

立法會
Legislative Council

LC Paper No. CB(2)2259/02-03

(These minutes have been
seen by the Administration)

Ref : CB2/SS/10/02

**Subcommittee on Prevention of the Spread of
Infectious Diseases (Amendment) Regulation 2003**

**Minutes of the meeting
held on Monday, 5 May 2003 at 2:30 pm
in Conference Room A of the Legislative Council Building**

Members Present : Hon Michael MAK Kwok-fung (Chairman)
Hon Cyd HO Sau-lan
Hon Margaret NG
Hon James TO Kun-sun
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
Hon Albert CHAN Wai-yip
Dr Hon LO Wing-lok
Hon Audrey EU Yuet-mee, SC, JP

Members Absent : Hon CHAN Kam-lam, JP
Dr Hon LAW Chi-kwong, JP
Hon LI Fung-ying, JP

Public Officers Attending : Miss Angela LUK
Principal Assistant Secretary for Health, Welfare and Food (Health)

Miss Noel TSANG
Assistant Secretary for Health, Welfare and Food (Health)

Dr Cindy LAI
Assistant Director, Department of Health

Dr Thomas CHUNG
Principal Medical and Health Officer, Department of Health

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Ms Alison Cabrelli
Deputy Law Officer (Civil Law) (Ag.), Department of Justice

Ms Nilmini Dissanayake
Senior Assistant Law Draftsman

Miss Shandy LIU
Senior Government Counsel, Department of Justice

Clerk in Attendance : Ms Doris CHAN
Chief Assistant Secretary (2) 4

Staff in Attendance : Miss Anita HO
Assistant Legal Adviser 2

Mrs Eleanor CHOW
Senior Assistant Secretary (2) 4

I. Election of Chairman

Mr Michael MAK was elected Chairman of the Subcommittee.

II. Meeting with the Administration

2. The Subcommittee deliberated (Index of proceedings at **Annex**).

3. Members expressed support of the Prevention of the Spread of Infectious Diseases (Amendment) Regulation 2003 (the Amendment Regulation).

4. In response to members' concerns, the Administration agreed to -

- Admin
- (a) amend Regulation 27C(1) to the effect that the power of taking the body temperature of any person arriving in or departing from Hong Kong by an authorized person would be exercised only in connection with the control of the Severe Acute Respiratory Syndrome; and
 - (b) provide guidelines setting out the means and procedures for taking the body temperature of persons arriving in and departing from Hong Kong by an authorized person.

Action

5. The Administration confirmed that Regulation 27C(1) would be amended by way of resolution. Members agreed that the proposed wording to amend Regulation 27C(1) would be circulated for members' consideration. It was not necessary to extend the scrutiny period of the Amendment Regulation.

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6. As the Quarantine and Prevention of Disease Ordinance (Cap. 141) and its subsidiary legislation were outdated, the Administration undertook to review them as soon as practicable.

7. There being no other business, the meeting ended at 3:46 pm.

Council Business Division 2
Legislative Council Secretariat
29 May 2003

**Proceedings of the 1st meeting of the
Subcommittee on Prevention of the Spread of
Infectious Diseases (Amendment) Regulation 2003
on Monday, 5 May 2003 at 2:30 pm
in Conference Room A of the Legislative Council Building**

Time	Speaker	Subject(s)	Action required
000000 - 000034	Ms Cyd Ho, Mr Michael MAK and Ms Audrey EU	Election of Chairman.	
000035 - 001249	Chairman, Administration and Miss Margaret NG	The Administration was requested to amend Regulation 27C(1) so that the power of taking the body temperature of any person arriving in or departing from Hong Kong by an authorized person would be exercised only in connection with the control of the Severe Acute Respiratory Syndrome (SARS).	✓ (Adm to provide wording for amending the provision)
001250 - 002148	Ms Audrey EU, Chairman, Administration and ALA2	Application of Regulation 27C(4) concerning detention and removal of any person arriving in and departing from Hong Kong likely to be infected with SARS to a hospital and the medical expenses to be borne by the person concerned. Application of Regulation 27C(4) on passengers in transit.	
002149 - 003343	Ms Cyd HO Sau-lan, Administration and Chairman	Concern over the measure of taking body temperature as a means to ascertaining whether a person was likely to be infected with SARS could prevail over time. The need for a sunset clause to specify the effective period of Regulation 27C. Parties exempted from Regulation 27C.	
003344 - 005452	Mr James TO Kun-sun, Chairman, Miss Margaret NG, Miss Cyd HO and Administration,	The Administration was requested to provide a guideline for taking the body temperature of persons arriving in and departing from Hong Kong by an authorized person. The need for a sunset clause to specify the effective period of Regulation 27C.	✓ (Adm to provide guideline)
005453 - 010123	Ms Cyd HO, Chairman, Administration and Miss Margaret NG	The Administration was requested to review the Quarantine and Prevention of Disease Ordinance (Cap. 141) and its subsidiary legislation. The need for a sunset clause to specify the effective period of Regulation 27C.	✓ (Adm to review the legislation)
010124 - 010557	Chairman, Administration, ALA2 and Mrs Sophie LEUNG	Amending Regulation 27C(1) by way of resolution. Wording of the amended provision to be circulated for members' consideration.	

Action

Note : The audio records of the above proceedings are kept at the LegCo Library

Council Business Division 2

Legislative Council Secretariat

29 May 2003