

**L.N. 243 of 2020**

**Prevention and Control of Disease (Compulsory Testing  
for Certain Persons) (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 11 December 2020.

**2. Prevention and Control of Disease (Compulsory Testing for  
Certain Persons) Regulation amended**

The Prevention and Control of Disease (Compulsory Testing  
for Certain Persons) Regulation (Cap. 599 sub. leg. J) is  
amended as set out in sections 3, 4 and 5.

**3. Section 8 amended (non-compliance with compulsory testing  
direction)**

Section 8(1)—

**Repeal**

“level 1”

**Substitute**

“level 3”.

**4. Section 13 amended (non-compliance with compulsory testing  
notice)**

Section 13(1)—

**Repeal**

“level 1”

Prevention and Control of Disease (Compulsory Testing for Certain Persons)  
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Section 5

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**Substitute**

“level 3”.

**5. Section 24 amended (fixed penalty in discharge of liability under section 8(1) or 13(1))**

Section 24(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 (Compulsory Testing for Certain Persons) Regulation (Cap. 599 sub. leg. J) (*principal Regulation*) provides that—

- (a) a person who fails to comply with a requirement under a compulsory testing direction issued by a registered medical practitioner or a requirement under a compulsory testing notice published by the Secretary for Food and Health in the Gazette commits an offence and is liable on conviction to a fine; and
  - (b) if a prescribed officer gives a penalty notice to the person, the person may discharge liability for the offence by paying a fixed penalty.
2. This Regulation amends the principal Regulation to—
- (a) increase the fine from level 1 (i.e. \$2,000) to level 3 (i.e. \$10,000); and
  - (b) increase the fixed penalty from \$2,000 to \$5,000.