

**立法會**  
**Legislative Council**

LC Paper No. LS92/11-12

**Legal Service Division Report on  
Subsidiary Legislation Gazetted on 17 August 2012**

**Date of tabling in LegCo** : 10 October 2012

**Amendment to be made by** : A sitting of LegCo held not later than 7 November 2012 or, if extended by resolution, the first sitting of LegCo held not earlier than 28 November 2012.

**Prevention and Control of Disease Ordinance (Cap. 599)  
Prevention and Control of Disease Ordinance (Amendment of Schedule 1)  
Notice 2012 (L.N. 138)**

The Amendment Notice is made by the Director of Health (the Director) under section 15 of Prevention and Control of Disease Ordinance (Cap. 599) (the Ordinance).

2. The Ordinance and its subsidiary legislation provide a statutory framework for the control and prevention of any disease that poses public health risks in Hong Kong. Section 15 of the Ordinance provides that the Director may by notice published in the Gazette amend Schedule 1 (which specifies a list of infectious diseases known as "scheduled infectious diseases") to the Ordinance. Further, section 4 of Prevention and Control of Disease Regulation (Cap. 599A) provides that if a medical practitioner has reason to suspect the existence of a case of any disease specified in the schedule, the practitioner shall notify the Director immediately.

3. At present, there are 45 items of scheduled infectious diseases. Item 16 of the schedule specifies various Influenza A diseases. The Amendment Notice adds "Variant Influenza A (H3N2)" to the item. According to the Press Release issued on 17 August 2012, the Administration considers it necessary to include H3N2 to the Schedule to strengthen the surveillance over this type of influenza to enable effective public health prevention and control measures to be implemented locally.

4. No LegCo Brief has been issued at the date of this report. The Panel on Health Services has not been consulted on the Amendment Notice. The Amendment Notice came into operation on 17 August 2012.

5. No difficulties have been identified in relation to the legal or drafting aspects of the Amendment Notice.

Prepared by

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