

## **LEGISLATIVE COUNCIL BRIEF**

### **Prevention and Control of Disease Ordinance (Cap. 599)**

#### **COMPULSORY QUARANTINE OF CERTAIN PERSONS ARRIVING AT HONG KONG (AMENDMENT) (NO. 3) REGULATION 2020**

#### **COMPULSORY QUARANTINE OF PERSONS ARRIVING AT HONG KONG FROM FOREIGN PLACES (AMENDMENT) (NO. 2) REGULATION 2020**

#### **PREVENTION AND CONTROL OF DISEASE (REQUIREMENTS AND DIRECTIONS) (BUSINESS AND PREMISES) (AMENDMENT) (NO. 3) REGULATION 2020**

#### **PREVENTION AND CONTROL OF DISEASE (PROHIBITION ON GROUP GATHERING) (AMENDMENT) (NO. 4) REGULATION 2020**

### **INTRODUCTION**

At the meeting of the Executive Council on 2 June 2020, the Council **ADVISED** and the Chief Executive **ORDERED** that the following four Amendment Regulations (hereafter referred to as “the four Amendment Regulations”) should be made under section 8 of the Prevention and Control of Disease Ordinance (Cap. 599) (“the Ordinance”) –

#### Annex A

- (a) **Compulsory Quarantine of Certain Persons Arriving at Hong Kong (Amendment) (No. 3) Regulation 2020** (at Annex A), which amends the Compulsory Quarantine of Certain Persons Arriving at Hong Kong Regulation (Cap. 599C) to –
- (i) introduce a 2-tier regime by empowering the Secretary for Food and Health (“SFH”) to specify place(s) in China which would remain subject to the compulsory quarantine arrangement and place(s) in China which are excluded from the arrangement if certain specified conditions are met; and
  - (ii) extend the expiry date of Cap. 599C for one month (i.e. from 7 June 2020 to 7 July 2020);

- Annex B (b) **Compulsory Quarantine of Persons Arriving at Hong Kong from Foreign Places (Amendment) (No. 2) Regulation 2020** (at Annex B), which amends the Compulsory Quarantine of Persons Arriving at Hong Kong from Foreign Places Regulation (Cap. 599E) to –
- (i) introduce a 2-tier regime by empowering SFH to specify place(s) outside China which would remain subject to the compulsory quarantine arrangement and place(s) outside China which are excluded from the arrangement if certain specified conditions are met;
  - (ii) expand the categories of exemption by the Chief Secretary for Administration (“CS”) from the compulsory quarantine requirement; and
  - (iii) extend the expiry date of Cap. 599E for three months (i.e. from 18 June 2020 to 18 September 2020);
- Annex C (c) **Prevention and Control of Disease (Requirements and Directions) (Business and Premises) (Amendment) (No. 3) Regulation 2020** (at Annex C), which amends the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F) to extend the expiry date of Cap. 599F to 31 August 2020; and
- Annex D (d) **Prevention and Control of Disease (Prohibition on Group Gathering) (Amendment) (No. 4) Regulation 2020** (at Annex D), which amends the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (Cap. 599G) to extend the expiry date of Cap. 599G to 31 August 2020.

## JUSTIFICATIONS

### Local Situation and New Normal

2. Since early April 2020, Hong Kong has successfully flattened the curve with the number of confirmed cases of Coronavirus Disease 2019 (“COVID-19”) dropping to just 62 cases in the past six weeks (21 April to 1 June 2020). These included 53 imported cases (36 from Pakistan and 17 from the United States/United Kingdom/other European countries), 1 case affecting a close contact of an imported case, 2 local cases with unknown source and 6 cases affecting close contacts of local cases. The eight cases of locally-acquired infections involved two clusters. The first cluster involved three cases reported during 13 and 14 May 2020. The source of

infection of the index case remained unknown despite extensive investigations. The second cluster was first reported on 31 May 2020 involving a couple with onset of illness on 22 May and 26 May 2020 respectively. Three more epidemiologically linked cases were detected on 1 June 2020. Investigations by the Centre for Health Protection are still ongoing and it is likely that further cases would be identified through contact tracing. The two clusters signify that there are silent local transmissions ongoing in the community. This is not unexpected as some infected persons may be asymptomatic or have mild symptoms but did not seek medical attention, hence could not be picked up by the surveillance system. As at 1 June 2020, only 47 COVID-19 patients remained hospitalised, with 2 in critical condition and the remaining 45 cases in stable condition.

3. As we have emphasised repeatedly, COVID-19 has been characterised as pandemic and may become just another endemic virus in our community and this virus may never go away. As it is unrealistic to aim for eradication or elimination of the virus in the near future, countries and regions need to keep adjusting the intensity of their infection control measures taking account of their respective social and economic needs. The Government's priority at the moment is not to completely eliminate the virus or to achieve sustained zero infection level, but to incorporate disease prevention and control, as well as infection management, into the new normal of the daily operation of the society.

## **THE ENHANCEMENTS**

### ***Immigration Control Measures***

4. As we expect COVID-19 to be a part of our new normal, we need a legal framework that would –

- (a) allow us to differentiate places by their respective public health risks level; and
- (b) have built-in flexibility to allow for differential quarantine or other infection control safeguards to be imposed or lifted in a relatively quick but predictable, targeted and transparent manner.

5. As is, the Compulsory Quarantine of Certain Persons Arriving at Hong Kong Regulation (Cap. 599C) imposes a 14-day compulsory quarantine requirement on all travellers coming from or having stayed in the Mainland, Macao and Taiwan. It allows for exemptions, with the approval

of CS. Unlike the present legal framework of Cap. 599E, it does not authorise SFH to designate certain regions or areas within China for differential treatment based on public health risks. Nor does it allow SFH to impose different conditions on such different regions or areas as health considerations justify.

6. As is, the Compulsory Quarantine of Persons Arriving at Hong Kong from Foreign Places Regulation (Cap. 599E) imposes a 14-day compulsory quarantine requirement on all travellers from anywhere else outside China. But whilst it has already empowered SFH to designate places for differentiate treatment based on public health risks, it does not explicitly empowered SFH to impose different conditions on them as health considerations justify.

7. The latest legislative amendments under Cap. 599C and Cap. 599E are to reinforce the legal framework thereunder to enable us to cope with the medium term needs of the new normal effectively and expeditiously. Details are set out in the ensuing paragraphs.

(a) Allow for exclusion from compulsory quarantine arrangement – with or without conditions

(i) *Exclusion without conditions*

8. At present, section 12 of Cap. 599E empowers SFH to specify any place outside China by notice published in the gazette having regard to the extent of the spread of the COVID-19 in that place and the public health risk posed to Hong Kong by persons arriving from that place or who have stayed in that place, and as such, persons arriving from that place would be subject to the compulsory quarantine requirement (thus persons arriving from place(s) not specified would be excluded from the compulsory quarantine arrangement). Cap. 599C is amended by modelling on Cap. 599E to introduce additional provisions to allow flexibility to carve out some provinces/regions/cities in China from the compulsory quarantine requirement under Cap. 599C provided that the provinces/regions/cities will not pose a public health risk to Hong Kong which is higher than our local risk after assessment of the prevailing situation.

(ii) *Exclusion with conditions*

9. As a risk-based approach with compartmentalisation, aside from carving out some provinces/regions/cities in China and overseas from the compulsory quarantine requirement without conditions, SFH should be also empowered to exclude persons arriving from a specified place subject to them fulfilling certain specific conditions such as having a negative Reverse transcription polymerase chain reaction (RT-PCR) test for COVID-19 conducted by a recognised laboratory within the seven days prior to arrival in Hong Kong to the satisfaction of the Director of Health under Cap. 599C and Cap. 599E.

10. To put the above into effect, we would relax the existing legal framework for compulsory quarantine under Cap. 599C and Cap. 599E by introducing a 2-tier regime and empowering SFH to specify places by notice published in the Gazette –

- (a) Category 1 places: 14-day compulsory quarantine is required for arrivals; and
- (b) Category 2 places: arrivals are excluded from 14-day compulsory quarantine subject to meeting certain specified conditions,

with a view to classifying different countries/places according to the public health risks. Places not falling within Category 1/Category 2 will not be subject to any compulsory quarantine arrangement.

(b) Expand categories of exemption by CS

11. Under section 4(1) of the Cap. 599C and Cap. 599E, CS may designate any person or category of persons if he is satisfied that the person's or persons' entry into Hong Kong –

- (1) 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;
- (2) is necessary for governmental operation;
- (3) 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
- (4) because of the exceptional circumstances of the case, otherwise serves the public interest of Hong Kong.

12. Under section 4(1)(b) of Cap. 599C, CS may further exempt a person or persons where 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.

13. Given the need to allow more flexibility for granting exemptions in the meantime to gradually resume limited passenger movement across boundary control points and against the backdrop of resuming Hong Kong's economic activities in a gradual manner, there is a need to introduce a criterion under Cap. 599E similar to the exemption under section (4)(1)(b) of Cap. 599C to cater for necessary travelling for purposes relating to manufacturing operations, business activities or the provision of professional services in the interest of Hong Kong's economic development. In practice, the categories to be designated under this criterion is likely to be made on a place-by-place basis having regard to the epidemic situation and the bilateral arrangement of relaxation of essential travel between Hong Kong and a particular country/place to a certain extent (i.e. the "travel bubble" concept) as a prerequisite of specifying a particular country/place on the whole before relaxation of quarantine arrangement.

(c) Extension of Cap. 599C and Cap. 599E

14. When considering the extension of Cap. 599C, we note that while the epidemic situation of COVID-19 in the Mainland has stabilised after the small upsurge in April, imported cases continue to be reported and outbreaks triggered by imported cases have occurred in Heilongjiang and Jilin in the past month. Also, asymptomatic carriers, who could transmit the virus, continue to be reported. Although the risk of COVID-19 in most provinces/regions in the Mainland is low at the present moment, the risk of COVID-19 still exists in Mainland China as a whole albeit being much smaller than that in many overseas countries. Given that the incidence of COVID-19 remains high in many parts of the world, imported cases will continue to be reported in the Mainland and it is unlikely that COVID-19 could be eliminated in the Mainland in the near future.

15. In view of the above, we consider it necessary to continue to limit movement of people between Hong Kong and the Mainland for the time being. As a matter of principle, any relaxation should be introduced gradually, starting in places with the lowest risk. If the epidemic situation continues to improve, further relaxation may be considered in the medium

term. We would therefore extend Cap. 599C for one month (i.e. to expire at the midnight on 7 July 2020) with a view to, upon expiry, reviewing and if appropriate, adjusting the arrangements in accordance with the situation then. Should the situation warrant more persons to be exempted, we would carve out relevant provinces/regions/cities under the mechanism set out above.

16. When considering the extension of Cap. 599E, we are mindful that the incidences of COVID-19 in many overseas countries remain at an alarmingly high level, with 70 countries (including Brazil, Russia, UK and USA etc.) having recorded an incidence of over 100 cases per million population in the past two weeks (from 16-29 May 2020). Although the number of cases in UK, USA, Canada and major European countries have stabilised in the past few weeks with a slowly decreasing trend, it is expected to take a considerable period of time (in terms of months) for the number of incidences to return to a low level. Furthermore, the number of cases in many countries is currently on a rising trend. As such, the global risk will remain very high in the foreseeable future.

17. In view of the current situation and having regard to our extension for Cap. 599C, we would extend Cap. 599E for three months (i.e. to expire at the midnight of 18 September 2020). At this stage, there is no room for any relaxation of the compulsory quarantine requirement and it is important to continue to restrict non-essential population movements between Hong Kong and overseas countries/places in order to contain the risk of importation of cases. Should the situation warrant, we would carve out relevant countries/ places in the medium term or exempt essential travellers from the compulsory quarantine requirement as appropriate.

### ***Social Distancing Measures***

18. The Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F) was made to impose temporary measures on catering businesses and scheduled premises<sup>1</sup> in respect of the public health emergency concerning COVID-19. These temporary measures include requiring catering business premises to cease selling or supplying food or drink for on-site consumption, and to close

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<sup>1</sup> Under Cap. 599F, “scheduled premises” include amusement game centres, bathhouses, fitness centres, places of amusement, places of public entertainment, party rooms, beauty parlours, club-houses, clubs/nightclubs, karaoke establishments, mah-jong-tin kau premises, and massage establishments.

whole or part of the premises where food or drink is sold or supplied; restricting the operation of catering businesses; and restricting the operation of scheduled premises. Such measures are to be put into effect by way of directions published in the Gazette by SFH for a specified period not exceeding 14 days on each occasion.

19. The Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (Cap. 599G) was made to prohibit group gathering of more than four persons at a public place during a period of not exceeding 14 days to be specified by SFH by a notice published in the Gazette, except for a list of exempted group gatherings. CS may permit certain group gatherings. The number of persons in a prohibited group gathering was increased to more than eight persons in May 2020 as part of the relaxation measures implemented in view of the stabilisation of epidemic situation then.

20. As part of our “suppress and lift” strategy, there is a need for the Government to continue to be empowered to impose social distancing measures in an agile manner so that we could respond to sudden changes in the local epidemic situation. Having regard to the epidemic situation globally, we envisage that such power would be required at least in the short term. In this connection, we would extend Cap. 599F (expiring at midnight on 27 June 2020) and Cap. 599G (expiring at midnight on 28 June 2020) for around two months (i.e. both to expire at midnight on 31 August 2020). Notwithstanding the extension of the two regulations, SFH may opt not to issue any direction under Cap. 599F nor any notice to specify a period for which the prohibition under Cap. 599G would be in force in the event the local epidemic situation stabilises enough to permit us to suspend the social distancing measures under the two regulations.

## **OTHER OPTIONS**

21. There is no other appropriate option that may enable the implementation of the measures as proposed under the four Amendment Regulations.

## **LEGISLATIVE TIMETABLE**

22. The legislative timetable is as follows –

Publication in the Gazette	2 June 2020
Commencement	5 June 2020
Tabling at the Legislative Council	3 June 2020

## **IMPLICATIONS OF THE PROPOSAL**

23. The proposal is in conformity with the Basic Law, including the provisions concerning human rights.

## **PUBLIC CONSULTATION**

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

## **PUBLICITY**

25. We have issued a press release on 2 June 2020 and announced the legislative amendments as well as other social distancing measures at a press conference on the same day. A spokesperson has also been made available to respond to public or media enquiries.

## **BACKGROUND**

26. Section 8 of the Ordinance empowers the Chief Executive in Council to make regulations on an occasion of a public health emergency for the purposes of preventing, combating or alleviating the effects of the 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 a large number of deaths or serious disabilities (whether or not long term) in the population constituted a public health emergency. Cap. 599C was made on 8 February 2020 and the expiry date was extended on 28 April 2020 to 7 June 2020. Cap. 599E was made on 18 March 2020 and will expire on 18 June 2020. Cap. 599F was made on 28 March 2020 and will expire on 27 June 2020. Cap. 599G was made on 29 March 2020 and will expire on 28 June 2020.

## **ENQUIRIES**

27. For enquiries on this brief, please contact the Food and Health Bureau at 3509 8765.

**Food and Health Bureau**  
**5 June 2020**

**Compulsory Quarantine of Certain Persons Arriving at  
Hong Kong (Amendment) (No. 3) 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 5 June 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 7.

**3. Section 2 amended (interpretation)**

(1) Section 2, definition of *quarantine period*, before  
“mentioned”—

**Add**

“of 14 days”.

(2) Section 2—

**Repeal the definition of *public health emergency*.**

(3) Section 2—

**Add in alphabetical order**

***Category 1 specified place in China*** (第 1 類指明中國地區)  
means a place specified under section 12(1)(a);

***Category 2 specified place in China*** (第 2 類指明中國地區)  
means a place specified under section 12(1)(b);”.

**4. Section 3 amended (compulsory quarantine of certain persons  
arriving at Hong Kong)**

(1) Section 3(1)—

**Repeal**

everything after “who arrives at Hong Kong”

**Substitute**

“from a place in China other than Hong Kong under  
quarantine for a period of 14 days beginning on the day  
of arrival if the person has stayed during the relevant  
period in any place that, at the time of the person’s arrival,  
is a—

(a) Category 1 specified place in China or Category 2  
specified place in China; or

(b) Category 1 specified foreign place or Category 2  
specified foreign place as defined by section 2 of  
Cap. 599E.”.

(2) Section 3(4)—

**Repeal paragraph (a).**

(3) Section 3(4)(b)—

**Repeal**

“falls within the description of subsection (1)(b) and, while in  
Hong Kong”

**Substitute**

“, while in Hong Kong after the person’s arrival”.

(4) After section 3(4)(b)—

**Add**

“(ba) who—

- (i) has stayed during the relevant period in any place that, at the time of the person's arrival, is a—
  - (A) Category 2 specified place in China; or
  - (B) Category 2 specified foreign place as defined by section 2 of Cap. 599E;
- (ii) has not stayed during the relevant period in any place that, at the time of the person's arrival, is a—
  - (A) Category 1 specified place in China; or
  - (B) Category 1 specified foreign place as defined by section 2 of Cap. 599E; and
- (iii) satisfies an authorized officer that the person meets the conditions specified under section 12(2) of Cap. 599E or section 12(2) (as may be appropriate) for the last place mentioned in subparagraph (i)(A) or (B) in which the person has stayed before the person's arrival;”.

(5) Section 3—

**Repeal subsection (5)**

**Substitute**

“(5) For the purposes of subsections (1) and (4)(ba), if a person travels from Macao to Hong Kong, or from Hong Kong to Macao, via the Hong Kong-Zhuhai-Macao Bridge, the person's passing through the Zhuhai section of the Bridge during the journey is not regarded as a stay in Zhuhai.”.

(6) At the end of section 3—

**Add**

“(7) Subsection (8) applies to a person if—

- (a) the person boarded, in a place, a conveyance that stopped in any other place (*place of stopover*) after the person's boarding; and
  - (b) the person's journey on that conveyance ended subsequently outside that place of stopover.
- (8) For the purposes of subsections (1) and (4)(ba), if the person did not leave the conveyance in a place of stopover, the person is not regarded as having stayed in that place of stopover.

(9) In this section—

*Cap. 599E* (《第 599E 章》) means the Compulsory Quarantine of Persons Arriving at Hong Kong from Foreign Places Regulation (Cap. 599 sub. leg. E);

*conveyance* (交通工具) means any train that operates in China, aircraft or ship;

*relevant period* (有關期間), in relation to a person who arrives at Hong Kong, means the day of arrival and the 14 days before the day of arrival.”.

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

Section 4(1)(a)(iii), after “emergency”—

**Add**

“within the meaning of section 8(5) of the Ordinance concerning the specified disease”.

**6. Section 12 substituted**

Section 12—

**Repeal the section**

**Substitute**

**“12. Secretary for Food and Health may specify places in China and conditions**

- (1) For the purposes of section 3, the Secretary for Food and Health (*Secretary*) may, by notice published in the Gazette—
  - (a) specify any place in China other than Hong Kong as a Category 1 specified place in China; and
  - (b) specify any place in China other than Hong Kong that is not a Category 1 specified place in China as a Category 2 specified place in China.
- (2) For the purposes of section 3(4)(ba)(iii), the Secretary must, by notice published in the Gazette, specify conditions for a Category 2 specified place in China.
- (3) A notice published under subsection (1) or (2) is not subsidiary legislation.
- (4) Before exercising the power conferred by subsection (1) or (2) in relation to a place, the Secretary must have regard to—
  - (a) the extent of the spread of the specified disease in that place; and
  - (b) the public health risk posed to Hong Kong by persons arriving from that place or who have stayed in that place.”.

**7. Section 13 added**

After section 12—

**Add**

**“13. Expiry**

This Regulation expires at midnight on 7 July 2020.”.

Clerk to the Executive Council

COUNCIL CHAMBER

2020

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### 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) introduce a 2-tier regime under which the quarantine requirement under the principal Regulation—
  - (i) applies to a person arriving at Hong Kong who has stayed in a specified place before the person's arrival; and
  - (ii) does not apply to the person if the person meets the conditions specified for that place;
- (b) extend the expiry date of the principal Regulation from 7 June 2020 to 7 July 2020; and
- (c) make minor technical amendments to the principal Regulation.

**Compulsory Quarantine of Persons Arriving at Hong Kong from Foreign Places (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 5 June 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 to 7.

**3. Section 2 amended (interpretation)**

(1) Section 2, English text, definition of *quarantine period*—

**Repeal the full stop**

**Substitute a semicolon.**

(2) Section 2—

**Repeal the definition of *public health emergency*.**

(3) Section 2—

**Add in alphabetical order**

***“Category 1 specified foreign place*** (第 1 類指明外國地區)  
means a place specified under section 12(1)(a);

***Category 2 specified foreign place*** (第 2 類指明外國地區)  
means a place specified under section 12(1)(b);

*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 3 amended (compulsory quarantine of certain persons arriving at Hong Kong)**

(1) Section 3(1)—

**Repeal**

everything after “who arrives at Hong Kong”

**Substitute**

“from a place outside China under quarantine for a period of 14 days beginning on the day of arrival if the person has stayed during the relevant period in any place that, at the time of the person’s arrival, is a—

(a) Category 1 specified foreign place or Category 2 specified foreign place; or

(b) Category 1 specified place in China or Category 2 specified place in China as defined by section 2 of Cap. 599C.”.

(2) Section 3(4)—

**Repeal paragraph (a).**

(3) Section 3(4)(b)—

**Repeal**

“falls within the description of subsection (1)(b) and, while in Hong Kong”

**Substitute**

“, while in Hong Kong after the person’s arrival”.

(4) After section 3(4)(b)—

**Add**

“(ba) who—

- (i) has stayed during the relevant period in any place that, at the time of the person’s arrival, is a—
  - (A) Category 2 specified foreign place; or
  - (B) Category 2 specified place in China as defined by section 2 of Cap. 599C;
- (ii) has not stayed during the relevant period in any place that, at the time of the person’s arrival, is a—
  - (A) Category 1 specified foreign place; or
  - (B) Category 1 specified place in China as defined by section 2 of Cap. 599C; and
- (iii) satisfies an authorized officer that the person meets the conditions specified under section 12(2) of Cap. 599C or section 12(2) (as may be appropriate) for the last place mentioned in subparagraph (i)(A) or (B) in which the person has stayed before the person’s arrival;”.

(5) Section 3—

**Repeal subsection (5)**

**Substitute**

- “(5) For the purposes of subsections (1) and (4)(ba), if a person travels from Macao to Hong Kong, or from Hong Kong to Macao, via the Hong Kong-Zhuhai-Macao Bridge, the person’s passing through the Zhuhai section of the Bridge during the journey is not regarded as a stay in Zhuhai.
- (6) Subsection (7) applies to a person if—

- (a) the person boarded, in a place, a conveyance that stopped in any other place (*place of stopover*) after the person’s boarding; and
  - (b) the person’s journey on that conveyance ended subsequently outside that place of stopover.
- (7) For the purposes of subsections (1) and (4)(ba), if the person did not leave the conveyance in a place of stopover, the person is not regarded as having stayed in that place of stopover.
- (8) In this section—
- Cap. 599C* (《第 599C 章》) means the Compulsory Quarantine of Certain Persons Arriving at Hong Kong Regulation (Cap. 599 sub. leg. C);
- conveyance* (交通工具) means any train that operates in China, aircraft or ship;
- relevant period* (有關期間), in relation to a person who arrives at Hong Kong, means the day of arrival and the 14 days before the day of arrival.”.

5. **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 within the meaning of section 8(5) of the Ordinance concerning the specified disease; or
  - (iv) 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.”.

**6. Section 12 substituted**

Section 12—

**Repeal the section**

**Substitute**

**“12. Secretary for Food and Health may specify foreign places and conditions**

- (1) For the purposes of section 3, the Secretary for Food and Health (*Secretary*) may, by notice published in the Gazette—
  - (a) specify any place outside China as a Category 1 specified foreign place; and

- (b) specify any place outside China that is not a Category 1 specified foreign place as a Category 2 specified foreign place.
- (2) For the purposes of section 3(4)(ba)(iii), the Secretary must, by notice published in the Gazette, specify conditions for a Category 2 specified foreign place.
- (3) A notice published under subsection (1) or (2) is not subsidiary legislation.
- (4) Before exercising the power conferred by subsection (1) or (2) in relation to a place, the Secretary must have regard to—
  - (a) the extent of the spread of the specified disease in that place; and
  - (b) the public health risk posed to Hong Kong by persons arriving from that place or who have stayed in that place.”.

**7. Section 13 amended (expiry)**

Section 13—

**Repeal**

“June”

**Substitute**

“September”.

COUNCIL CHAMBER

2020

Clerk to the Executive Council

### 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—

- (a) introduce a 2-tier regime under which the quarantine requirement under the principal Regulation—
  - (i) applies to a person arriving at Hong Kong who has stayed in a specified place before the person's arrival; and
  - (ii) does not apply to the person if the person meets the conditions specified for that place;
- (b) expand the Chief Secretary for Administration's power to grant exemption from the quarantine requirement under the principal Regulation;
- (c) extend the expiry date of the principal Regulation from 18 June 2020 to 18 September 2020; and
- (d) make minor technical amendments to the principal Regulation.

Prevention and Control of Disease (Requirements and Directions) (Business and Premises) (Amendment) (No. 3) Regulation 2020

Section 1

1

**Prevention and Control of Disease (Requirements and Directions) (Business and Premises) (Amendment) (No. 3) 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 5 June 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 14 amended (expiry)**

Section 14—

**Repeal**

“27 June”

**Substitute**

“31 August”.

Prevention and Control of Disease (Requirements and Directions) (Business and Premises) (Amendment) (No. 3) Regulation 2020

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Clerk to the Executive Council

COUNCIL CHAMBER

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 extend the expiry date of the principal Regulation from 27 June 2020 to 31 August 2020.

**Prevention and Control of Disease (Prohibition on  
Group Gathering) (Amendment) (No. 4) 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 5 June 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 section 3.

**3. Section 16 amended (expiry)**

Section 16—

**Repeal**

“28 June”

**Substitute**

“31 August”.

Clerk to the Executive Council

COUNCIL CHAMBER

2020

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### **Explanatory Note**

This Regulation amends the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (Cap. 599 sub. leg. G) (*principal Regulation*) to extend the expiry date of the principal Regulation from 28 June 2020 to 31 August 2020.