

L.N. 126 of 2021

Prevention and Control of Disease (Requirements and Directions) (Business and Premises) (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 22 July 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 sections 3 to 7.

3. Section 2 amended (interpretation)

(1) Section 2, English text, definition of *specified disease*—

Repeal the full stop

Substitute a semicolon.

(2) Section 2—

Add in alphabetical order

“*event premises* (活動場所) means the premises set out in item 17 of Part 1 of Schedule 2;

organizer (組織者), in relation to a specified event, means a person who organizes the event;

specified event (指明活動) means an event (including a meeting, forum, symposium, exhibition, ceremonial event and celebratory event) that satisfies the following conditions—

- (a) the organizer of the event adopts access control measures to check the persons who intend to enter the event premises for their authority or eligibility for being present at the event;
- (b) only the following persons are present at the event—
 - (i) the organizer;
 - (ii) any person who provides services in relation to the event; and
 - (iii) any person who—
 - (A) attends the event pursuant to an invitation to do so made by or on behalf of the organizer specifically to the person or a particular group of persons to which the person belongs;
 - (B) attends the event pursuant to a prior acceptance by or on behalf of the organizer of the person's offer or request to attend the event;
 - (C) attends the event as a representative of a body or organization that was specifically invited by or on behalf of the organizer to send representatives to attend the event; or

(D) holds a permit to attend the event given by or on behalf of the organizer before the commencement of the event; and

(c) the event is not an exempted group gathering (as defined by section 2 of the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (Cap. 599 sub. leg. G)).”.

4. Section 9 amended (manager of scheduled premises must comply with directions of Secretary)

(1) Section 9, heading, after “premises”—

Add

“and organizer of specified event”.

(2) Section 9(1), after “scheduled premises”—

Add

“(other than event premises), or the organizer of a specified event held on event premises,”.

(3) Section 9(2), after “manager”—

Add

“or an organizer”.

5. Section 9AAB amended (powers of managers and police officers as regards directions for scheduled premises)

Section 9AAB(5)—

Repeal the definition of *manager*

Substitute

“*manager* (管理人) includes—

- (a) in relation to scheduled premises that are event premises, the organizer of the specified event for which the premises are for the time being used; and
- (b) a person authorized by a manager or an organizer referred to in paragraph (a) for the purposes of this section.”.

6. Section 12 amended (powers to enter and inspect specified premises)

After section 12(1)(b)—

Add

- “(ba) require the organizer of a specified event held on event premises—
- (i) to produce a book, document or any other article in the organizer’s possession that relates to the event; or
 - (ii) to furnish any information in the organizer’s possession that relates to the event;”.

7. Schedule 2 amended (scheduled premises)

(1) Schedule 2, Part 1—

Add

“17. Premises that—

- (a) are not—
 - (i) private premises; or
 - (ii) a place of public entertainment; and

(b) are for the time being used, with the consent of the owner, manager or tenant of the premises, for holding a specified event”.

(2) Schedule 2, Part 2, section 1—

Add in alphabetical order

“*private premises* (私人處所) means any premises to which the public may not, or are not permitted to, have access from time to time (whether by payment or otherwise);”.

Wendy LEUNG
Clerk to the Executive Council

COUNCIL CHAMBER

20 July 2021

Explanatory Note

This Regulation amends the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599 sub. leg. F) (*principal Regulation*) to—

- (a) add certain premises (*event premises*) that are used for holding an event in which only certain specified persons are present (*specified event*) to Part 1 of Schedule 2 to the principal Regulation;
- (b) provide that the organizer of a specified event held on event premises must comply with the directions issued by the Secretary for Food and Health under the principal Regulation; and
- (c) empower the organizer to—
 - (i) require persons who enter, or are present on, the event premises to provide records, documents or information that is necessary for securing compliance with the directions; and
 - (ii) inspect and examine such records, documents or information.