

FEHD takes stringent enforcement action relating to anti-epidemic regulations

The Food and Environmental Hygiene Department (FEHD) today (February 23) reminded catering business operators and managers of places of public entertainment again to remain vigilant and strictly comply with the directions under the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F). The FEHD will continue to inspect catering premises and places of public entertainment, and take stringent enforcement action against offenders.

The FEHD initiated procedures on prosecution against one catering business operator in Sham Shui Po and another one in Mong Kok suspected of breaching the requirements under the Regulation (relating to mask-wearing and distance or partitioning between tables) respectively on February 19 and February 20. Since the relevant requirements or restrictions were not adopted, on the subsequent day of being identified by the enforcement agent, corresponding measures for reducing the risk of transmission (i.e. selling or supplying food or drink for consumption on the premises must be ceased from 6pm to 4.59am of the subsequent day, and no more than two persons may be seated together at one table) had to be taken by the premises for periods of three and seven days respectively.

In addition, the FEHD also initiated procedures on prosecution on February 18 against an operator of a place of public entertainment in Kwun Tong suspected of breaching the requirements under the Regulation (relating to body temperature screening and proper display of the "LeaveHomeSafe" venue QR code). Since the relevant requirements or restrictions were not adopted, on the subsequent day of being identified by the enforcement agent the premises concerned had to take corresponding measures for reducing the risk of transmission (i.e. closure of the premises for 14 days). As the premises operator was suspected of keeping a place of public entertainment without a licence, the FEHD initiated procedures on prosecution against the person pursuant to the Places of Public Entertainment Ordinance (Cap. 172).

The FEHD later inspected the premises in Kwun Tong again on February 19 and found that the operator had not closed the premises, as required by the Regulation. The FEHD therefore initiated procedures on prosecution against the premises operator again pursuant to the Regulation.

According to the current directions issued by the Secretary for Food and Health in relation to catering premises under the Regulation, from February 18 to March 3, if a person responsible for carrying on a catering business adopts a series of infection control measures, the premises can provide dine-in service until 9.59pm and no more than four persons may be seated together at one table. Some of the scheduled premises such as places of public entertainment may be open when the relevant requirements and restrictions are

fulfilled. If a person responsible for carrying on a catering business or scheduled premises contravenes the regulations under the Regulation, he or she is liable to prosecution and, upon conviction, to a maximum fine of \$50,000 and imprisonment for six months.

In addition, under section 4(1) of the Places of Public Entertainment Ordinance (Cap. 172), without a licence granted, no person shall keep or use any place of public entertainment. Offenders are liable to be prosecuted, and upon conviction to a maximum fine at level 4 (\$25,000) and imprisonment for six months, and, for a continuing offence, a fine of \$2,000 for every day.

To minimise the risk of transmission of COVID-19, the spokesman strongly appealed to catering business operators and managers of places of public entertainment to comply with the relevant Regulation on prevention and control of disease in a concerted and persistent manner. The spokesman also reminded the operators concerned and the public to exercise self-discipline and co-operate to fight the virus together.