

L.N. 208 of 2005**PREVENTION OF THE SPREAD OF INFECTIOUS DISEASES
(AMENDMENT) REGULATION 2005**

(Made by the Chief Executive in Council under section 8 of the Quarantine and Prevention of Disease Ordinance (Cap. 141))

**1. Part heading amended
(Part VIA)**

The heading of Part VIA of the Prevention of the Spread of Infectious Diseases Regulations (Cap. 141 sub. leg. B) is amended by repealing “SEVERE ACUTE RESPIRATORY SYNDROME” and substituting “CERTAIN INFECTIOUS DISEASES”.

2. Section added

The following is added immediately before regulation 27A—

“27AA. Interpretation of Part VIA

In this Part, “specified disease” (指明疾病) means any of the following infectious diseases—

- (a) Severe Acute Respiratory Syndrome;
- (b) Influenza A (H5), Influenza A (H7) or Influenza A (H9).”.

3. Persons restricted from leaving Hong Kong without permission in writing of health officer

Regulation 27A(1)(a), (b) and (c) is amended by repealing “Severe Acute Respiratory Syndrome” and substituting “a specified disease”.

4. Medical examination of persons arriving in or leaving Hong Kong

Regulation 27C(1), (2) and (4) is amended by repealing “Severe Acute Respiratory Syndrome” and substituting “a specified disease”.

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Clerk to the Executive Council

COUNCIL CHAMBER
22 November 2005

Explanatory Note

The object of this Regulation is to extend the application of Part VIA of the Prevention of the Spread of Infectious Diseases Regulations (Cap. 141 sub. leg. B) (“the principal Regulations”) to Influenza A (H5), Influenza A (H7) and Influenza A (H9).

2. The existing Part VIA of the principal Regulations contains control measures that were originally designed for the purpose of preventing the spread of Severe Acute Respiratory Syndrome (SARS). Among other matters, the existing Part VIA—

- (a) empowers a health officer to make a direction prohibiting a person from leaving Hong Kong without permission if the health officer has reason to believe or suspect that the person is suffering from SARS, has been exposed to the risk of infection of SARS or is a carrier of SARS;
- (b) empowers certain public officers and authorized persons to stop and detain a person seeking to leave Hong Kong in contravention of such a direction; and
- (c) empowers an authorized person to take the body temperature of a person arriving in or leaving Hong Kong, and empowers a health officer or an authorized medical practitioner to carry out a medical examination on such a person for the purpose of ascertaining whether he is likely to be infected with SARS.

3. Section 1 of this Regulation amends the heading of Part VIA to replace the specific reference to SARS with “certain infectious diseases”.

4. Section 2 adds a new interpretation provision to Part VIA— regulation 27AA— which defines a “specified disease” to mean SARS, Influenza A (H5), Influenza A (H7) or Influenza A (H9).

5. Sections 3 and 4 change all references to SARS in Part VIA to “a specified disease”. As a result, the provisions of that Part also apply to Influenza A (H5), Influenza A (H7) and Influenza A (H9).