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LEGISLATIVE COUNCIL BRIEF

Prevention and Control of Disease Ordinance (Cap. 599)

PREVENTION AND CONTROL OF DISEASE (AMENDMENT) (NO. 2) REGULATION 2020

PREVENTION AND CONTROL OF DISEASE ORDINANCE (AMENDMENT OF SCHEDULES 1 AND 2) NOTICE 2020

PREVENTION AND CONTROL OF DISEASE ORDINANCE (CAP.599) AMENDMENT REGULATIONS 2020

INTRODUCTION

On 27 April 2020, the Secretary for Food and Health (“SFH”), in exercise of the powers conferred by section 7 of the Prevention and Control of Disease Ordinance (Cap. 599) (“the Ordinance”), made the Prevention and Control of Disease (Amendment) (No. 2) Regulation 2020 (“the Amendment Regulation”) and the Director of Health (“DoH”), in exercise of the powers conferred by section 15 of the Ordinance, made the Prevention and Control of Disease Ordinance (Amendment of Schedules 1 and 2) Notice 2020 (“the Notice”). The Amendment Regulation and Notice are at Annex A.

2. Further, at the meeting of the Executive Council on 28 April 2020, the Council **ADVISED** and the Chief Executive **ORDERED** that the following five Amendment Regulations (hereafter referred to as “the five Amendment Regulations”) should be made under section 8 of the Ordinance

—

(a) **Compulsory Quarantine of Certain Persons Arriving at Hong Kong (Amendment) (No.2) Regulation 2020** (at Annex B): to –

Annex A

Annex B

- (i) extend the expiry date of the Compulsory Quarantine of Certain Persons Arriving at Hong Kong Regulation (Cap. 599C) to 7 June 2020;
- (ii) expand the criteria under section 4(1) to allow the Chief Secretary for Administration (“CS”) to exempt travellers from compulsory quarantine arrangement **if** their entry into Hong Kong is necessary for their receiving nursery, kindergarten, primary or secondary education at any school registered under the Education Ordinance (Cap. 279) in Hong Kong, or for the provision of such education, or their safe travelling; or **if** the travelling is necessary for purposes relating to manufacturing operations, business activities or provision of professional service in the interest of Hong Kong’s economic development;
- (iii) empower a health officer to cancel the compulsory quarantine orders in respect of those arrivals who have fulfilled certain criteria and are tested negative for the specified disease “coronavirus disease 2019 (COVID-19)”; and
- (iv) align the nomenclature of “coronavirus disease 2019 (COVID-19)” adopted by the World Health Organization (“WHO”);

Annex C

- (b) **Prevention and Control of Disease (Disclosure of Information) (Amendment) Regulation 2020** (at Annex C): to align the nomenclature of “coronavirus disease 2019 (COVID-19)” and to extend the expiry date of the Prevention and Control of Disease (Disclosure of Information) Regulation (Cap. 599D) to 31 August 2020;

Annex D

- (c) **Compulsory Quarantine of Persons Arriving at Hong Kong from Foreign Places (Amendment) Regulation 2020** (at Annex D): to align the nomenclature of “coronavirus disease 2019 (COVID-19)”;

Annex E

- (d) **Prevention and Control of Disease (Requirements and Directions) (Business and Premises) (Amendment) (No. 2) Regulation 2020** (at Annex E): to align the nomenclature of “coronavirus disease 2019 (COVID-19)”;

Annex F

- (e) **Prevention and Control of Disease (Prohibition on Group Gathering) (Amendment) Regulation 2020** (at Annex F): to align the nomenclature of “coronavirus disease 2019 (COVID-19)” and to enable

certain public officers, in addition to DoH, to perform a function under Schedule 2 to the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (Cap. 599G).

JUSTIFICATIONS

The Amendment Regulation and the Notice

3. Prior to WHO coining an official name for the novel infectious agent and the disease, we have referred to it as a “severe respiratory disease associated with a novel infectious agent” under the Ordinance to trigger the reporting and monitoring mechanisms¹. Specifically, we had amended section 56 of the Prevention and Control of Disease Regulation (Cap. 599A) and Schedule 1 to the Ordinance by adding “severe respiratory disease associated with a novel infectious agent” to the list of specified diseases thereunder and the list of Scheduled Infectious Diseases therein respectively.

4. The Government has undertaken to revise the name of the disease in Schedule 1 to the Ordinance and add the infectious agent to Schedule 2 to the Ordinance once the causative infectious agent was identified.

5. On 11 February 2020, WHO adopted the name “coronavirus disease 2019 (COVID-19)” for the disease, and subsequently “severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2)” for the virus causing the disease. Relevant references in the subsidiary legislations should therefore be updated and standardised accordingly to align with WHO’s terminology.

The Five Amendment Regulations

Global Situation

6. Since mid-February 2020, there have been significant increases in COVID-19 cases globally with rapid deterioration of the situation since early March 2020, particularly in countries including Korea, Iran and Italy. The situation in other countries such as the United Kingdom (“UK”) and United

¹ For details, please refer to Legislative Council Brief of 7 January 2020 (File ref: FH CR 4/3231/96) on “Prevention and Control of Disease Ordinance (Amendment of Schedule 1) Notice 2020” and “Prevention and Control of Disease (Amendment) Regulation 2020” (https://www.legco.gov.hk/yr19-20/english/subleg/brief/2020ln003_004_brf.pdf)

States of America (“USA”) worsened since early March 2020 with large outbreaks and local transmission. By 11 March 2020, there were nearly 200 000 confirmed cases around the globe and WHO declared a global pandemic of COVID-19 on the same date.

7. As at April 2020, a total of 215 countries/territories including the Mainland reported about 2.59 million COVID-19 cases, with nearly 1.10 million cases reported just in the past two weeks, averaging more than 75 000 new confirmed cases reported globally daily. Many countries including the UK, USA, Italy and Singapore have implemented different degrees of lockdown in their cities. Nationals who returned from these places before the lockdown have led to second wave of infections in their own countries, aggravating the already-serious situation in these countries. There is no clear sign of the epidemic having peaked in most foreign countries.

Mainland Situation

8. The number of cases reported in the Mainland has been decreasing since the peak in mid-February 2020. In the past two weeks (10 April to 23 April 2020), an average of 41 cases per day were reported in the Mainland with the majority of them being imported cases from overseas countries (around 83%). Quite a sizable number of asymptomatic carriers (not counted as cases), averaging around 60 a day, has been reported. These asymptomatic carriers were identified through screening with about 25% imported. Besides, local cases have been reported recently in some provinces including Guangdong. This has triggered concerns over the possibility to a new wave of local infections.

9. To contain local transmission from imported cases, some Mainland cities such as Beijing, Shanghai, Guangzhou and Shenzhen have implemented measures on visitors to achieve early detection and isolation through enhanced testing and quarantine.

Local Situation

10. From mid to late March 2020, there had been a sharp increase in the number of confirmed cases, mainly driven by imported cases with travel history from COVID-19 high risk places such as the UK. There was also a spike in local cases linked to cases with travel history involving clusters of bars/pubs and karaoke establishments.

11. To contain the spread, the Government has taken resolute actions to control arrivals at the Hong Kong International Airport (“HKIA”) and impose more stringent social distancing measures. Specifically -

(a) The Government has since 25 March 2020 implemented the following measures to restrict entry and suspend all transit services at HKIA until further notice –

- (i) All non-Hong Kong residents coming from overseas countries and regions by plane have been denied entry to Hong Kong;
- (ii) Non-Hong Kong residents coming from the Mainland, Macao and Taiwan have been denied entry to Hong Kong if they have been to any overseas countries or regions in the past 14 days;
- (iii) All transit services at HKIA have been suspended; and
- (iv) All travellers coming from Macao and Taiwan, including Hong Kong and non-Hong Kong residents, have been subject to a 14-day compulsory quarantine, which is the same as the arrangements for people entering Hong Kong from the Mainland.

(b) The Government published in the Gazette on 17 March 2020 the Compulsory Quarantine of Persons Arriving at Hong Kong from Foreign Places Regulation 2020 (Cap. 599E), which introduces a system of mandatory quarantine for persons coming from or having stayed in the past 14 days in specified places outside China.

(c) The Government published in the Gazette on 27 March 2020 the Prevention and Control of Disease (Requirement and Directions) (Business and Premises) Regulation (Cap. 599F) which empowers SFH to, having regard to the disease outbreak and overall situation, issue directions through a notice in the Gazette to (i) require catering business premises to cease selling or supplying food or drinks for on-site consumption, and to close whole or part of the premises where food or drink is sold or supplied for on-site consumption; (ii) restrict the operation of catering business; and (iii) restrict the operation of Scheduled Premises. The directions under this Regulation will expire on 7 May 2020.

- (d) The Government further published in the Gazette on 28 March 2020 the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (Cap. 599G) to prohibit group gatherings with more than four people in public places. The specification under this Regulation will expire on 7 May 2020.

12. These measures have begun to deliver results since early April 2020 with a gradual decrease in the number of confirmed cases. Single-digit numbers of new cases have been reported daily since 12 April 2020 and the great majority of them are imported cases or cases with travel history from other places essentially the UK and USA. As at 28 April 2020, there are 1038 confirmed cases in Hong Kong.

Possible Lifting

13. At the Mission briefing on 16 April 2020, WHO reiterated that lifting of social and economic restrictions must be done extremely carefully to avoid risking a resurgence. WHO flagged up six factors for considering whether restrictions could be lifted, as follows –

- (a) Transmission is controlled;
- (b) Health system capacities are in place to detect, test, isolate and treat every case and trace every contact;
- (c) Outbreak risks are minimized in special settings like health facilities and nursing homes;
- (d) Preventive measures are in place in workplaces, schools and other places where it is essential for the people to go;
- (e) Importation risks can be managed; and
- (f) Communities are fully educated, engaged and empowered to adjust to the “new norm”.

14. WHO has advised that Governments need to explain to their people that the world is not about to return to normal. Without a vaccine or a therapy, life will be constrained and economies will remain depressed. While the need to devise exit plans is urgent as the cost of hard lockdowns is becoming alarming, however much exits are needed, they are also hard because most of the world remains susceptible to a second wave of COVID-19. Any lifting should be gradual and modest, in phases.

15. Thus, although Hong Kong could fulfil most of the above factors, it is too soon and premature to lift the control measures, especially those

concerning border controls, quarantine requirements and social distancing in view of the ongoing outbreaks in many overseas countries. Moreover, taking into account major community-wide events like the examinations of the Hong Kong Diploma of Secondary Education (which commenced on 24 April and will end only in late May 2020), we cannot afford even a slim chance of another local outbreak. As such, relevant entry restrictions and social distancing measures must continue for the time being, although some adjustments are possible.

Possible Extension and Flexibilities

16. Although the situation in the Mainland has been substantially improved, the Central People's Government has taken an extremely prudent approach in order to prevent the importation of infected cases thereby undermining its current priorities in resuming manufacturing and business. For example, Guangdong has imposed the mandatory 14-day quarantine arrangement on all arrivals from Hong Kong and Macao via the land border while subjecting the exempted persons such as cross-boundary truck drivers to COVID-19 test every seven days. Without a corresponding relaxation on the part of Guangdong, the lifting of travel restriction on our side and the resumption of normal cross-boundary traffic is neither meaningful nor practicable. We have also discussed with Guangdong on collaboration efforts to exercise joint prevention and control measures at our boundary control points ("BCPs").

THE AMENDMENTS

(A) Compulsory Quarantine of Certain Persons Arriving at Hong Kong Regulation (Cap. 599C)

(i) Extension to 7 June 2020

17. To sustain the control over any secondary infections brought about by imported cases or cases with travel history from cross-boundary traffic, we proposed and the Chief Executive in Council ("CE in C") agreed, as a prudent approach, to **extend the expiry date of Cap. 599C to 7 June 2020**, and to review the situation towards the end of May 2020 taking into account discussions with Guangdong and Macao Governments.

(ii) Flexibilities and variation of compulsory quarantine: facilitation under the Joint Prevention and Control of COVID-19 with Mainland and Macao Authorities

18. Currently, there is an established mechanism between the Department of Health (“DH”), Health Commission of Guangdong Provinces and Macao Health Bureau to exchange information on COVID-19 cases to achieve joint prevention and control purpose. Exit screening has been implemented at HKIA. Recently, given that Guangdong Province and Macao have respectively imposed 14-day compulsory quarantine and testing requirements on arrivals, there is ground for streamlining. We are prepared to **shorten the compulsory 14-day quarantine arrangement by cancelling the quarantine orders on travellers** arriving from Guangdong and Macao if they have fulfilled the following criteria –

- (a) they can present a valid certificate showing the completion of quarantine arrangement in Guangdong or Macao (with period and end date specified) and arrive in Hong Kong within one day after completion of quarantine, and declare that they have not visited a healthcare facility or do not have contact with any person with symptoms/confirmed case in Guangdong or Macao after release from quarantine; and
- (b) they have obtained a negative result from a medical laboratory testing conducted after arrival in Hong Kong.

19. Operationally, a quarantine order will be served on the traveller first at the border and upon presentation of a certificate and making a declaration as referred to in paragraph 18(a) above, a bottle will be given to the traveller to submit deep throat saliva specimen for testing in the Public Health Laboratory Services Branch of the Centre for Health Protection after the traveller has returned home for quarantine. The quarantine order may be cancelled when the test result of the traveller is negative. We shall further discuss with Guangdong and Macao.

20. To dovetail with the streamlined arrangement as set out above, to meet genuine cross-boundary needs that have been brought to our attention by business and professional sectors and to pave the way for the phased lifting of boundary control measures, we proposed and CE in C agreed that DoH and/or the health officers be empowered to vary the mandatory quarantine period by cancelling the quarantine order if the criteria set out in

paragraph 18 are met.

(iii) *Exemption by the CS*

21. Under section 4(1) of Cap. 599C, CS may designate any person or category of persons to exempt from quarantine arrangement if he is satisfied that the person's or persons' entry into Hong Kong –

- (a) is necessary for the supply of goods or services required for the normal operation of Hong Kong or the daily needs of the people of Hong Kong;
- (b) is necessary for governmental operation;
- (c) is necessary for the protection of the safety or health of the people of Hong Kong or the handling of the public health emergency; or
- (d) because of the exceptional circumstances of the case, otherwise serves the public interest of Hong Kong.

Annex G So far, CS has approved 16 categories of persons (see Annex G) and approved 64 individual applications.

22. Appreciating the need to allow more flexibility for granting exemptions in the meantime to gradually resume limited passenger movement across BCPs and against the backdrop of resuming Hong Kong's economic activities in a gradual manner, we proposed and CE in C agreed that section 4(1) of Cap. 599C be amended to include the following persons –

- (a) persons who travel to Hong Kong for the purpose of receiving nursery, kindergarten, primary or secondary education at any school registered under the Education Ordinance (Cap. 279) in Hong Kong, or for the provision of such education or their safe travelling, including cross-boundary students and related personnel and service providers; and
- (b) persons having manufacturing operations or business activities, or providing professional service, and their travelling is considered to be in the interest of Hong Kong's economic development.

(B) Prevention and Control of Disease (Disclosure of Information) Regulation (Cap. 599D)

23. Cap. 599D has taken effect since 8 February 2020 to empower a

health officer to require a person to give any information that he/she reasonably believes is within the knowledge, in the possession or under the control of the person and is relevant to the handling of the public health emergency. A person commits an offence if he/she fails to comply with such a requirement or if he knowingly gives a health officer any information that is false or misleading in a material particular. A person also commits an offence if he/she, when attended by a medical practitioner acting in the course of professional practice, knowingly gives the medical practitioner any false or misleading information in relation to the person that is relevant to the risk of exposure to or contracting the disease.

24. As of 28 April 2020, there were eight cases suspected of violating Cap. 599D. Four cases are being considered/processed for prosecution. Considering that the power in Cap. 599D is essential and necessary to safeguard the integrity of our public health system for contact tracing and surveillance purposes especially under the current state of public health emergency, we proposed and CE in C agreed to extend the validity of the Cap. 599D for a longer period, to 31 August 2020. Going forward, we will review the powers in Cap. 599D with a view to incorporating the relevant powers into the Ordinance or Cap. 599A as appropriate.

(C) Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (Cap. 599G)

25. Currently, Schedule 2 to Cap. 599G provides that DoH may perform certain functions in relation to the enforcement of the fixed penalty under Cap. 599G, e.g. to serve demand notices for failure to pay the fixed penalty. In order to enhance efficiency in enforcement and as a streamlining initiative, we proposed and CE in C agreed to amend Cap. 599G to enable the following public officers, who are heads of other departments as well as enforcement agents under Cap. 599G to perform a function, e.g. to serve demand notices, under Schedule 2 –

- (a) the Commissioner of Police;
- (b) the Director of Agriculture, Fisheries and Conservation;
- (c) the Director of Food and Environmental Hygiene;
- (d) the Director of Home Affairs;
- (e) the Director of Housing; and
- (f) the Director of Leisure and Cultural Services.

(D) Aligning the nomenclature of “coronavirus disease 2019 (COVID-19)”

26. To align with WHO’s terminology, i.e. “coronavirus disease 2019 (COVID-19)” for the disease and “severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2)” for the virus causing the disease, CE in C agreed to tidy the nomenclature through the following –

- (a) the Prevention and Control of Disease Ordinance (Amendment of Schedules 1 and 2) Notice 2020, to amend the list of Scheduled Infectious Diseases prescribed in Schedule 1 to the Ordinance and the list of Scheduled Infectious Agents prescribed in Schedule 2 to the Ordinance;
- (b) the Prevention and Control of Disease (Amendment) (No. 2) Regulation 2020, to amend the list of specified diseases prescribed in section 56 of Cap. 599A; and
- (c) as a results of (a) and (b), to introduce consequential amendments to revise the name of the disease in the Five Amendment Regulations.

OTHER OPTIONS

27. There is no other appropriate option that may enable the implementation of the measures and updates as proposed under the Amendment Regulation, the Notice and the five Amendment Regulations.

LEGISLATIVE TIMETABLE

28. The legislative timetable is as follows –

Publication in the Gazette	28 April 2020
Commencement	29 April 2020
Tabling at the Legislative Council	29 April 2020

IMPLICATIONS OF THE PROPOSAL

29. The proposal is in conformity with the Basic Law, including the

provisions concerning human rights.

PUBLIC CONSULTATION

30. Given the exigency of the situation, public consultation is not feasible.

PUBLICITY

31. The Administration issued press releases and briefed the media on 28 April 2020. The Department of Health has also informed medical practitioners in Hong Kong of the changes in notification requirements.

BACKGROUND

32. Section 8 of the Ordinance empowers CE in C to make public health emergency regulation for the purposes of preventing, combating or alleviating the effects of a public health emergency and protecting public health. Among others, the occurrence of a novel infectious disease or the imminent threat of an epidemic that has a high probability of causing large number of deaths or serious disabilities (whether or not long term) constituted a public health emergency.

ENQUIRIES

33. For enquiries on this brief, please contact the Food and Health Bureau at 3509 8765 and the Communicable Disease Branch, Centre for Health Protection at 2125 2200.

**Food and Health Bureau
Department of Health
May 2020**

L.N. 47 of 2020**Explanatory Note****Prevention and Control of Disease (Amendment) (No. 2)
Regulation 2020**

(Made by the Secretary for Food and Health under section 7 of the
Prevention and Control of Disease Ordinance (Cap. 599))

1. Commencement

This Regulation comes into operation on 29 April 2020.

2. Prevention and Control of Disease Regulation amended

The Prevention and Control of Disease Regulation (Cap. 599
sub. leg. A) is amended as set out in section 3.

3. Section 56 amended (specified diseases)

Section 56—

Repeal paragraph (g)

Substitute

“(g) Coronavirus disease 2019 (COVID-19).”.

Professor Sophia CHAN Siu-chee
Secretary for Food and Health

27 April 2020

This Regulation amends the list of specified diseases set out in
section 56 of the Prevention and Control of Disease Regulation
(Cap. 599 sub. leg. A) as the name of the disease “severe
respiratory disease associated with a novel infectious agent” has
been changed to “coronavirus disease 2019 (COVID-19)”.

L.N. 46 of 2020

**Prevention and Control of Disease Ordinance
(Amendment of Schedules 1 and 2) Notice 2020**

(Made by the Director of Health under section 15 of the Prevention
and Control of Disease Ordinance (Cap. 599))

1. Commencement

This Notice comes into operation on 29 April 2020.

2. Prevention and Control of Disease Ordinance amended

The Prevention and Control of Disease Ordinance (Cap. 599)
is amended as set out in sections 3 and 4.

3. Schedule 1 amended (scheduled infectious diseases)

(1) Schedule 1, after item 8—

Add

“8A. Coronavirus disease 2019 (COVID-19) (2019 冠
狀病毒病)”.

(2) Schedule 1—

Repeal item 34AAA.

4. Schedule 2 amended (scheduled infectious agents)

Schedule 2, after item 26—

Add

“26A. Severe acute respiratory syndrome coronavirus 2
(SARS-CoV-2) (嚴重急性呼吸系統綜合症冠狀
病毒2)”.

Dr. Constance CHAN
Director of Health

27 April 2020

Explanatory Note

This Notice amends the list of scheduled infectious diseases in Schedule 1 to the Prevention and Control of Disease Ordinance (Cap. 599) (***Ordinance***) as the name of the disease “severe respiratory disease associated with a novel infectious agent” (in item 34AAA) has been changed to “coronavirus disease 2019 (COVID-19)” (in new item 8A).

2. This Notice also adds “severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2)” to the list of scheduled infectious agents in Schedule 2 to the Ordinance, in order to bring the virus within the scope of section 43 of the Prevention and Control of Disease Regulation (Cap. 599 sub. leg. A). If a leakage of a scheduled infectious agent in a laboratory that may pose a public health risk comes to the knowledge of the owner or the person in charge of the laboratory, the owner or that person must notify the Director of Health immediately, as required by that section.

L.N. 48 of 2020**Compulsory Quarantine of Certain Persons Arriving at
Hong Kong (Amendment) (No. 2) Regulation 2020**

(Made by the Chief Executive in Council under section 8 of the
Prevention and Control of Disease Ordinance (Cap. 599))

1. Commencement

This Regulation comes into operation on 29 April 2020.

**2. Compulsory Quarantine of Certain Persons Arriving at Hong
Kong Regulation amended**

The Compulsory Quarantine of Certain Persons Arriving at
Hong Kong Regulation (Cap. 599 sub. leg. C) is amended as set
out in sections 3 to 6.

3. Section 2 amended (interpretation)

- (1) Section 2, definition of *public health emergency*—

Repeal

everything after “concerning”

Substitute

“the specified disease;”.

- (2) Section 2, definition of *quarantine period*—

Repeal

“of 14 days mentioned in section 3(1).”

Substitute

“mentioned in section 3(1);”.

- (3) Section 2—

Add in alphabetical order

“*specified disease* (指明疾病) means the coronavirus
disease 2019 (COVID-19), which is specified in item
8A of Schedule 1 to the Ordinance.”.

4. Section 4 amended (Chief Secretary may exempt certain persons)

Section 4(1)—

Repeal

everything after “satisfied”

Substitute

“that—

- (a) the person’s or persons’ entry into Hong
Kong—
 - (i) is necessary for the supply of goods or
services required for the normal operation
of Hong Kong or the daily needs of the
people of Hong Kong;
 - (ii) is necessary for governmental operation;
 - (iii) is necessary for the protection of the safety
or health of the people of Hong Kong or
the handling of the public health
emergency;
 - (iv) is necessary for the person’s or persons’
receiving nursery, kindergarten, primary or
secondary education at any school
registered under the Education Ordinance
(Cap. 279) in Hong Kong or for the
provision of such education;

Section 5

- (v) is necessary for the safe travelling of any person for the purposes mentioned in subparagraph (iv); or
- (vi) because of the exceptional circumstances of the case, otherwise serves the public interest of Hong Kong; or
- (b) the person's or persons' travelling is necessary for purposes relating to manufacturing operations, business activities or the provision of professional services in the interest of Hong Kong's economic development.”.

5. Section 10 amended (cancellation of quarantine order)

- (1) Before section 10(1)—

Add

“(1A) If—

- (a) an authorized officer makes a quarantine order against a person arriving from the Mainland or Macao;
- (b) the person produces to the officer a certificate issued by a public authority in the Mainland or Macao (as may be appropriate) specified by the Director certifying that the person completed, on the day of the person's arrival at Hong Kong or the day before, a quarantine of not less than 14 days administered by the authority; and
- (c) the person makes a declaration in a form specified by the Director to the officer that the person has not been exposed, in the way specified in the form, to any risk of contracting the specified disease after the completion of the quarantine,

Section 6

the quarantine order may be cancelled by a health officer if the health officer is satisfied, on the basis of the result of a medical laboratory test conducted after the person's arrival, that the person is tested negative for the specified disease.”.

- (2) Section 10(1)—

Repeal

“This section”

Substitute

“This subsection”.

- (3) Section 10(2)—

Repeal

“this section”

Substitute

“subsection (1)”.

6. Section 12 amended (expiry)

Section 12—

Repeal

“May”

Substitute

“June”.

Wendy LEUNG
Clerk to the Executive Council

COUNCIL CHAMBER

28 April 2020

Explanatory Note

This Regulation amends the Compulsory Quarantine of Certain Persons Arriving at Hong Kong Regulation (Cap. 599 sub. leg. C) (*principal Regulation*) to—

- (a) amend the definition of *public health emergency* in section 2 of the principal Regulation (section 3);
- (b) expand the Chief Secretary for Administration's power to grant exemption from the quarantine requirement under section 4 of the principal Regulation (section 4);
- (c) empower a health officer to cancel a quarantine order made against a person if certain conditions are met (section 5); and
- (d) extend the expiry date of the principal Regulation from 7 May 2020 to 7 June 2020 (section 6).

2. The amendment mentioned in paragraph 1(a)—

- (a) is consequential to the amendments made by the Prevention and Control of Disease Ordinance (Amendment of Schedules 1 and 2) Notice 2020 to the list of scheduled infectious diseases in Schedule 1 to the Prevention and Control of Disease Ordinance (Cap. 599); and
- (b) is made to reflect that the name of the disease “severe respiratory disease associated with a novel infectious agent” has been changed to “coronavirus disease 2019 (COVID-19)”.

L.N. 49 of 2020

**Prevention and Control of Disease (Disclosure of
Information) (Amendment) Regulation 2020**

(Made by the Chief Executive in Council under section 8 of the
Prevention and Control of Disease Ordinance (Cap. 599))

1. Commencement

This Regulation comes into operation on 29 April 2020.

**2. Prevention and Control of Disease (Disclosure of Information)
Regulation amended**

The Prevention and Control of Disease (Disclosure of
Information) Regulation (Cap. 599 sub. leg. D) is amended as
set out in sections 3 and 4.

3. Section 2 amended (interpretation)

Section 2—

Repeal the definition of *disease*

Substitute

“*disease* (疾病) means the coronavirus disease 2019
(COVID-19), which is specified in item 8A of
Schedule 1 to the Ordinance;”.

4. Section 5 amended (expiry)

Section 5—

Repeal

“7 May”

Substitute

“31 August”.

Wendy LEUNG
Clerk to the Executive Council

COUNCIL CHAMBER

28 April 2020

Explanatory Note

This Regulation amends the Prevention and Control of Disease (Disclosure of Information) Regulation (Cap. 599 sub. leg. D) (*principal Regulation*) to—

- (a) amend the definition of *disease* in section 2 of the principal Regulation; and
- (b) extend the expiry date of the principal Regulation from 7 May 2020 to 31 August 2020.

2. The amendment mentioned in paragraph 1(a)—

- (a) is consequential to the amendments made by the Prevention and Control of Disease Ordinance (Amendment of Schedules 1 and 2) Notice 2020 to the list of scheduled infectious diseases in Schedule 1 to the Prevention and Control of Disease Ordinance (Cap. 599); and
- (b) is made to reflect that the name of the disease “severe respiratory disease associated with a novel infectious agent” has been changed to “coronavirus disease 2019 (COVID-19)”.

Compulsory Quarantine of Persons Arriving at Hong Kong from Foreign Places
(Amendment) Regulation 2020

L.N. 50 of 2020
B1171

Section 1

L.N. 50 of 2020

**Compulsory Quarantine of Persons Arriving at Hong
Kong from Foreign Places (Amendment) Regulation 2020**

(Made by the Chief Executive in Council under section 8 of the
Prevention and Control of Disease Ordinance (Cap. 599))

1. Commencement

This Regulation comes into operation on 29 April 2020.

**2. Compulsory Quarantine of Persons Arriving at Hong Kong from
Foreign Places Regulation amended**

The Compulsory Quarantine of Persons Arriving at Hong
Kong from Foreign Places Regulation (Cap. 599 sub. leg. E) is
amended as set out in sections 3 and 4.

3. Section 2 amended (interpretation)

Section 2, definition of *public health emergency*—

Repeal

“the disease specified in item 34AAA”

Substitute

“the coronavirus disease 2019 (COVID-19), which is
specified in item 8A”.

**4. Section 12 amended (Secretary for Food and Health may specify
places)**

Section 12(3)—

Repeal paragraph (a)

Substitute

Compulsory Quarantine of Persons Arriving at Hong Kong from Foreign Places
(Amendment) Regulation 2020

L.N. 50 of 2020
B1173

Section 4

“(a) the extent of the spread of the coronavirus disease
2019 (COVID-19), which is specified in item 8A of
Schedule 1 to the Ordinance, in that place; and”.

Wendy LEUNG
Clerk to the Executive Council

COUNCIL CHAMBER

28 April 2020

Explanatory Note

This Regulation amends the Compulsory Quarantine of Persons Arriving at Hong Kong from Foreign Places Regulation (Cap. 599 sub. leg. E) (*principal Regulation*) to amend the definition of *public health emergency* in section 2, and section 12(3)(a), of the principal Regulation.

2. The amendments—
 - (a) are consequential to the amendments made by the Prevention and Control of Disease Ordinance (Amendment of Schedules 1 and 2) Notice 2020 to the list of scheduled infectious diseases in Schedule 1 to the Prevention and Control of Disease Ordinance (Cap. 599); and
 - (b) are made to reflect that the name of the disease “severe respiratory disease associated with a novel infectious agent” has been changed to “coronavirus disease 2019 (COVID-19)”.

L.N. 51 of 2020**Prevention and Control of Disease (Requirements and Directions) (Business and Premises) (Amendment) (No. 2) Regulation 2020**

(Made by the Chief Executive in Council under section 8 of the Prevention and Control of Disease Ordinance (Cap. 599))

1. Commencement

This Regulation comes into operation on 29 April 2020.

2. Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation amended

The Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599 sub. leg. F) is amended as set out in section 3.

3. Section 2 amended (interpretation)

Section 2—

Repeal the definition of *specified disease*

Substitute

“*specified disease* (指明疾病) means the coronavirus disease 2019 (COVID-19), which is specified in item 8A of Schedule 1 to the Ordinance.”.

Wendy LEUNG
Clerk to the Executive Council

COUNCIL CHAMBER

28 April 2020

Explanatory Note

This Regulation amends the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599 sub. leg. F) (*principal Regulation*) to amend the definition of *specified disease* in section 2 of the principal Regulation.

2. The amendment—
 - (a) is consequential to the amendments made by the Prevention and Control of Disease Ordinance (Amendment of Schedules 1 and 2) Notice 2020 to the list of scheduled infectious diseases in Schedule 1 to the Prevention and Control of Disease Ordinance (Cap. 599); and
 - (b) is made to reflect that the name of the disease “severe respiratory disease associated with a novel infectious agent” has been changed to “coronavirus disease 2019 (COVID-19)”.

L.N. 52 of 2020**Prevention and Control of Disease (Prohibition on Group Gathering) (Amendment) Regulation 2020**

(Made by the Chief Executive in Council under section 8 of the Prevention and Control of Disease Ordinance (Cap. 599))

1. Commencement

This Regulation comes into operation on 29 April 2020.

2. Prevention and Control of Disease (Prohibition on Group Gathering) Regulation amended

The Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (Cap. 599 sub. leg. G) is amended as set out in sections 3 and 4.

3. Section 2 amended (interpretation)

Section 2—

Repeal the definition of *specified disease*

Substitute

“*specified disease* (指明疾病) means the coronavirus disease 2019 (COVID-19), which is specified in item 8A of Schedule 1 to the Ordinance;”.

4. Schedule 2 amended (fixed penalty)

(1) Schedule 2, section 1—

Add in alphabetical order

“*Authority* (當局) means—

(a) the Director;

- (b) the Commissioner of Police;
- (c) the Director of Agriculture, Fisheries and Conservation;
- (d) the Director of Food and Environmental Hygiene;
- (e) the Director of Home Affairs;
- (f) the Director of Housing; or
- (g) the Director of Leisure and Cultural Services;”.

(2) Schedule 2—

- (a) section 4, heading;
- (b) section 13, heading—

Repeal

“Director”

Substitute

“Authority”.

(3) Schedule 2—

- (a) section 4(2), (5) and (6)(a);
- (b) section 6(1) and (2)(a);
- (c) section 7(1)(b);
- (d) section 8(1), (2)(b) and (3)(a);
- (e) section 10(3);
- (f) section 12(1)(a);
- (g) section 13—

Repeal

“Director” (wherever appearing)

Substitute

“Authority”.

- (4) Schedule 2, Chinese text—
(a) section 4(3);
(b) section 5(1)—

Repeal

“署長”

Substitute

“當局”.

- (5) Schedule 2, section 6(2)(b)—
Repeal
“Director must”

Substitute

“Authority must”.

- (6) Schedule 2, Chinese text, section 6(2) and (3)—
Repeal
“如署長”

Substitute

“如當局”.

Wendy LEUNG
Clerk to the Executive Council

COUNCIL CHAMBER

28 April 2020

Explanatory Note

This Regulation amends the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (Cap. 599 sub. leg. G) (*principal Regulation*) to—

- (a) amend the definition of *specified disease* in section 2 of the principal Regulation; and

(b) change the references to the “Director” (which means the Director of Health) in Schedule 2 to the principal Regulation to the “Authority”.
2. The amendment mentioned in paragraph 1(a)—

(a) is consequential to the amendments made by the Prevention and Control of Disease Ordinance (Amendment of Schedules 1 and 2) Notice 2020 to the list of scheduled infectious diseases in Schedule 1 to the Prevention and Control of Disease Ordinance (Cap. 599); and

(b) is made to reflect that the name of the disease “severe respiratory disease associated with a novel infectious agent” has been changed to “coronavirus disease 2019 (COVID-19)”.
3. The change mentioned in paragraph 1(b) seeks to enable the following public officers, in addition to the Director of Health, to perform a function under Schedule 2 to the principal Regulation—

(a) the Commissioner of Police;

(b) the Director of Agriculture, Fisheries and Conservation;

(c) the Director of Food and Environmental Hygiene;

- (d) the Director of Home Affairs;
- (e) the Director of Housing; and
- (f) the Director of Leisure and Cultural Services.

**Compulsory Quarantine of Certain Persons Arriving at Hong Kong Regulation
(Cap. 599C)**

16 categories of persons approved for exemption under section (4)(1)

1. cross-boundary goods vehicle drivers and necessary accompanying personnel;
2. cross-boundary coach or shuttle drivers and crew members;
3. crew members of aircrafts who need to commute to and from Mainland, Macao and Taiwan for performance of necessary duties;
4. government officials carrying out governmental duties;
5. government agents and contractors supporting the operation of cross-boundary functions;
6. crew members of goods vessels;
7. crew members of fishing vessels and fish collectors (including mainland fishermen deckhands) ;
8. personnel of organisations commissioned by the Director of Social Welfare providing welfare support for Hong Kong residents living in the Mainland;
9. construction personnel tasked to carry out off-site duties in the Mainland that are essential and cannot be replaced by other means to ensure the quality, integrity and statutory compliance of services or components to be used in government projects, public housing projects and Airport Authority projects in Hong Kong;
10. experts, personnel of the academic sectors or of international authorities who are engaged in research and/or provide advice in combating the COVID-19 infection to the Hong Kong Special Administrative Region Government;
11. staff of Sheung Shui Slaughterhouse and livestock importers residing in the Mainland;
12. staff and personnel of public bodies and their partners for the supply of wristbands and related materials for home quarantine;
13. personnel of public bodies and their partners, agencies, companies or organisations for the supply to Hong Kong of personal protective equipment (“PPE”) or materials / equipment for the production of PPEs;
14. the category of persons verified to be Hong Kong residents living in the Mainland side of Sha Tau Kok;
15. (a) either the owner of a company with factory/factories in the Mainland which are engaged in manufacturing goods for supply to Hong Kong for its normal operation or for the daily needs of the people of Hong Kong, and up to one personnel employed and so authorized by the company; or

(b) up to two personnel employed and so authorized by such a company as described in (a); and

16. staff of security companies who are responsible for transporting physical currency and bearer negotiable instruments (CBNIs) to and from Macao.