

**L.N. 103 of 2021**

**Prevention and Control of Disease (Prohibition on Group Gathering) (Amendment) (No. 4) 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 June 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 7.

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

Section 2—

**Repeal the definition of *qualified person***

**Substitute**

“*qualified person* (合資格人士) means a person who meets any set of conditions specified under section 5B(1);”.

**4. Section 5A amended (interpretation of Part 3)**

(1) Section 5A, definition of *qualified persons’ gathering*—

**Repeal**

“or 18”

**Substitute**

“, 18 or 20”.

Section 5

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- (2) Section 5A, definition of *qualified persons' gathering*—

**Repeal the Note**

**Substitute**

“**Note without legislative effect**—

For ease of reference—

- (a) item 9B of Part 1 of Schedule 1 relates to wedding ceremonies;
- (b) item 11A of Part 1 of Schedule 1 relates to certain meetings of bodies and shareholders' meetings;
- (c) item 18 of Part 1 of Schedule 1 relates to religious activities; and
- (d) item 20 of Part 1 of Schedule 1 relates to certain tours.”.

**5. Section 5B amended (Secretary may specify conditions regarding qualified persons)**

- (1) Section 5B(1)(f), after “factors”—

**Add**

“(whether related to the person or not)”.

- (2) After section 5B(1)—

**Add**

“(1A) Without limiting subsection (1)(f), the Secretary may specify a condition under subsection (1) by reference to whether a certain proportion of persons participating in the group gathering concerned has met any other condition specified under subsection (1).”.

**6. Section 7 amended (defence for offence under section 6)**

- (1) Section 7(3), definition of *exempted qualified persons' gathering*—

**Repeal**

Section 7

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“or 18”

**Substitute**

“, 18 or 20”.

- (2) Section 7(3), definition of *exempted qualified persons’ gathering*—

**Repeal the Note**

**Substitute**

“**Note without legislative effect**—

For ease of reference—

- (a) item 9B of Part 1 of Schedule 1 relates to wedding ceremonies;
- (b) item 11A of Part 1 of Schedule 1 relates to certain meetings of bodies and shareholders’ meetings;
- (c) item 18 of Part 1 of Schedule 1 relates to religious activities; and
- (d) item 20 of Part 1 of Schedule 1 relates to certain tours.”.

**7. Schedule 1 amended (exempted group gatherings)**

- (1) Schedule 1, Part 1—

**Repeal items 9A and 9B**

**Substitute**

“9A. Group gathering that satisfies the following conditions—

- (a) the gathering is held during a wedding ceremony at which no food or drink is served (except as part of a religious ritual); and

Section 7

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- (b) the number of participants in the gathering is restricted to not more than 50% of the number of persons that may normally be accommodated on the premises as a place for wedding ceremony

9B. Group gathering that satisfies the following conditions—

- (a) the gathering is held during a wedding ceremony at which no food or drink is served (except as part of a religious ritual);
- (b) each of the participants in the gathering is a qualified person; and
- (c) the number of participants in the gathering is restricted to not more than 100% of the number of persons that may normally be accommodated on the premises as a place for wedding ceremony”.

(2) Schedule 1, Part 1—

**Repeal item 11**

**Substitute**

“11. Group gathering that satisfies the following conditions—

- (a) the gathering is held during a specified business meeting at which no food or drink is served; and
- (b) the number of participants in the gathering is restricted to not more than 50% of the number of persons that may normally be accommodated on the premises as a place of meeting”.

Section 7

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- (3) Schedule 1, Part 1, item 11A(b)—  
**Repeal the semicolon**  
**Substitute**  
“; and”.
- (4) Schedule 1, Part 1, item 11A—  
**Repeal paragraph (c)**  
**Substitute**  
“(c) the number of participants in the gathering is restricted to not more than 100% of the number of persons that may normally be accommodated on the premises as a place of meeting”.
- (5) Schedule 1, Part 1, item 11A—  
**Repeal paragraph (d).**
- (6) Schedule 1, Part 1, item 17(c)—  
**Repeal**  
“30%”  
**Substitute**  
“50%”.
- (7) Schedule 1, Part 1, item 18(d)—  
**Repeal**  
everything after “restricted to”  
**Substitute**  
“not more than 100% of the number of persons that may normally be accommodated on the premises as a place of worship”.
- (8) Schedule 1, Part 1—  
**Add**

- “20. Group gathering of not more than 100 persons—
- (a) during a tour—
    - (i) organized by a licensee; and
    - (ii) registered with the Travel Industry Council of Hong Kong; and
  - (b) in which each of the participants in the gathering is a qualified person,  
except when taking place at any Cap. 599F premises”.
- (9) Schedule 1, Part 2, section 1—

**Repeal the definitions of *indoor* and *outdoor*.**

Wendy LEUNG  
Clerk to the Executive Council

COUNCIL CHAMBER

22 June 2021

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### **Explanatory Note**

This Regulation amends the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (Cap. 599 sub. leg. G) to—

- (a) expressly provide that the Secretary for Food and Health may specify conditions for classifying a person as a qualified person by reference to whether a certain proportion of persons participating in the group gathering concerned has met any other specified condition;
- (b) relax the conditions for the exemption for group gatherings during wedding ceremonies, certain meetings or religious activities; and
- (c) provide for an additional exempted group gathering, namely, group gatherings during certain tours if all the participants meet the specified conditions.