

PREVENTION AND CONTROL OF DISEASE BILL

COMMITTEE STAGE

Amendments to be moved by the Secretary for Food and Health

<u>Clause</u>	<u>Amendment Proposed</u>
2	<p>(a) In the definition of “article”, in paragraph (a), by deleting “(other than a human being)”.</p> <p>(b) By deleting the definition of “isolation”.</p> <p>(c) By deleting the definition of “quarantine”.</p>
5(2)	<p>(a) By deleting everything after “a police officer,” and before “exercising a power” and substituting “a member of the Auxiliary Medical Service or a member of the Civil Aid Service or a public officer appointed under this Ordinance who is”.</p> <p>(b) By deleting everything after “such obstruction,” and substituting “that officer or member may arrest that person without a warrant.”.</p>
5(3)	<p>(a) By deleting “Where a health officer, or a public officer or a person” and substituting “Where a health officer or a member of the Auxiliary Medical Service or a member of the Civil Aid Service or a public officer”.</p> <p>(b) By deleting “the health officer, or the public officer or the person appointed under this Ordinance” and substituting “the person who made the arrest”.</p>

ALL PASSED

- 6(1) By deleting paragraph (a).
- Part 4 In the English text, by deleting the heading and substituting “REGULATIONS”.
- 7 In the English text, in the heading, by deleting “**regulation**” and substituting “**regulations**”.
- 8 (a) By adding –
“(1A) The Chief Executive in Council shall review from time to time, or cause to be reviewed from time to time, the public health emergency in respect of which the regulation is made.”.
- (b) By adding –
“(5) For the purposes of a regulation made under subsection (2)(c), property may be requisitioned –
(a) by requiring a person to place it either temporarily or permanently at the disposal of the public officer requisitioning it; or
(b) by the public officer requisitioning it taking possession of it either temporarily or permanently.”.
- 12 (a) By deleting subclause (2).
(b) By adding –
“(2A) The Director shall serve an order made under subsection (1) on the person in respect of whom it is made,

ALL PASSED

either personally or by post, within 7 days after the order is made.

(2B) Any dispute arising from an order made under subsection (1) on the question whether compensation is payable or the amount of compensation shall, in the absence of agreement, be resolved or determined in accordance with this section.

(2C) The dispute shall be resolved or determined by arbitration under the Arbitration Ordinance (Cap. 341) if the party disputing the Director's order ("the claimant"), within 6 months after the Director makes the order, serves a notice on the Director notifying the Director that the dispute will be referred to arbitration and proceeds to arbitration in accordance with the Arbitration Ordinance (Cap. 341).

(2D) Instead of proceeding to arbitration in accordance with the Arbitration Ordinance (Cap. 341) pursuant to subsection (2C), the claimant may, within 6 months after the Director makes the order, institute civil proceedings for the determination of the dispute."

ALL PASSED