

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

The Government gazetted 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. The above directions and specifications take effect from 0.00am on May 13, for a period of 14 days till May 26 (the specified period).

A spokesman for the Food and Health Bureau said, "According to the new direction in fighting the pandemic, the Government relaxed certain restrictions with 'vaccine bubble' as the basis on April 29, with a view to responding to the aspirations of various trades and the public to resume normal daily lives as soon as possible."

"The implementation of the first phase of measures under the 'vaccine bubble' is generally in order. To allow the relevant operators of premises and the general public to get used to the relevant measures, the Government will continue to maintain the existing requirements and restrictions applicable to catering business premises and scheduled premises, as well as the requirements for group gatherings and mask wearing for 14 days until May 26. At the same time, we have also made slight adjustments to the requirements to fit anti-epidemic needs."

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. Except for bars or pubs which are subject to other requirements, all catering business must operate according to one or more operating mode(s) among Types A, B, C and D Mode of Operation, with details at Annex 2.

Bars and pubs

(2) The existing requirements and restrictions applicable to bars and pubs will be maintained during the specified period, with details at Annex 2.

Scheduled premises

(3) During the specified period, the existing requirements and restrictions applicable to the scheduled premises under Cap. 599F will be maintained,

including that the following scheduled premises under Cap.599F can operate according to the specified operation mode if specified measures are adopted (details at Annex 1). Otherwise, they should 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.

(4) During the specified period, the existing requirements and restrictions applicable to other scheduled premises under Cap. 599F will be maintained. These 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, or complete a COVID-19 vaccination course as an alternative).

(5) 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. In addition, the Executive Council has approved amendments to Cap.599F, to require persons who are present at any premises of a catering business or any scheduled premises to comply with directions applicable to them. Non-compliance with the relevant directions would be an offence and offenders are subject to a maximum fine of \$10,000. The liability may be discharged by paying a fixed penalty of \$5,000. In particular, a staff member or a customer who makes false declarations or provides false information under the relevant measures would be regarded as non-compliance with the directions issued under Cap. 599F and would be subject to a fixed penalty of \$5,000. Any contravention against group gathering requirements within a premises under Cap. 599F would be handled according to the requirements under Cap. 599G, which means that participants of the group gathering would be subject to a fixed penalty of \$5,000.

Group gathering

(6) 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.

(7) 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. A staff member or a customer who makes false declarations

or provides false information under the relevant measures may be regarded as participating in a prohibited group gathering and subject to 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. 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)).

(9) 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.