

Government extends social distancing measures under Prevention and Control of Disease Ordinance

The Government gazetted the directions and specifications under the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F), the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (Cap. 599G) and the Prevention and Control of Disease (Wearing of Mask) Regulation (Cap. 599I) to maintain the social distancing measures currently in place, and specify that staff members of premises who have completed a COVID-19 vaccination course will not be required to undergo regular testing. The directions and specifications will take effect on April 15 for a period of 14 days till April 28 (Wednesday) (the specified period).

A spokesman for the Food and Health Bureau said, "The number of local confirmed cases has declined to a lower level. However, to continue containing the spread of the disease and to strive for 'zero case' as soon as possible, taking into account the pressure for potential rebound of the epidemic brought by earlier relaxation of social distancing measures and the frequent gatherings among members of the public during the long holiday, we still need to maintain existing social distancing measures for the coming two weeks for prudence's sake."

"At the same time, the COVID-19 Vaccination Programme has been smoothly implemented for a while. Some staff members of the catering business premises or scheduled premises have completed the vaccination course (i.e. after 14 days following the administration of two vaccine doses for production of antibodies). In view of the protection brought by the vaccination, the relevant staff member will not need to undergo regular testing starting from the fourteenth day upon his or her completion of a COVID-19 vaccination course. However, any person who has symptoms should seek medical attention immediately and undergo testing."

"If the epidemic situation remains stable, starting from April 29, in line with the new direction in fighting the pandemic as announced by the Chief Executive on April 12, we will adjust social distancing measures orderly with 'vaccine bubble' as the basis. The Government will liaise with the trades and announce the details later. We appeal to members of the public to support the new direction in fighting the pandemic and get vaccinated sooner rather than later to protect themselves and the others."

The details of the latest requirements and restrictions (see Annex 1 for requirements and restrictions under Cap. 599F) are as follows:

Catering business

(1) The existing requirements and restrictions applicable to catering business will be maintained during the specified period, including:

(a) Dedicated staff must be arranged in catering business premises for clearing used utensils and cleaning and disinfecting used tables and partitions. If this arrangement is not practicable, it must be ensured that the staff member carrying out the aforementioned duties must adopt hand hygiene measures before switching to perform other duties, and should adopt hand hygiene measures as necessary during each round of cleaning-up duties. Hand hygiene measures include using alcohol-based hand sanitisers, washing hands or changing gloves; and

(b) If a person responsible for carrying on a catering business adopts specified infection control measures (including ensuring that users (excluding persons who only order takeaways) scan the "LeaveHomeSafe" QR code using the "LeaveHomeSafe" mobile application on their mobile phones or register their names, contact numbers and the dates and times of their visits before the persons are allowed to enter the premises; and arranging for all staff members involved in the operation of the premises to undergo a polymerase chain reaction-based nucleic acid test for COVID-19 once every 14 days), the catering premises can provide dine-in services from 5am to 9.59pm every day, with the number of customers at the catering premises at any one time not exceeding 50 per cent of the normal seating capacity of the premises and no more than four persons seated together at one table.

(2) Regarding the regular testing arrangement as mentioned in (1)(b) above, the staff member involved in the operation of the business on the premises will not need to undergo the required testing arrangement starting from the fourteenth day upon his or her completion of a COVID-19 vaccination course. Relevant staff member should keep the vaccination record as proof of vaccination. The fourteenth day upon a person's completion of a vaccination course is counted by taking the next day after the person received all of the recommended dose(s) of vaccine as the first day. For example, for a person who has not been infected with COVID-19 and received the second dose of vaccine on April 15, the "first day" would be April 16 and the "fourteenth day" would be April 29.

(3) Other requirements and restrictions applicable to catering business will continue during the specified period, including:

(a) If a person responsible for carrying on a catering business does not adopt the specified infection control measures, the catering premises can only provide dine-in services from 5am to 5.59pm every day, with the number of customers at the catering premises at any one time not exceeding 50 per cent of the normal seating capacity of the premises and no more than two persons seated together at one table;

(b) Bars or pubs will continue to be closed;

(c) No live performance, dancing activity, karaoke or mahjong-tin kau activity is allowed in catering premises;

(d) The number of persons participating in any one banquet at any one time may not exceed 20 persons;

(e) Catering business premises should comply with specified requirements on air change or air purifier(s) by April 30; and

(f) Other requirements and restrictions, including that all persons must wear masks at any time in the premises except when eating or drinking, body temperature screening on persons before entering the premises and providing hand sanitisers, etc.

Scheduled premises

(4) During the specified period, the existing requirements and restrictions applicable to the scheduled premises under Cap. 599F will be maintained. Some scheduled premises can be opened when the relevant requirements and restrictions are fulfilled (including arranging for all staff members involved in the operation of the premises to undergo a polymerase chain reaction-based nucleic acid test for COVID-19 once every 14 days).

(5) Regarding the regular testing arrangement as mentioned in (4) above, the staff member involved in the operation of the business on the premises will not need to undergo the required testing arrangement starting from the fourteenth day upon his or her completion of a COVID-19 vaccination course. Relevant staff member should keep the vaccination record as proof of vaccination.

(6) Following scheduled premises under Cap. 599F will continue to be closed:

(a) bathhouses;

(b) premises (commonly known as party rooms) that are maintained or intended to be maintained for hire for holding social gatherings;

(c) establishments (commonly known as clubs or nightclubs) that are open late into the night, usually for drinking, and dancing or other entertainment;

(d) karaoke establishments; and

(e) mahjong-tin kau premises.

Persons responsible for carrying on catering businesses and managers of scheduled premises that contravene the statutory requirements under Cap. 599F would have committed a criminal offence. Offenders are subject to a maximum fine of \$50,000 and imprisonment for six months.

Group gathering

(7) Unless exempted, the prohibition on group gatherings of more than four persons in public places will continue during the specified period. The requirement is also applicable to group gatherings in catering business and scheduled premises regulated under Cap. 599F in which the relevant requirements or restrictions are not complied with.

Any person who participates in a prohibited group gathering; organises a prohibited group gathering; owns, controls or operates the place of such a gathering; and knowingly allows the taking place of such a gathering commits

an offence under Cap. 599G. 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 \$5,000.

Mask-wearing requirement

(8) The mandatory mask-wearing requirement under Cap. 599I will be extended during the specified period. During the aforementioned period, a person must wear a mask at all times when the person is boarding or on board a public transport carrier, is entering or present in an MTR paid area, or is entering or present in a specified public place (i.e. all public places, save for outdoor public places in country parks and special areas as defined in section 2 of the Country Parks Ordinance (Cap. 208)).

Under Cap. 599I, if a person does not wear a mask in accordance with the requirement, an authorised person may deny that person from boarding a public transport carrier or entering the area concerned, as well as require that person to wear a mask and disembark from the carrier or leave the said area. A person in contravention of the relevant provision commits an offence and the maximum penalty is a fine at level 3 (\$10,000). In addition, authorised public officers may issue fixed penalty notices to persons who do not wear a mask in accordance with the requirement and such persons may discharge liability for the offence by paying a fixed penalty of \$5,000.