([www.gov.hk/ncv](http://www.gov.hk/ncv)). Any enquiries on health information on COVID-19 may be addressed to the DH's hotline at (852) 2125 1122 (operating daily from 8am to midnight).