

LEGISLATIVE COUNCIL BRIEF

Prevention and Control of Disease Ordinance (Cap. 599)

PREVENTION AND CONTROL OF DISEASE AMENDMENT REGULATIONS

INTRODUCTION

At the meeting of the Executive Council on 23 February 2021, the Council **ADVISED** and the Chief Executive **ORDERED** that –

- (a) in view of the continued public health emergency arising from the COVID-19 epidemic situation both globally and locally, the expiry date of the following emergency regulations be extended from midnight on 31 March 2021 to midnight on 30 September 2021 and that the following amendment regulations should be made under section 8 of the Prevention and Control of Disease Ordinance (Cap. 599) (“the Ordinance”) to that effect –

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

- (i) the **Compulsory Quarantine of Certain Persons Arriving at Hong Kong (Amendment) Regulation 2021** (at Annex A);

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

- (ii) the **Prevention and Control of Disease (Disclosure of Information) (Amendment) Regulation 2021** (at Annex B);

Compulsory Quarantine of Persons Arriving at Hong Kong from Foreign Places Regulation (Cap. 599E)

- (iii) the **Compulsory Quarantine of Persons Arriving at Hong Kong from Foreign Places (Amendment) Regulation 2021** (at Annex C);

Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F)

Annex A

Annex B

Annex C

- (iv) the **Prevention and Control of Disease (Requirements and Directions) (Business and Premises) (Amendment) Regulation 2021** (at Annex D); and

Prevention and Control of Disease (Regulation of Cross-boundary Conveyances and Travellers) Regulation (Cap. 599H)

- (v) the **Prevention and Control of Disease (Regulation of Cross-boundary Conveyances and Travellers) (Amendment) Regulation 2021** (at Annex E); and

- (b) the following amendment regulations should be made under section 8 of the Ordinance having regard to the latest development in the epidemic situation for the purpose of preventing, combating or alleviating the effects of the current public health emergency and protecting public health in Hong Kong –

- (i) the **Prevention and Control of Disease (Prohibition on Group Gathering) (Amendment) Regulation 2021** (at Annex F), which amended the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (Cap. 599G) to –

- a. relax the number of persons constituting a “group gathering” prohibited under Cap. 599G from more than two to more than four;
- b. amend the relevant provision in Cap. 599G on gatherings that may be dispersed so as to adjust the number of persons constituting such gatherings to more than four correspondingly;
- c. expand the definition of “Authority” in Schedule 2 to Cap. 599G in relation to the enforcement of fixed penalty so as to enable the Commissioner for Labour to perform a function under that Schedule; and
- d. extend the expiry date of Cap. 599G from midnight on 31 March 2021 to midnight on 30 September 2021; and

- (ii) the **Prevention and Control of Disease (Wearing of Mask) (Amendment) Regulation 2021** (at Annex G), which amended the Prevention and Control of Disease (Wearing of Mask) Regulation (Cap. 599I) to –

- a. expand the definition of “Authority” in Schedule 2 to Cap. 599I in relation to the enforcement of fixed penalty so as to enable the Commissioner for Labour to perform a function under that Schedule; and

- b. extend the expiry date of Cap. 599I from midnight on 31 March 2021 to midnight on 30 September 2021.

PRESENT SITUATION AND CONSIDERATION

Latest Global Situation

2. As of 20 February 2021, a total of 222 countries, territories or areas, including the Mainland China, had reported over 110.6 million COVID-19 cases with over 2.4 million deaths. The number of cases had seen a decline in recent weeks. From late March 2020 to mid-May 2020, about 70 000 to 100 000 new cases had been reported every day. The number of cases had increased to about 160 000 to 180 000 new cases per day in late June 2020 and to around 220 000 to 290 000 in late July 2020, and further increased to reach a new height of around 400 000 to 880 000 since early November 2020. The number of new cases per day began to decrease gradually since mid-January 2021, reaching around 279 000 to 495 000 since February 2021.

Latest Situation in Mainland and Macao

3. By late April to early May 2020, the number of cases in the Mainland had decreased to a very low level with less than five cases on most days. In the past two weeks (7 – 20 February 2021), 139 confirmed cases (1 local cases and 138 imported cases) were reported in the Mainland. Among them, 47 confirmed cases (all imported cases) were reported in Guangdong Province.

4. In Macao, the last case of local infection, who was a close contact of an imported case, was reported on 28 March 2020. As of 20 February 2021, a total of 48 cases had been reported in Macao. Notably, no new imported cases were reported between late June 2020 (when the 46th case was reported) and late January 2021. The two latest imported cases (the 47th and 48th cases) were reported on 22 January and 5 February 2021 respectively.

Latest Local Situation

5. As of 21 February 2021, the Centre for Health Protection of the Department of Health had recorded a total of 10 869 cases of COVID-19. Over the past two weeks (8 – 21 February 2021), a total of 233 cases were reported, with 192 local cases (of which 76 cases involved unknown sources of infection) and 41 imported cases. Over the same period, the 7-day moving average number of local cases had decreased from 23.4 to 10.1, with the 7-

day moving average number of local cases with unknown sources decreasing from 6.9 to 5.1.

6. Despite the above, it should be noted that the proportion of local cases with unknown sources of infection had remained high. Among the locally-acquired cases reported in the past two weeks, over 39% were of unknown links/sources. Over the past month or so, the real-time effective reproductive number for local cases as estimated by the School of Public Health of the University of Hong Kong, having gone over 1.0 on 7 January 2021, peaked at 1.34 on 13 January 2021 and had dropped below 1.0 since 20 January 2021, reaching the trough of 0.55 on 29 January 2021 but had increased again in recent days to 0.75 on 14 February 2021.

7. While the average daily number of new cases had decreased from the peak level of the fourth wave in mid-December 2020, the persistence of local cases with unknown sources indicates that there is still silent transmission ongoing in the community. The epidemic situation is still volatile. In recent days, there had been cases involving workers at catering business and a care worker at residential care home for the elderly. In addition, despite the repeated appeal for social distancing, and to avoid “mask-off” gathering activities, the tradition of family/social gatherings during the recent Chinese New Year holiday might have potentially contributed to a rebound of the epidemic situation, though the effect might only become apparent in the coming week or so. With the lifting of the social distancing measures (such as extending the dine-in services period, re-opening venues of fitness centres/beauty parlours etc.) after the Chinese New Year, the situation could be further exacerbated.

8. Given that the epidemic situation will continue globally and locally for the foreseeable future and the public health emergency will unlikely come to an end in the months to come, there is a need to maintain the legal framework under which the various epidemic control measures are taken so as to enable the Government to continue to implement such measures as appropriate to combat the epidemic situation. In particular, having regard to the local cases affecting many different sectors in the community as set out in paragraph 7 above, there is a continued need to put in place suitable epidemic control measures to minimise the risk of such sporadic cases developing into massive community outbreaks.

RELAXATION OF SOCIAL DISTANCING MEASURES

Increasing the Number of Persons Allowed in Group Gatherings in Public Places and at the Cap. 599F Premises

9. Cap. 599G was introduced in late March 2020 to prohibit any group gathering of more than four persons in any public place during a specified period. Since then, we have been adjusting the cap on the number of persons allowed in such group gatherings in light of the epidemic situation then. Having regard to the fourth wave of the epidemic, amongst others, the number of persons allowed in the following group gatherings has been reduced to no more than two persons: (a) group gatherings in a public place; and (b) group gatherings at any Cap. 599F premises where a relevant requirement or restriction imposed under a direction issued under Cap. 599F is not complied with¹. The exemptions for religious gatherings and local tours have also been removed with effect from 2 December 2020.

10. Internationally, the restriction in group gatherings is commonly adopted in overseas countries even during the lifting stage. In the local context, we see a need to continue imposing restrictions on group gatherings in public places, especially to contain the risk of the congregation of people who wish to enjoy their day off during Sundays and public holidays given that gatherings among family and friends remain a main source of transmission within the community. However, there is room for increasing the number of persons permitted for group gatherings in public places given the latest health risk assessment.

11. While there is no direct formula to determine the maximum number of persons allowed for group gatherings in public places, we have taken into account the social and economic considerations in addition to the latest public health risk and propose increasing such number to no more than four per group gathering. This would be in line with the number of persons allowed in each group under the latest directions issued by the Secretary for Food and Health (“SFH”) under Cap. 599F which took effect on 18 February 2021.

Enforcement

12. The effectiveness of social distancing measures in preventing the spread of COVID-19 within the community depends on compliance. Apart from appealing to the public on strictly adhering to the relevant requirements, since the three regulations in relation to social distancing measures were made, enforcement departments have enhanced manpower to

¹ In mid-November 2020, the scope of Cap. 599G was extended to cover group gatherings at any catering business premises or scheduled premises in relation to which a direction issued under Cap. 599F is in force (“Cap. 599F premises”) whether the premises are a public place or not, if any requirement or restriction specified in the direction and imposed in relation to a group gathering at the premises (“relevant requirement or restriction”) is not complied with. This means that persons who participate in group gatherings in violation of group-gathering-related requirements or restrictions under the relevant Cap. 599F directions would be held liable under Cap. 599G, while the liability may be discharged by paying a fixed penalty.

step up patrols in various public places and remind members of the public to comply with the requirements under the regulations. Fixed penalty notices were also issued in respect of non-compliance with the requirements under Cap. 599G and Cap. 599I.

13. Recently, Labour Inspectors, Occupational Safety Officers and Occupational Hygienists of the Labour Department have been appointed by the Director of Health to participate in enforcement actions in relation to Cap. 599G and Cap. 599I, including issuing fixed penalty notices where warranted, starting from mid-February 2021. To empower the Labour Department to recover fixed penalty and perform related functions in accordance with Schedule 2 to Cap. 599G and Cap. 599I, we propose expanding the definition of “Authority”² in the respective Schedules to include the Commissioner for Labour.

EXTENSION OF THE EXPIRY DATE OF SEVEN EMERGENCY REGULATIONS

14. Currently, border control measures are imposed under Cap. 599C, Cap. 599E and Cap. 599H, while social distancing or other preventive measures are imposed under Cap. 599F, Cap. 599G and Cap. 599I. Cap. 599D provides for the legal framework in relation to contact tracing and disclosure of certain information. As we would continue to require the relevant powers to implement the said measures at least in the short to medium term, we propose extending the expiry date of all these emergency regulations by six months, from 31 March 2021 to 30 September 2021. Flexibility has already been built into the emergency regulations made under the Ordinance to allow the stringency of measures to be adjusted having regard to the epidemic control strategy and situation. However, we do not envisage that in the months to come we may forego the legal framework under any of the emergency regulations.

OTHER OPTIONS

15. There are no other appropriate means to impose these measures hence extension of these emergency regulations is necessary.

² Under the existing definition, “Authority” means (a) the Director of Health; (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; and (g) the Director of Leisure and Cultural Services.

THE AMENDMENT REGULATIONS

16. The main provisions of the seven amendment regulations are set out in paragraph 1.

LEGISLATIVE TIMETABLE

17. The legislative timetable is as follows –

Publication in the Gazette	23 February 2021
Commencement	24 February 2021
Tabling at the Legislative Council	24 February 2021

IMPLICATIONS OF THE PROPOSALS

18. The proposals under the seven amendment regulations are in conformity with the Basic Law, including the provisions concerning human rights.

PUBLIC CONSULTATION

19. Given the exigency of the situation, public consultation was not feasible.

PUBLICITY

20. We gazetted the Amendment Regulation and issued a press release on 23 February 2021. A spokesperson was also made available to respond to public or media enquiries.

BACKGROUND

21. The COVID-19 pandemic has caused an unprecedented health challenge across the globe. The absence of an effective treatment or a vaccine combined with an exponential growth in infections have led many countries/ places to implement measures with far-reaching implications, including temporary border closures or stringent control measures, restrictions on non-essential travel, confinement and quarantine arrangements, with the objective of preventing the transmission of the disease from other places, and worse still, leading to a major community

outbreak. For Hong Kong, the Government has been implementing measures under the two-pronged strategy to reduce population mobility in and out of Hong Kong including imposing quarantine requirements on arrivals as well as to enhance social distancing in the community.

22. According to the World Health Organization, COVID-19 has been characterised as pandemic and may become just another endemic virus in our communities 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.

23. 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

24. In light of the outbreak in the Mainland in early 2020, we introduced Cap. 599C in early February 2020 which mandates all persons having stayed in the Mainland for any period during the 14 days preceding arrival in Hong Kong, regardless of nationality and travel documents used, except for exempted persons, to be subject to compulsory quarantine for 14 days. We subsequently sought the endorsement of the Chief Executive in Council on several separate occasions to enhance the provisions of the regulation by –

- (a) expanding the scope to cover returnees from the entire China (i.e. the Mainland, Macao and Taiwan);
- (b) expanding the scope of persons or categories of persons that may be exempted by the Chief Secretary for Administration (“CS”);
- (c) introducing a 2-tier regime by empowering SFH to specify place(s) in China other than Hong Kong which would remain subject to the compulsory quarantine arrangement and place(s) in China other than Hong Kong which are excluded from the arrangement if certain specified conditions are met, having regard to the extent of the spread of the disease 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;
- (d) empowering SFH to exclude certain specified categories of

persons arriving from certain Category 2 specified places in China from compulsory quarantine provided that they meet the specified conditions;

- (e) empowering SFH to specify the period for which persons who arrive at Hong Kong from a place in China other than Hong Kong and who have stayed in a certain place in China or a foreign place for a certain period immediately before their arrival at Hong Kong would need to undergo quarantine. SFH may specify different periods for different categories of persons and such a specified period must not exceed 28 days;
- (f) empowering SFH to specify the period during which a person mentioned in sub-paragraph (e) above has stayed in a certain place in China or a certain foreign place before his or her arrival at Hong Kong for determining whether the person has to be subject to quarantine requirements. SFH may specify different periods for different places and such a specified period must not exceed 28 days; and
- (g) extending the expiry date of the regulation (i.e. the regulation will now expire at midnight on 31 March 2021).

Cap. 599D

25. Cap. 599D took effect on 8 February 2020 and empowers a health officer to require a person to give any information that the officer 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. The person commits an offence if the person fails to comply with such a requirement or if the person knowingly gives to a health officer any information that is false or misleading in a material particular. A person also commits an offence if the person, when attended by a medical practitioner acting in the course of professional practice, knowingly gives to the medical practitioner any false or misleading information of the person that is relevant to the risk of exposure to or contracting the disease. To facilitate contact tracing work, the above powers are extended to authorized officers appointed by the Director of Health with effect from 22 August 2020.

Cap. 599E

26. As part of the border control measures to combat the global outbreak of the COVID-19, we introduced Cap. 599E in mid-March 2020 by imposing compulsory quarantine orders on all persons arriving from any place outside China, unless exempted. In June 2020, we introduced 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, having regard to the extent of the spread of the disease 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. In September 2020, Cap. 599E was further amended to empower SFH to exclude certain categories of persons specified by SFH arriving from certain Category 2 specified places outside China from compulsory quarantine provided that they meet the conditions specified by SFH. In December 2020, the regulation was amended to empower SFH to (a) specify the quarantine periods for persons arriving at Hong Kong from foreign places, having regard to, inter alia, the extent and pattern of the spread of the disease in the place(s) from which the persons arrive or the place(s) in which they have stayed before the arrival; and (b) specify the relevant period of such stay for determining whether the persons have to be subject to quarantine requirements. Such periods must not exceed 28 days.

Cap. 599F and Cap. 599G

27. We introduced Cap. 599F and Cap. 599G to impose social distancing measures in light of the outbreak situation in late March 2020. Cap. 599F was introduced to impose temporary measures on catering business and scheduled premises as follows –

- (a) amusement game centre;
- (b) bathhouse;
- (c) fitness centre;
- (d) place of amusement;
- (e) place of public entertainment;
- (f) premises (commonly known as party room) that are maintained or intended to be maintained for hire for holding social gatherings;
- (g) beauty parlour;
- (h) club-house;
- (i) establishment (commonly known as club or nightclub) that is open late into the night, usually for drinking, and dancing or other entertainment;
- (j) karaoke establishment;
- (k) mahjong-tin kau premises;
- (l) massage establishment;
- (m) sports premises (added in July 2020);
- (n) swimming pool (added in July 2020); and
- (o) hotel/guesthouse (added in November 2020).

28. As for Cap. 599G, it was introduced in late March 2020 to prohibit group gatherings of more than four persons in a public place during any

period not exceeding 14 days as specified by SFH by a notice published in the Gazette, except for a list of exempted group gatherings. The CS may permit certain group gatherings.

29. The number of persons allowed in a group gathering in a public place or at the Cap. 599F premises as well as the list of exempted group gatherings have been adjusted from time to time in response to the development of the epidemic situation. The cap was adjusted to eight persons in early May 2020 and subsequently 50 persons in mid-June 2020; decreased to four persons in mid-July 2020 and two persons in late July 2020 in response to the outbreaks under the third wave; and increased to four persons again in September 2020 after the third wave subsided. With the arrival of the fourth wave, the maximum number of persons allowed in group gatherings in public places and at the Cap. 599F premises was again reduced to two persons in December 2020. The exemption for religious activities held at religious premises and that for group gatherings during local tours were also removed while the number of persons allowed at each wedding ceremony and that allowed in each partitioned area at an annual general meeting or extraordinary general meeting were reduced under the same exercise.

Cap. 599H

30. Cap. 599H took effect on 15 July 2020. It empowers SFH to impose testing and quarantine conditions on travellers coming to Hong Kong from specified places to reduce the health risk they may bring to Hong Kong. Cap 599H was amended in December 2020 to empower SFH to specify the period during which a person has stayed at a particular place for determining whether the person has to be subject to the requirements imposed by SFH under Cap. 599H. SFH may specify different periods for different places. Such a specified period must not exceed 28 days.

31. To facilitate the public's understanding of the boarding and compulsory quarantine requirements under the relevant regulations for persons who have stayed in different places outside China, we have, since early February 2021, categorised the relevant risk-based boarding and compulsory quarantine requirements for the relevant specified places into three groups. Any person who has stayed in extremely high-risk Group A specified places (i.e. Brazil, Ireland, South Africa and the United Kingdom) for more than two hours on the day of boarding or during the 21 days before that day are not allowed to board for Hong Kong. For the very high-risk Group B specified places and the medium- to high-risk Group C specified places, all persons arriving in Hong Kong (either via the airport or land boundary control points) who have stayed in places outside China on the day of arrival in Hong Kong or during the 21 days before that day have to

undergo compulsory quarantine for 21 days in designated quarantine hotels. Persons arriving in Hong Kong who have stayed in Group B specified places also have to present prior to boarding proof of a negative result of a nucleic acid test for COVID-19 conducted within 72 hours before the scheduled time of departure of the aircraft. Currently, Group B specified places are Bangladesh, Belgium, Canada, Ecuador, Ethiopia, France, Germany, India, Indonesia, Kazakhstan, Nepal, Pakistan, the Philippines, Romania, Russia, Switzerland, Turkey, Ukraine, the United Arab Emirates and the United States of America while Group C specified places are all places except China which are neither Group A specified places nor Group B specified places.

Cap. 599I

32. Cap. 599I took effect on 15 July 2020. It empowers SFH to specify a period during which a person must wear a mask at all times when the person is boarding or on board a public transport carrier, or is entering or present in an MTR paid area. It has been amended to further empower SFH to impose such mask-wearing requirement on persons entering or present in specified public places.

ENQUIRIES

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

Food and Health Bureau
February 2021

**Compulsory Quarantine of Certain Persons Arriving at
Hong Kong (Amendment) Regulation 2021**

(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 24 February 2021.

**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
section 3.

3. Section 13 amended (expiry)

Section 13—

Repeal

“31 March”

Substitute

“30 September”.

Clerk to the Executive Council

COUNCIL CHAMBER

2021

Explanatory Note

This Regulation amends the Compulsory Quarantine of Certain Persons Arriving at Hong Kong Regulation (Cap. 599 sub. leg. C) to extend its expiry date from 31 March 2021 to 30 September 2021.

Prevention and Control of Disease (Disclosure of Information) (Amendment) Regulation 2021

(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 24 February 2021.

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 section 3.

3. Section 5 amended (expiry)

Section 5—

Repeal

“31 March”

Substitute

“30 September”.

Clerk to the Executive Council

COUNCIL CHAMBER

2021

Explanatory Note

This Regulation amends the Prevention and Control of Disease (Disclosure of Information) Regulation (Cap. 599 sub. leg. D) to extend its expiry date from 31 March 2021 to 30 September 2021.

**Compulsory Quarantine of Persons Arriving at Hong
Kong from Foreign Places (Amendment) Regulation
2021**

(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 24 February 2021.

**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 section 3.

3. Section 13 amended (expiry)

Section 13—

Repeal

“31 March”

Substitute

“30 September”.

Clerk to the Executive Council

COUNCIL CHAMBER

2021

Explanatory Note

This Regulation amends the Compulsory Quarantine of Persons Arriving at Hong Kong from Foreign Places Regulation (Cap. 599 sub. leg. E) to extend its expiry date from 31 March 2021 to 30 September 2021.

Prevention and Control of Disease (Requirements and Directions) (Business and Premises) (Amendment) Regulation 2021

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

Clerk to the Executive Council

1. Commencement

This Regulation comes into operation on 24 February 2021.

COUNCIL CHAMBER

2021

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

“31 March”

Substitute

“30 September”.

Explanatory Note

This Regulation amends the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599 sub. leg. F) to extend its expiry date from 31 March 2021 to 30 September 2021.

Prevention and Control of Disease (Regulation of Cross-boundary Conveyances and Travellers) (Amendment) Regulation 2021

(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 24 February 2021.

2. Prevention and Control of Disease (Regulation of Cross-boundary Conveyances and Travellers) Regulation amended

The Prevention and Control of Disease (Regulation of Cross-boundary Conveyances and Travellers) Regulation (Cap. 599 sub. leg. H) is amended as set out in section 3.

3. Section 9 amended (expiry)

Section 9—

Repeal

“31 March”

Substitute

“30 September”.

Clerk to the Executive Council

COUNCIL CHAMBER

2021

Explanatory Note

This Regulation amends the Prevention and Control of Disease (Regulation of Cross-boundary Conveyances and Travellers) Regulation (Cap. 599 sub. leg. H) to extend its expiry date from 31 March 2021 to 30 September 2021.

Prevention and Control of Disease (Prohibition on Group Gathering) (Amendment) Regulation 2021

(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 24 February 2021.

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 to 6.

3. Section 2 amended (interpretation)

Section 2, definition of *group gathering*—

Repeal

“2”

Substitute

“4”.

4. Section 10 amended (power to disperse prohibited group gathering etc. in public place)

Section 10(2), after “1.5 m”—

Add

“, and the total number of participants of the gatherings is more than 4”.

5. Section 16 amended (expiry)

Section 16—

Repeal

“31 March”

Substitute

“30 September”.

6. Schedule 2 amended (fixed penalty)

(1) Schedule 2, section 1, definition of *Authority*, paragraph (f)—

Repeal

“or”.

(2) Schedule 2, section 1, definition of *Authority*, paragraph (g)—

Repeal

“Services;”

Substitute

“Services; or”.

(3) Schedule 2, section 1, definition of *Authority*, after paragraph (g)—

Add

“(h) the Commissioner for Labour;”.

Clerk to the Executive Council

COUNCIL CHAMBER

2021

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) relax the number of persons constituting a “group gathering” prohibited under the principal Regulation from more than 2 to more than 4;
- (b) amend the provision in the principal Regulation on gatherings that may be dispersed so as to adjust the number of persons constituting such gatherings to more than 4 as well;
- (c) extend the expiry date of the principal Regulation from 31 March 2021 to 30 September 2021; and
- (d) amend the definition of *Authority* in Schedule 2 to the principal Regulation so as to enable the Commissioner for Labour to perform a function under that Schedule.

**Prevention and Control of Disease (Wearing of Mask)
(Amendment) Regulation 2021**

(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 24 February 2021.
2. **Prevention and Control of Disease (Wearing of Mask) Regulation amended**
The Prevention and Control of Disease (Wearing of Mask) Regulation (Cap. 599 sub. leg. I) is amended as set out in sections 3 and 4.
3. **Section 7 amended (expiry)**
Section 7—
Repeal
“31 March”
Substitute
“30 September”.
4. **Schedule 2 amended (fixed penalty)**
 - (1) Schedule 2, section 1, definition of *Authority*, paragraph (f)—
Repeal
“or”.
 - (2) Schedule 2, section 1, definition of *Authority*, paragraph (g)—
Repeal

“Services;”

Substitute

“Services; or”.

- (3) Schedule 2, section 1, definition of *Authority*, after paragraph (g)—

Add

“(h) the Commissioner for Labour;”.

Clerk to the Executive Council

COUNCIL CHAMBER

2021

Explanatory Note

This Regulation amends the Prevention and Control of Disease (Wearing of Mask) Regulation (Cap. 599 sub. leg. I) (*principal Regulation*) to—

- (a) extend the expiry date of the principal Regulation from 31 March 2021 to 30 September 2021; and
- (b) amend the definition of *Authority* in Schedule 2 to the principal Regulation so as to enable the Commissioner for Labour to perform a function under that Schedule.