

Latest directions under Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation and Prevention and Control of Disease (Prohibition on Group Gathering) Regulation

With the joint efforts of the healthcare sector and the community since early this year, the various public health measures that aim to enhance social distancing and border control have begun to deliver results. As a result, the number of confirmed cases in Hong Kong appears to have stabilised in recent days. Nevertheless, the COVID-19 pandemic remains severe and volatile around the globe. With a view to safeguarding against any sudden turn in the COVID-19 situation in Hong Kong that may foil achievements thus far, the Secretary for Food and Health (SFH) will extend the measures under the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (the Regulation) (Cap. 599F) and the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (Cap. 599G) by two weeks. At the same time, the requirements on regulating catering business will be streamlined.

In accordance with Cap. 599F and Cap. 599G, the SFH has issued the latest directions through notices in the Gazette today (April 21) to:

- (1) suspend the requirement for the number of customers in catering business premises at any one time to not exceed 50 per cent of the normal seating capacity of the premises; and
- (2) extend all other implemented requirements regarding catering business, scheduled premises and prohibition of group gathering by 14 days to be effective from 0.00am on April 24, 2020, till May 7, 2020.

A summary of the latest directions is in the Annex.

A spokesperson for the Food and Health Bureau reminded the persons responsible for carrying on catering business and the managers of scheduled premises that contravening the above requirements would be a criminal offence. Offenders are subject to a maximum fine of \$50,000 and imprisonment for six months.

Separately, any person who participates in a prohibited group gathering; organises a prohibited group gathering; owns, controls or operates the place of the gathering; and knowingly allows the taking place of the gathering, commits an offence. Offenders are liable to a maximum fine of

\$25,000 and imprisonment for six months. Persons who participate in a prohibited group gathering may discharge liability for the offence by paying a fixed penalty of \$2,000.

As at 0.00am on April 20, a total of 35 persons responsible for catering or scheduled premises had been prosecuted for operating in contravention of the regulations or failing to comply with the operational directions under Cap. 599F. In particular, one of the persons responsible for carrying on the business of a bar in contravention of the Regulation had been sentenced to one week's imprisonment by the court. As for the prohibition of group gathering, enforcement departments issued 131 fixed penalty tickets in accordance with Cap. 599G against persons participating in prohibited group gatherings, and instituted prosecution against three suspected cases of organising prohibited group gatherings. Departments will continue to carry out inspections and ensure operators of premises and members of the public comply with the regulations.

The spokesperson said that the above directions could help further enhance social distancing. The Government has been reviewing the feasibility of relevant measures and will make timely adjustments in view of the latest developments of the disease.

Transcript of remarks by CE at media session (with video)

Following is the transcript of remarks by the Chief Executive, Mrs Carrie Lam, at a media session today (April 21):

Reporter: Good morning, a few questions. First question regarding the press releases concerning the Liaison Office, did the Liaison Office or any Mainland officials got involved or order the changes of the press release? And if it's a mistake to say that the Liaison Office is regulated by Article 22, why has the Government been making this mistake for so long without correcting itself over the years? Second question, why should the Liaison Office be exempt from paying stamp duties for the hundreds of properties it bought in Hong Kong when it says it's not a department of the Central Government? And will the Government recover that sum of money? Third question regarding the extension of the social distancing measures for another two weeks, why are we extending these measures for longer when we are only seeing very few cases in recent days, even zero new cases yesterday, and is it really taking a good balance between fighting the epidemic and keeping society running because many businesses have already been closed for quite a while and they are losing money as the days go by? Thank you very much.

Chief Executive: Of the three questions, first of all, I don't think it is

very meaningful to talk about the process or the internal process leading to the issue of press release. What is important is the crux of the matter. The crux of the matter is Hong Kong is facing a serious situation as far as the Legislative Council House Committee is concerned. After a period of six months, 15 meetings and hours of discussion, we are still not able to have a Chairman of the House Committee to enable us to take through the various legislative proposals. So that is the crux of the matter.

The second point is, of course, throughout the years I do confess that the Government's expression of the position on this particular issue has not been clear and consistent. But it is now all very clarified. It was clarified by me last Tuesday from various perspectives and it is now clarified by the Government statement, which said very clearly that it is erroneous to treat the Liaison Office of the Central People's Government as an office set up by one of the departments of the Central Government because the Liaison Office is representing the Central People's Government to oversee matters of Hong Kong. But I have to stress that doesn't mean that the Liaison Office is interfering into Hong Kong's affairs, especially those affairs which fall within our high degree of autonomy because that high degree of autonomy also comes from the Central Government and is well enshrined in the Basic Law.

Now the second point about exemption of properties purchased by the Liaison Office from the stamp duty, it is laid down in the law. I suspect before 1997, it is equally applicable to the UK Government. Under the Stamp Duty Ordinance Section 41(1), all the Central Government, Hong Kong SAR Government and statutory bodies in the name of the public offices like the Financial Secretary Incorporated (FSI), they are not required to pay the stamp duty without any conditions attached to it. That's a legal position and that legal position has been explained previously in Legislative Council. So there is nothing new. This also indicates that we do have people who want to rouse public controversy by digging out old issues and try to rehash them again.

About the social distancing measures, this is indeed a very difficult balancing act. You are right that, on one hand, we want to fight the virus to keep our citizens safe. But on the other hand, if the city is dead, it doesn't have any business, people do not have normal activities, that becomes also very difficult. So in striking this balance we have to, first of all, take science as a basis. I'm sure you remember time and again whenever I talk about our anti-pandemic work, I said that we have the advice of the experts, the four experts appointed to the expert advisory panel. Secondly is really to assess the risks. And thirdly is to evaluate the impact on the business, on the economy, on the social living and so on. I have come to this view, together with the advice of the experts and my colleagues, that for the time being, the better balance to be struck and the safer approach to ensure all the successes that Hong Kong have achieved over the last three months will not be wasted, is to extend these social distancing measures for another 14 days, which would take us to the first week in May. Of course, meanwhile, we will closely monitor the situation. The reason why we could more readily take this position as far as impact on business is concerned is because we will immediately roll out those measures approved by the Legislative Council

Finance Committee last Saturday. For example, you will have heard about a 100 per cent loan guarantee scheme, which has started to receive applications yesterday. I was told that 300 applications have been received by the banks and ten have already been approved by the Hong Kong Mortgage Corporation. So we are using that sort of speed to help the business to stay afloat, while they will have to tolerate the impact of these social distancing measures.

(Please also refer to the Chinese portion of the transcript.)

Non-residential electricity accounts benefit from extension of electricity charges subsidy and residential electricity accounts receive both electricity charges relief and subsidy

A spokesman for the Environment Bureau (ENB) said today (April 21) that under the relief measures for electricity charges provided by the Government, nearly 90 per cent of the total eligible non-residential electricity bills obtained a 75 per cent subsidy for their billed electricity charges in March while about 40 per cent of the residential electricity accounts, representing about 1 million households, enjoyed zero electricity charges in the first quarter of this year.

Support enterprises

The Government announced last December some \$2.3 billion in provisions to provide an electricity charge subsidy to each eligible non-residential electricity account holder to cover 75 per cent of their monthly billed electricity charges based on their electricity consumption for four months, subject to a monthly cap of \$5,000. The Budget further provided \$2.9 billion to extend the subsidy period from four months to eight months.

According to the bills issued by the two power companies in March, about 360 000 non-residential bills obtained a 75 per cent subsidy. This is close to 90 per cent of the total eligible non-residential tariff bills.

Relieve people's burden

In addition, to balance the impact on people's livelihood of the recent transition to cleaner electricity generating systems in Hong Kong, the ENB implemented the electricity charges relief scheme in January 2019. A monthly electricity charge relief of \$50 has been granted to each eligible residential electricity account for a period of 60 months. The relief scheme

involves a government expenditure of about \$8.7 billion. To help the public cope with the challenging economic environment, the Government has implemented a new round of one-off electricity charge subsidy schemes in January this year. A subsidy of \$160 will be credited to each residential electricity account from January to November this year, while \$240 will be credited in December this year. This one-off measure involves a government expenditure of about \$5.6 billion.

Starting from early this year, over 2.7 million of eligible households are benefiting from both the electricity charges relief measures and the electricity charges subsidy. The bills of the two power companies indicated that about 40 per cent of the residential electricity accounts, representing about 1 million households, enjoyed zero electricity charges.

The ENB spokesman called on the community to, apart from focusing on supporting enterprise and relieving people's burden, cherish environmental resources including saving energy and electricity to mitigate climate change and improve air quality, with a view to protecting environment and public health.

Government explains reasons for issue of press releases

In response to the confusion caused by the issue of three press releases on April 18 and 19 relating to the recent remarks made by the Hong Kong and Macao Affairs Office of the State Council (HKMAO) and the Liaison Office of the Central People's Government in the Hong Kong Special Administrative Region (LOCPG), a spokesman for the Constitutional and Mainland Affairs Bureau gives the following explanations today (April 20):

"In the afternoon of April 18, the first press release titled 'Government responds to media enquiries on remarks by HKMAO and LOCPG' was issued. As the sentence 'the LOCPG is one of the three organisations set up by the Central Government in accordance with Article 22(2) of the Basic Law' is factually inaccurate, a revised press release was issued to the media to supersede the first one in the evening of the same day."

"Article 22(2) of the Basic Law stipulates that if there is a need for departments of the Central Government, or for provinces, autonomous regions, or municipalities directly under the Central Government to set up offices in the Hong Kong Special Administrative Region, they must obtain the consent of the government of the Region and the approval of the Central People's Government."

"The Xinhua News Agency (Hong Kong Branch), the antecedent of LOCPG, was

founded in May 1947. It had all along discharged relevant responsibilities in Hong Kong as the representative office authorised by the Central People's Government (CPG). The Agency continued to operate as an office authorised by the CPG after Hong Kong's return to the Motherland. In December 1999, the State Council decided to change the name of 'Xinhua News Agency (Hong Kong Branch)' to 'Liaison Office of the Central People's Government in the Hong Kong Special Administrative Region'. Hence, the Liaison Office was not set up in accordance with Article 22(2) of the Basic Law."

"The objective of the third press release issued subsequently at midnight on April 19 is to elaborate on the amendment, and at the same time to clarify that the Office of the Commissioner of the Ministry of Foreign Affairs of the People's Republic of China in the HKSAR (OCMFA) was established in accordance with Article 13 of the Basic Law, while the Chinese People's Liberation Army Hong Kong Garrison (the Garrison) was stationed in the HKSAR in accordance with Article 14 of the Basic Law."

"All offices set up in the HKSAR by the Central Government and their personnel, including LOCPG, OCMFA and the Garrison shall act in accordance with the principle of 'one country, two systems', strictly abide by the Basic Law and the laws of the HKSAR, and discharge their duties in accordance with the laws."

"The LOCPG is authorised by the CPG to handle issues relating to Hong Kong. It is entrusted with the authority and responsibility to represent the CPG to express views and exercise supervisory power on major issues such as those concerning the relationship between the CPG and the SAR, the accurate implementation of the Basic Law, the proper operation of the political system and the well-being of the community as a whole. Discharging such duties does not constitute any interference with the affairs which the HKSAR administers on its own in accordance with the Basic Law."

Missing girl in Kowloon City located

A foreign girl who went missing in Kowloon City has been located.

Lovejot Kaur, aged 14, went missing after she was last seen in a playground on Ha Heung Road on March 29 evening. Her family made a report to Police on the next day (March 30).

The girl was located on Hoi Wing Road, Tuen Mun this afternoon (April 20).