

LEGISLATIVE COUNCIL BRIEF

Quarantine and Prevention of Disease Ordinance (Chapter 141)

QUARANTINE AND PREVENTION OF DISEASE ORDINANCE (AMENDMENT OF FIRST SCHEDULE) (NO.2) ORDER 2004

PREVENTION OF THE SPREAD OF INFECTIOUS DISEASES REGULATIONS (AMENDMENT OF FORM) (NO.2) ORDER 2004

INTRODUCTION

On 12 July 2004, the Director of Health (“the Director”), in exercise of powers conferred by sections 72 and 8(4) of the Quarantine and Prevention of Disease Ordinance (Cap.141) (“the Ordinance”), made –

- (a) the Quarantine and Prevention of Disease Ordinance (Amendment of First Schedule) (No.2) Order 2004 at Annex A; and
- (b) the Prevention of the Spread of Infectious Diseases Regulations (Amendment of Form) (No.2) Order 2004 at Annex B.

JUSTIFICATIONS

2. The Ordinance and its subsidiary legislation provide a legislative framework for the prevention of infectious diseases of public health importance. Regulation 4 of the Prevention of the Spread of Infectious Diseases Regulations (Cap. 141 sub. Leg. B) (“the Regulation”) requires medical practitioners to notify the Director if they have reason to suspect the existence of any case of the infectious diseases specified in the First Schedule to the Ordinance in a form as prescribed in the Schedule to the Regulations. The reporting of infectious disease cases plays an important role in the surveillance, prevention and control of spread of infectious diseases. The Director regularly reviews the list of infectious diseases statutorily notifiable by medical practitioners in order to ensure maximum protection of the local community against infectious diseases. At present, there are 29 infectious diseases listed in the First Schedule to the Ordinance.

3. Japanese encephalitis (JE) is endemic in the Mainland and some countries in Southeast Asia. Many of the infected persons may not have symptoms but those who fall ill may die or result in disabilities. The case fatality rate of symptomatic infections ranges from 5% to 35%. Neurological sequelae may occur in up to 70% of the survivors of symptomatic infections.

4. In Hong Kong, there had been six cases of JE reported in the past 10 years (1994 – 2003), including two local cases and four imported cases, and the range was 0 – 2 cases per year. In 2004, three local JE cases have been confirmed recently with onset of symptoms within a period of 2 weeks (29 May – 11 June). This number is higher than expected. One of the three patients died, and the other two are still in hospital.

5. JE is a viral disease transmitted by the bite of infective mosquitoes. The mosquito becomes infected by feeding on pigs or wild birds infected with the JE virus. Pigs, wild birds and the vector mosquitoes are present in Hong Kong.

THE ORDERS

6. The Quarantine and Prevention of Disease Ordinance (Amendment of First Schedule) (No.2) Order 2004 amends the First Schedule to the Ordinance by adding JE to the list of infectious diseases specified in that Schedule. The Prevention of the Spread of Infectious Diseases Regulations (Amendment of Form) (No.2) Order 2004 amends Form 2 of the Schedule to the Regulations by adding JE to the list of infectious diseases in that Form. The Orders will come into operation on 16 July 2004 upon gazettal.

LEGISLATIVE TIMETABLE

7. The legislative timetable is as follows –

Publication in the Gazette	16 July 2004
Tabling at Legislative Council	6 October 2004

IMPLICATIONS OF THE ORDERS

8. The Orders are in conformity with the Basic Law, including the provisions concerning human rights. They will not affect the current binding effect of the Ordinance and have no economic, financial and civil service implications.

PUBLIC CONSULTATION

9. Members of the public are concerned about the recent cases of Japanese encephalitis occurring in Hong Kong. They are expected to welcome the Orders. The public and private hospitals collaborating with the Centre for Health Protection (CHP) of Department of Health (DH) have been informed of the plan to heighten the surveillance of viral encephalitis. They are in general supportive to the plan, which is considered a prudent measure to facilitate early detection of the disease and implement appropriate public health measures as and when required. The Scientific Committee on Vector-borne Diseases of the CHP also supports to include JE as one of the statutorily notifiable diseases.

PUBLICITY

10. DH will issue a press release on 16 July 2004, and has informed the medical practitioners individually in Hong Kong of the requirement to notify the Director of cases of JE. A spokesman from DH will be available to answer media enquiries.

OTHERS

11. For any enquiries on this brief, please contact Dr Teresa CHOI, Principal Medical and Health Officer (Surveillance Section) of the CHP at 2768 9602.

Health, Welfare and Food Bureau
15 July 2004

QUARANTINE AND PREVENTION OF DISEASE
ORDINANCE (AMENDMENT OF FIRST
SCHEDULE)(NO. 2) ORDER 2004

(Made under section 72 of the Quarantine and Prevention of Disease
Ordinance (Cap. 141))

1. **Infectious diseases**

The First Schedule to the Quarantine and Prevention of Disease Ordinance
(Cap. 141) is amended by adding –
“7B. Japanese encephalitis”.



Director of Health (Acting)

12 July 2004

Explanatory Note

This Order adds Japanese encephalitis to the list of infectious diseases specified in the First Schedule to the Quarantine and Prevention of Disease Ordinance (Cap. 141). Provisions relating to infectious diseases in that Ordinance and in the Prevention of the Spread of Infectious Diseases Regulations (Cap. 141 sub. leg. B) therefore apply to this disease.

PREVENTION OF THE SPREAD OF INFECTIOUS DISEASES
REGULATIONS (AMENDMENT OF FORM) (NO. 2)
ORDER 2004

(Made under section 8(4) of the Quarantine and Prevention of
Disease Ordinance (Cap. 141))

1. Forms

The Schedule to the Prevention of the Spread of Infectious Diseases
Regulations (Cap. 141 sub. leg. B) is amended, in Form 2, by adding after

Influenza A (H5) –

Japanese encephalitis”.



Director of Health (Acting)

12 July 2004

Explanatory Note

This Order adds Japanese encephalitis to Form 2 of the Schedule to the
Prevention of the Spread of Infectious Diseases Regulations (Cap. 141 sub. leg.
B) in consequence of this disease being added as an infectious disease to the
First Schedule to the Quarantine and Prevention of Disease Ordinance (Cap.
141). Medical practitioners are required to report suspected cases of this disease
to the Director of Health in accordance with that Form under regulation 4 of the
Regulations.