

立法會
Legislative Council

LC Paper No. CB(3) 666/02-03

Ref. : CB(3)/M/OR

Tel : 2869 9205

Date : 22 May 2003

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 28 May 2003

**Proposed resolution under section 34(2)
of the Interpretation and General Clauses Ordinance**

I forward for Members' consideration a proposed resolution which the Secretary for Health, Welfare and Food will move at the Council meeting of 28 May 2003 under section 34(2) of the Interpretation and General Clauses Ordinance relating to the Prevention of the Spread of Infectious Diseases (Amendment) Regulation 2003. The President has directed that "it be printed in the terms in which it was handed in" on the Agenda of the Council.

2. The speech, in both English and Chinese versions, which the Secretary for Health, Welfare and Food will deliver when moving the proposed resolution, is also attached.

(Ray CHAN)
for Clerk to the Legislative Council

Encl.

INTERPRETATION AND GENERAL CLAUSES ORDINANCE

RESOLUTION

(Under section 34(2) of the Interpretation and General Clauses Ordinance
(Cap. 1))

PREVENTION OF THE SPREAD OF INFECTIOUS DISEASES (AMENDMENT)
REGULATION 2003

RESOLVED that the Prevention of the Spread of Infectious Diseases (Amendment) Regulation 2003, published in the Gazette as Legal Notice No. 107 of 2003 and laid on the table of the Legislative Council on 30 April 2003, be amended in section 3 in the new regulation 27C(1) by repealing “Any” and substituting “As a measure for preventing the introduction into, the spread in and the transmission from Hong Kong of Severe Acute Respiratory Syndrome, any”.

**SPEECH BY
THE SECRETARY FOR HEALTH, WELFARE AND FOOD
AT THE LEGISLATIVE COUNCIL
ON 28 MAY 2003**

**Quarantine and Prevention of Disease Ordinance (Chapter 141)
Prevention of Spread of Infectious Diseases (Amendment) Regulation 2003**

Madam President,

I move that the motion set out in the Agenda regarding the resolution to amend the Prevention of Spread of Infectious Diseases (Amendment) Regulation 2003 (hereafter called the Amendment Regulation) be approved.

2. The Quarantine and Prevention of Disease Ordinance (hereafter called the Ordinance) provides a legislative framework for the quarantine and prevention of communicable diseases of public health importance. In view of the emergence of a new virus leading to the Severe Acute Respiratory Syndrome (SARS), we made the Quarantine and Prevention of Disease Ordinance (Amendment of First Schedule) Order 2003 and the Prevention of the Spread of Infectious Diseases Regulations (Amendment of Form) Order 2003 on 27 March 2003 to include SARS as one of the infectious diseases to which the provisions of the Ordinance and its subsidiary legislation apply.

3. We have since reviewed the Prevention of the Spread of Infectious Diseases Regulations to ascertain if amendments are required to enable us to implement further precautionary measures to control the spread of SARS. To reassure the international community that effective measures are in place to prevent the spread of SARS across borders, the Chief Executive in Council made the Amendment Regulation on 15 April 2003 to provide the necessary statutory powers for implementing further control measures. These include -

- (a) health officers to restrict specified persons from leaving Hong Kong;
- (b) authorized persons to measure the body temperature on any persons arriving in or departing Hong Kong; and
- (c) health officers or authorized medical practitioners to carry out medical examination on any persons arriving in or departing Hong Kong for the purpose of ascertaining whether he is likely to be infected with SARS.

4. Given the urgent need to introduce these additional precautionary measures, the Amendment Regulation came into operation immediately upon gazettal on 17 April 2003. The relevant control measures have also been implemented on the same date.

5. I would like to take this opportunity to thank Members of the Subcommittee, particularly its Chairman Honourable Michael Mak, for their meticulous scrutiny of the Amendment Regulation. I am grateful for Members' support of the Amendment Regulation, which demonstrates that the Administration, the Legislature and the community are in a solid and united front in the fight against SARS.

6. The Subcommittee has proposed a textual amendment to regulation 27C(1) to tie the provision explicitly to the control of SARS. This amendment is in line with the Administration's intention. The resolution now before Members seeks to amend regulation 27C(1) for this purpose. The wording follows that in section 8(1) of the Ordinance.

7. The Subcommittee has also suggested that the Administration conduct an overall review of the Ordinance as soon as practicable. In the coming months, we will review the Ordinance to ascertain there is sufficient legal backing for the control of a SARS epidemic. The overall review of the Ordinance, which deals with the control of 28 infectious diseases, will be conducted at a later stage in the light of the development of the longer-term strategies in handling infectious diseases as a whole.

8. With these remarks, Madam President, I move the motion.