

L.N. 117 of 2020

**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”.

Compulsory Quarantine of Persons Arriving at Hong Kong from Foreign Places
(Amendment) (No. 2) Regulation 2020

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Wendy LEUNG
Clerk to the Executive Council

COUNCIL CHAMBER

2 June 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—

- (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.