



中華人民共和國香港特別行政區政府總部食物及衛生局

Food and Health Bureau, Government Secretariat
The Government of the Hong Kong Special Administrative Region
The People's Republic of China

Our Ref.: FH CR 4/3231/96
Your Ref.:

Tel.: 3509 8955
Fax: 2840 0467

16 April 2020

Ms Vanessa Cheng
Assistant Legal Advisor
Legal Service Division
Legislative Council Secretariat
Legislative Council Complex
1 Legislative Council Road, Central
Hong Kong

Dear Ms Cheng,

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

Thank you for your letter of 6 April 2020 seeking our clarifications relating to “beauty parlour” in L.N. 33 of Cap. 599F. In consultation with the Department of Justice, our reply is set out below –

“Beauty parlour” is defined in section 3(2) of L.N. 33 as 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.

You asked if a hair salon (i) providing manicure or pedicure service; 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”.

If a hair salon provides manicure or pedicure service, depending on the actual circumstances and the extent and nature of the service provided, it may fall within paragraph (b) above of the definition of “beauty parlour”. It should however be noted that if the hair salon stops providing such service, it will not be regarded as a beauty parlour.

As to whether a hair salon using special shampoo, conditioner or liquid with hair loss improvement / prevention will be regarded as providing service under paragraph (c) above of the definition of “beauty parlour”, you may wish to note that if the use of such kind of agent for washing hair is a mere step incidental to the process of hair cutting or hair styling which is service normally provided by a hair salon, it is unlikely that such step alone would be regarded as falling within the definition under paragraph (c) above applicable to defining a beauty parlour.

You would appreciate that whether a particular premises falls under the definition is a fact-sensitive issue and hence, whether a hair salon is or is not a premises providing service of a beauty parlour will depend on the actual circumstances and the extent and nature of the service provided by it.

For enquiries, please contact me at 3509 8955.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Ronald Ho', with a stylized flourish at the end.

(Ronald Ho)
for Secretary for Food and Health

c.c. Department of Health (Attn.: Dr Alice Wong)
Department of Justice (Attn.: Ms Suzanne Lee and Ms Michelle Chan)