

**L.N. 259 of 2020**

**Compulsory Quarantine of Certain Persons Arriving at  
Hong Kong (Amendment) (No. 9) 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 24 December 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 8.

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

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

**Repeal**

“the period of 14 days mentioned in section 3(1)”

**Substitute**

“a period specified under section 11A(1)”.

(2) Section 2—

**Add in alphabetical order**

“*Secretary* (局長) means the Secretary for Food and  
Health;”.

Section 4

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

(1) Section 3(1)—

**Repeal**

“period of 14 days beginning”

**Substitute**

“quarantine period specified for the category of persons within which the person falls that begins”.

(2) Section 3(9)—

**Repeal the definition of *relevant period***

**Substitute**

“*relevant period* (有關期間), in relation to a place in which a person who arrives at Hong Kong has stayed before the arrival, means the day of arrival and a period specified under section 11A(3) for that place that precedes the day of arrival.”.

**5. Section 10 amended (cancellation of quarantine order)**

Section 10(1A)(b)—

**Repeal**

“of not less than 14 days administered by the authority”

**Substitute**

“administered by the authority of a period that is not shorter than the quarantine period under the quarantine order”.

**6. Section 11A added**

After section 11—

**Add**

**“11A. Secretary may specify quarantine period etc.**

- (1) For the purposes of section 3(1), the Secretary may, by notice published in the Gazette, specify a period for persons who arrive at Hong Kong from a place in China other than Hong Kong (*relevant persons*).
- (2) For the purposes of subsection (1), the Secretary may specify different periods for different categories of relevant persons.
- (3) For the purposes of the definition of *relevant period* in section 3(9), the Secretary may, by notice published in the Gazette, specify a period for a place in which any of the relevant persons has stayed before the arrival.
- (4) For the purposes of subsection (3), the Secretary may specify different periods for different places.
- (5) A period specified under subsection (1) or (3) must not exceed 28 days.
- (6) A notice published under subsection (1) or (3) is not subsidiary legislation.
- (7) Before exercising the power conferred by subsection (1) or (3), the Secretary must have regard to—
  - (a) the extent and pattern (whether general or specific) of the spread of the specified disease in the place—
    - (i) from which the relevant persons arrive; or
    - (ii) in which any of the relevant persons has stayed before the arrival; and
  - (b) the public health risk posed to Hong Kong by the relevant persons.”.

Section 7

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7. **Section 12 amended (Secretary for Food and Health may specify places in China and conditions)**
- (1) Section 12, heading—  
**Repeal**  
“for Food and Health”.
- (2) Section 12(1)—  
**Repeal**  
“for Food and Health (*Secretary*)”.
- (3) Section 12(4)(a), after “extent”—  
**Add**  
“and pattern (whether general or specific)”.
8. **Section 12A amended (Secretary for Food and Health may specify categories of persons)**
- (1) Section 12A, heading—  
**Repeal**  
“for Food and Health”.
- (2) Section 12A(1)—  
**Repeal**  
“for Food and Health (*Secretary*)”.

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Wendy LEUNG  
Clerk to the Executive Council

COUNCIL CHAMBER

23 December 2020

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## Explanatory Note

The Compulsory Quarantine of Certain Persons Arriving at Hong Kong Regulation (Cap. 599 sub. leg. C) (*principal Regulation*) provides that a person who arrives at Hong Kong from a place in China other than Hong Kong (*relevant person*) must be placed under quarantine for a certain period (*quarantine period*) beginning on the day of arrival if the relevant person has stayed in certain places in China or foreign places during the day of arrival and a certain period (*specified period*) that precedes the day of arrival. Currently, both the quarantine period and the specified period are 14 days.

2. This Regulation amends the principal Regulation to empower the Secretary for Food and Health (*Secretary*) to specify—
  - (a) different quarantine periods for different categories of relevant persons; and
  - (b) different specified periods for different places in which any of the relevant persons has stayed before the arrival.
3. A quarantine period or specified period so specified must not exceed 28 days.
4. The Regulation also tightens one of the conditions for cancellation of a quarantine order under section 10(1A) of the principal Regulation so that a person against whom a quarantine order is made must produce a certificate issued by a public authority in the Mainland or Macao certifying that the person completed, on the day of the person's arrival at Hong Kong or the day before, a quarantine of a period that is not shorter than the quarantine period under the order.

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5. The Regulation also revises the factors to which the Secretary must have regard before exercising the powers under section 12 of the principal Regulation so that the Secretary must also have regard to the pattern (whether general or specific) of the spread of the coronavirus disease 2019 (COVID-19) in a place.