

LEGISLATIVE COUNCIL BRIEF

Quarantine and Prevention of Disease Ordinance (Chapter 141)

QUARANTINE AND PREVENTION OF DISEASE ORDINANCE (AMENDMENT OF FIRST SCHEDULE) ORDER 2003

PREVENTION OF THE SPREAD OF INFECTIOUS DISEASES REGULATIONS (AMENDMENT OF FORM) ORDER 2003

INTRODUCTION

On 27 March 2003, the Director of Health (“the Director”) made the Quarantine and Prevention of Disease Ordinance (Amendment of First Schedule) Order 2003 at Annex A and the Prevention of the Spread of Infectious Diseases Regulations (Amendment of Form) Order 2003 at Annex B under sections 72 and 8(4) of the Quarantine and Prevention of Disease Ordinance (Cap.141) (“the Ordinance”) to include “Severe Acute Respiratory Syndrome” in the First Schedule to the Ordinance and Form 2 of the Schedule to the Prevention of the Spread of Infectious Diseases Regulations (“the Regulations”).

BACKGROUND AND ARGUMENT

2. The Ordinance and its subsidiary legislation provide a legislative framework for the prevention of communicable diseases of public health importance. Regulation 4 of the Regulations requires medical practitioners to notify the Director if they have reason to suspect the existence of any of the infectious diseases specified in the First Schedule to the Ordinance in a form as prescribed in the Schedule to the Regulations. The reporting of infectious diseases is an important element to the surveillance, control and prevention of outbreak of infectious diseases. As a matter of routine, the list of infectious diseases required to be so notified by medical practitioners is regularly reviewed to enhance surveillance of infectious diseases. At present, there are 27 infectious diseases listed in the First Schedule to the Ordinance.

3. A recent cluster of a new respiratory illness known as “Severe Acute Respiratory Syndrome” has made a significant impact on the local community and other places worldwide. In order to effectively control the spread of this disease, the Director considers it necessary to add “Severe Acute Respiratory Syndrome” to the list of infectious diseases specified in the First Schedule to the

Ordinance, so that the provisions of the Ordinance and its subsidiary legislation can apply as appropriate.

THE AMENDMENT ORDERS

4. The Quarantine and Prevention of Disease Ordinance (Amendment of First Schedule) Order 2003 amends the First Schedule to the Ordinance by adding “Severe Acute Respiratory Syndrome” to the list of infectious diseases specified in that Schedule. The Prevention of the Spread of Infectious Diseases Regulations (Amendment of Form) Order 2003 amends Form 2 of the Schedule to the Regulations by adding “Severe Acute Respiratory Syndrome” to the list of infectious diseases in that Form. The Orders will come into operation on 27 March 2003.

IMPLICATIONS OF THE AMENDMENT ORDERS

5. The Orders are in conformity with the Basic Law, including the provisions concerning human rights. The Orders will not affect the binding effect of the Quarantine and Prevention of Disease Ordinance and have no economic, financial, civil service, productivity, sustainability or environmental implications.

LEGISLATIVE TIMETABLE

6. The Orders will be gazetted on 27 March 2003 and tabled at the Legislative Council on 2 April 2003.

PUBLIC CONSULTATION

7. Members of the public are concerned about the recent cases of Severe Acute Respiratory Syndrome. They are expected to welcome the Orders which would extend the coverage of the infectious disease surveillance system so that the Department of Health can better monitor the occurrence of Severe Acute Respiratory Syndrome.

PUBLICITY

8. We will issue a press release on 27 March 2003 when the Orders are gazetted. The Department of Health will also inform individual medical practitioners in Hong Kong of the requirement to notify the Director of cases of Severe Acute Respiratory Syndrome. A spokesman will be available to answer media and public enquiries.

ENQUIRY

9. Any enquiry on this brief can be addressed to Mr Peter Kwok, Assistant Secretary for Health, Welfare and Food at 2973 8117 or by fax at 2905 1326.

Health, Welfare and Food Bureau

27 March 2003

File Reference : HWF/H/21/4 Pt. 3(96)

**QUARANTINE AND PREVENTION OF DISEASE ORDINANCE
(AMENDMENT OF FIRST SCHEDULE) ORDER 2003**

(Made under section 72 of the Quarantine and Prevention
of Disease Ordinance (Cap. 141))

1. Infectious diseases

The First Schedule to the Quarantine and Prevention of
Disease Ordinance (Cap. 141) is amended by adding -

"19A. Severe Acute Respiratory Syndrome".

Director of Health

March 2003

Explanatory Note

This Order adds Severe Acute Respiratory Syndrome to the list
of infectious diseases specified in the First Schedule to the
Quarantine and Prevention of Disease Ordinance (Cap. 141).
Provisions relating to infectious diseases in that Ordinance and
in the Prevention of the Spread of Infectious Diseases Regulations
(Cap. 141 sub. leg. B) therefore apply to this disease.

**PREVENTION OF THE SPREAD OF INFECTIOUS DISEASES
REGULATIONS (AMENDMENT OF FORM) ORDER 2003**

(Made under section 8(4) of the Quarantine and
Prevention of Disease Ordinance (Cap. 141))

1. Forms

The Schedule to the Prevention of the Spread of Infectious Diseases Regulations (Cap. 141 sub. leg. B) is amended, in Form 2, by adding after " carlet Fever" -
" Severe Acute Respiratory Syndrome".

Director of Health

March 2003

Explanatory Note

This Order adds Severe Acute Respiratory Syndrome in Form 2 of the Schedule to the Prevention of the Spread of Infectious Diseases Regulations (Cap. 141 sub. leg. B) in consequence of that disease being added as an infectious disease to the First Schedule to the Quarantine and Prevention of Disease Ordinance (Cap. 141). Medical practitioners are required to report suspected cases of the disease to the Director of Health in accordance with that Form under regulation 4 of the Regulations.