

**L.N. 242 of 2020**

**Prevention and Control of Disease (Wearing of Mask)  
(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 11 December 2020.

**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 6 amended (offences)**

(1) Section 6(1)—

**Repeal**

“level 2”

**Substitute**

“level 3”.

(2) Section 6(2)—

**Repeal**

“level 2”

**Substitute**

“level 3”.

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Section 4

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**4. Section 6A amended (fixed penalty in discharge of liability under section 6(1))**

Section 6A(1)—

**Repeal**

“\$2,000”

**Substitute**

“\$5,000”.

Wendy LEUNG  
Clerk to the Executive Council

COUNCIL CHAMBER

4 December 2020

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### Explanatory Note

The Prevention and Control of Disease (Wearing of Mask) Regulation (Cap. 599 sub. leg. I) (*principal Regulation*) requires a person to wear a mask at all times on a public transport carrier or in a specified public place and provides that—

- (a) a person who contravenes the statutory requirement to wear a mask commits an offence and is liable on conviction to a fine (*fine for failing to wear a mask*); and
- (b) if an authorized public officer gives a penalty notice to the person, the person may discharge liability for the offence by paying a fixed penalty.

2. The principal Regulation also provides that—

- (a) an authorized person may require a person who contravenes the statutory requirement to wear a mask to disembark from the public transport carrier or leave the specified public place; and
- (b) a person who, without reasonable excuse, fails to comply with the requirement made by the authorized person commits an offence and is liable on conviction to a fine (*fine for failing to comply with an authorized person's requirement*).

3. This Regulation amends the principal Regulation to—

- (a) increase the fine for failing to wear a mask from level 2 (i.e. \$5,000) to level 3 (i.e. \$10,000);
- (b) increase the fixed penalty from \$2,000 to \$5,000; and

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- (c) increase the fine for failing to comply with an authorized person's requirement from level 2 (i.e. \$5,000) to level 3 (i.e. \$10,000).