



立法會秘書處 法律事務部
LEGAL SERVICE DIVISION
LEGISLATIVE COUNCIL SECRETARIAT

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Urgent by Email (rttho@fhb.gov.hk)

6 April 2020

Mr. HO Tze Tao, Ronald
AS for Food & Health (Health)1A
Food and Health Bureau
Health Branch, Team 1
19/F, East Wing
Central Government Offices
2 Tim Mei Avenue, Tamar,
Hong Kong

Dear Mr. HO,

**Prevention and Control of Disease (Requirements and Directions)
(Business and Premises) (Amendment) Regulation 2020 (L.N. 33 of 2020)**

We are scrutinizing the legal and drafting aspects of the captioned Regulation and should be grateful if you could clarify the following matters.

Under L.N. 33, six categories of premises including beauty parlour are added to Part 1 of Schedule 2 as scheduled premises which the Secretary for Food and Health ("SFH") is empowered to issue directions imposing requirements or restrictions in relation to the mode of operation of any business or activity carried out at any of the scheduled premises, the closing of any scheduled premises and the opening hours of any scheduled premises on a day.

"Beauty parlour" is defined in section 3(2) of L.N. 33 to mean any premises on which one or more of the following types of services are provided (a) chemical, mechanical or energetic procedure for beautifying purpose, including cosmetic procedures that involve skin puncture for non-medical purposes, on any

part of the body (excluding hair on the head); (b) nail treatment services (including manicure or pedicure service, nail extension, nail polish and nail art); (c) hair loss improvement service (including hair transplant and hair weaving) for non-medical purpose.

Please clarify whether a hair salon (i) providing the manicure or pedicure service apart from the basic services of hair cutting, colouring or styling; or (ii) applying special shampoo, conditioner or liquid which is not a medicine itself but alleged to have hair loss improvement/prevention effect to its customers would be considered as a "beauty parlour" and be subject to the requirements or restrictions as may be imposed by SFH under section 8 of the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F).

We should be grateful for your reply in both English and Chinese by 9 April 2020.

Yours sincerely,



(Vanessa CHENG)
Assistant Legal Adviser

c.c. DoJ (Attn.: Miss Emma WONG (SALD(Acting))
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