

Government announces implementation arrangements for Vaccine Pass

The Vaccine Pass arrangement will be implemented in all catering business and scheduled premises from February 24. The Government announced today (February 21) the detailed implementation arrangements.

The Secretary for Food and Health (SFH) issued "Vaccine Pass direction" (the Direction) in accordance with the Prevention and Control of Disease (Vaccine Pass) Regulation (Cap. 599L) which provides that from February 24 onwards, the Vaccine Pass will be applicable to (1) all catering business premises; and (2) scheduled premises specified in the Direction under the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F). The Direction sets out the requirements of Vaccine Pass on the persons-in-charge and staff of the premises and visitors. The current epidemic situation in Hong Kong is of grave concern. The implementation of Vaccine Pass is one of the tightened social distancing measures which can at the same time further strengthen Hong Kong's anti-epidemic capability and does not mean that the relevant premises may reopen. Social distancing measures, including restrictions for individual premises under Cap. 599F, which will take effect from February 24 will be announced subsequently by the Government in due course.

Specified premises under Vaccine Pass

Starting from February 24, the Vaccine Pass is applicable to the following specified premises: all catering business premises (including bars or pubs), amusement game centres, bathhouses, fitness centres, places of amusement, places of public entertainment, party rooms, beauty parlours and massage establishments, clubs or nightclubs, karaoke establishments, mahjong-tin kau premises, club houses, sports premises, swimming pools, cruise ships, event premises, religious premises, barber shops or hair salons, shopping malls, department stores, supermarkets, markets, and hotels or guesthouses (only applicable to staff members).

Vaccine Pass requirements

Under the Vaccine Pass arrangement, all persons entering or remaining on specified premises must comply with the COVID-19 vaccination requirements as set out in the Annex, except under exempted scenarios. Exempted scenarios include:

- (1) children aged under 12;
- (2) holders of the COVID-19 Vaccination Medical Exemption Certificate (Exemption Certificate);
- (3) for the only purpose of making purchase or taking of takeaway food or drinks;

- (4) for the only purpose of delivering or picking up of an article;
- (5) performing necessary repairs;
- (6) receiving vaccination or medical treatment, or undergoing a specified test;
- (7) receiving essential government service;
- (8) participating in legal proceedings; or
- (9) other scenarios with lawful authority or reasonable excuse.

The COVID-19 vaccination requirements of the Vaccine Pass will be implemented in three stages:

(1) The first stage will be implemented from February 24 to April 29. Persons aged 12 or above are required to receive at least one dose of COVID-19 vaccine in order to use the Vaccine Pass to enter specified premises.

(2) The second stage will be from April 30 to June 29. Persons aged 18 or above are required to receive at least two doses of COVID-19 vaccine to continue to use the Vaccine Pass. The vaccination requirement for persons aged 12 to 17 remains the same as in the first stage.

(3) The third stage will commence from June 30. By then, if persons aged 18 or above have received their second dose of COVID-19 vaccine for less than nine months, their Vaccine Pass remains valid. However, if they have received their second dose for at least nine months, then they would need to receive a third dose to continue to use the Vaccine Pass. For persons aged 12 to 17, if they have received their first dose of COVID-19 vaccine for less than six months, they can still use the Vaccine Pass. Yet, if they have received their first dose for at least six months, they are required to receive a second dose to continue to use the Vaccine Pass.

Implementing the Vaccine Pass in stages provides members of the public with ample time to receive a second or third dose of vaccine. As for recovered COVID-19 patients aged 12 or above, their vaccination requirements will depend on their date of discharge or recovery.

The above Vaccine Pass requirements are applicable to all persons, including staff members, customers, users, visitors, etc., unless there are separate requirements for individual premises or categories of persons. If individual persons are subject to separate vaccination requirements under any directions issued pursuant to Cap. 599F, the relevant directions shall prevail.

Requirements on carrying, presenting and recording Vaccine Pass

Under the Vaccine Pass arrangement, except for scenarios with exemption, all persons entering or remaining on any specified premise are required to carry an electronic version or a paper copy of their COVID-19 vaccination record or Exemption Certificate, and present it as required by law enforcement officers during spot checks or other enforcement actions.

As for whether presentation of the Vaccine Pass is required for entry

into specified premises, the said premises will be classified into two categories for implementation, i.e. premises subject to "active checking" and premises subject to "passive checking". Premises subject to "passive checking" include shopping malls, department stores, supermarkets and markets; all remaining specified premises except hotels and guesthouses are subject to "active checking".

All persons entering premises subject to "active checking" are required to actively present to the person-in-charge of the premises their vaccination record or Exemption Certificate and the relevant QR code, including that saved in "LeaveHomeSafe" mobile application or shown on mobile applications such as "iAM Smart" or "eHealth", or the QR code shown on their paper vaccination record.

Apart from outdoor places of public entertainment, sports premises and event premises, any person who enters premises subject to "active checking" is required to produce a record containing a QR code for scanning by the person-in-charge of the premises. Any person whose vaccination record (e.g. non-local vaccination record) or Exemption Certificate does not contain a QR code is required to provide his or her personal particulars (name, contact number, date and time of visit) by completing a specified form for retention by the person-in-charge of the premises. Children aged under 12 not accompanied by an adult are also required to provide the relevant personal particulars by completing a specified form for retention by the person-in-charge of the premises.

For persons entering outdoor places of public entertainment, sports premises and event premises, while scanning of QR code is not required, they should produce their vaccination records or Exemption Certificates for the person-in-charge of the premises to carry out visual inspection to ensure as far as feasible that they hold the relevant records. For exempted persons, they should indicate their exemption and produce the relevant proof as required to the person-in-charge of the premises. If visitors are unable to present their vaccination record, Exemption Certificates or other exemption proof, the person-in-charge of premises may deny their entry to the specified premises.

Customers of hotels or guesthouses are not required to hold the Vaccine Pass in order to check in. However, if the hotel or guesthouse houses other specified premises (e.g. restaurants, bars or pubs), customers of the hotel or guesthouse are still required to carry the Vaccine Pass in order to enter the relevant premises. As for staff members involved in the operation of hotels or guesthouses, they are still required to hold the Vaccine Pass in accordance with the vaccination requirements listed in the Annex in order to work in the hotels or guesthouses.

For those who enter premises subject to "passive checking", i.e. shopping malls, department stores, supermarkets and markets, they are not required to actively produce their vaccination records or Exemption Certificates to the person-in-charge of the premises.

Requirements on persons-in-charge of the premises under the Vaccine Pass

As to all the specified premises applicable to the Vaccine Pass, the person-in-charge of the premises must ensure that all staff members involved in the operation of the premises fulfill the requirements under the Vaccine Pass. If there are separate vaccination requirements under any directions issued pursuant to Cap. 599F, the persons-in-charge of the premises are also required to ensure their staff members involved in the operation of the premises fulfill the relevant requirements.

For premises subject to "active checking", the person-in-charge of the premises must display the Direction in a specified format in a prominent position at or near every entrance to the specified premises. The person-in-charge of the premises is required to take appropriate measures to inspect the vaccination records or Exemption Certificates of the persons entering or remaining on the premises to ensure that the visitors fulfill the requirements under the Vaccine Pass. If scanning of the QR code of a vaccination record or Exemption Certificate is required, the person-in-charge of the premises must use the QR Code Verification Scanner mobile application (updated to the latest version) developed by the Government to scan the relevant QR code and keep the record for 31 days. For any person whose vaccination record (e.g. non-local vaccination record) or Exemption Certificate does not contain a QR code, or any children aged under 12 not accompanied by an adult, the person-in-charge of the premises must use a specified form to collect the personal particulars of the relevant person (name, contact number, date and time of visit) and keep the record for 31 days.

As to outdoor places of public entertainment, sports premises and event premises (e.g. theme parks, outdoor sports grounds and outdoor concerts etc.), persons-in-charge of the premises need not scan the QR codes of those who enter the premises or arrange for their completion of specified forms. They only need to require those who enter or remain in the outdoor venues to show vaccination records or Exemption Certificates in electronic or paper form, and to make arrangement for visual inspection to ascertain as far as feasible that the persons concerned are holders of the relevant records or exempted persons of the Vaccine Pass requirement.

For premises subject to "passive checking", i.e. shopping malls, department stores, supermarkets and markets, persons-in-charge of the premises are only required to display conspicuously at the entrance the Direction in the specified format to let people who enter the premises know that the premises are applicable premises under the Vaccine Pass.

The Government has set up a dedicated website on the specific arrangement of Vaccine Pass with FAQs. Members of the public and persons-in-charge of the premises may visit the website www.vaccinepass.gov.hk to learn more details. Apart from the Vaccine Pass, persons-in-charge of the premises and visitors also need to strictly comply with various anti-epidemic measures and restrictions, as well as the relevant regulations and directions on group

gatherings and the wearing of masks for relevant premises.

Arrangement for Exemption Certificate

Under the arrangement of the Vaccine Pass, a person who is medically unsuitable for vaccination is required to obtain an Exemption Certificate issued by a doctor. With a view to standardising and aligning arrangements, the Department of Health has produced a template of the Exemption Certificate for use by doctors. Members of the public may consult a doctor on whether they are medically unsuitable for vaccination and thus obtain from the doctor an Exemption Certificate (may involve a fee for private doctors). The validity period of the Exemption Certificate is pre-set at 90 days, with the longest being 180 days. The actual validity period will be decided by the doctor having regard to clinical conditions.

For the convenience of the public, doctors under the Hospital Authority (HA) and private doctors will issue electronic versions of the Exemption Certificate to members of the public through the HA's Clinical Management System and the Government's eHealth System respectively. A transitional period until April 30 will be provided for the above arrangement, so that private doctors can have sufficient time to register for the eHealth System and make preparation to issue electronic Exemption Certificates to members of the public. After the transitional period, all Exemption Certificates must be issued electronically by doctors via the eHealth System or the HA's computer system. Certificates without an encrypted QR code will not be accepted.

Other applicable premises under Vaccine Pass

In addition to the statutory application of the Vaccine Pass at the abovementioned premises, the Vaccine Pass is also applicable through administrative instructions at schools, universities, government and public sector offices, indoor venues managed by the Leisure and Cultural Services Department, public hospitals, residential care homes for the elderly, residential care home for persons with disabilities, etc. In particular, with a view to implementing the Vaccine Pass policy to promote vaccination for all as a means of protection, the Government took the lead in implementing the Vaccine Pass arrangement at Government buildings and office premises on February 16 for compliance by all Government employees to set an example, and the whole process went smoothly. The implementation of the Vaccine Pass at individual premises may have separate requirements for the applicable categories of persons, e.g. the Vaccine Pass is not applicable to patients seeking consultation at public hospitals and those accompanying them, primary and secondary school students, service users of government and public sector offices, etc. Regarding the implementation of the Vaccine Pass for individual premises, members of the public may refer to announcement or notices issued by the relevant organisations.