

LCQ7: Ordinances or provisions enacted but not yet in operation

Following is a question by the Hon Lam San-keung and a written reply by the Secretary for Constitutional and Mainland Affairs, Mr Erick Tsang Kwok-wai, in the Legislative Council today (May 18):

Question:

Regarding those ordinances/provisions of ordinances which have been enacted by this Council but are not yet in operation due to various reasons (such ordinances/provisions), will the Government inform this Council:

(1) of the current number of such ordinances/provisions, and set out, by the year in which they were enacted, the titles of such ordinances/provisions as well as the reasons for their not having come into operation and the details thereof;

(2) whether the Government has currently put in place a dedicated organisation to urge the policy bureaux responsible for such ordinances/provisions to implement such ordinances/provisions as soon as possible;

(3) whether it has plans to expedite the implementation of such ordinances/provisions; if so, of the details; and

(4) whether a mechanism is currently in place to review if such ordinances/provisions should be implemented or repealed; if so, of the details; if not, whether it will study establishing such a mechanism?

Reply:

President,

My consolidated reply to the questions raised by the Hon Lam San-keung is as follows:

Policy bureaux/departments (B/Ds) have been closely monitoring the position of the ordinances/provisions of ordinances which have been enacted by the Legislative Council but are not yet in operation. Since 2008, the Government has submitted reports to the Panel on Administration of Justice and Legal Services regularly, setting out the ordinances which have been enacted for over three years with provisions yet to come into operation, reasons for their non-commencement and the progress, for Members' reference. There are currently a total of 33 ordinances enacted in 2019 or before containing provisions that are yet to come into operation. The titles of these ordinances, the provisions concerned and reasons for not bringing them into operation yet are set out in the Annex.

At present, relevant B/Ds will keep the ordinances/provisions under

review from time to time. They will take into account the latest development, actual circumstances and policy needs with a view to commencing them as early as practicable so as to meet the demands of the society. It would be most prudent to allow the relevant B/Ds to decide the commencement dates of the ordinances/provisions upon review of the actual circumstances and policy needs.

Update on cluster of Candida auris cases in Princess Margaret Hospital

The following is issued on behalf of the Hospital Authority:

Regarding an earlier announcement on a cluster of patients carrying *Candida auris* in a medicine and geriatrics ward, the spokesperson for Princess Margaret Hospital (PMH) gave the following update today (May 18):

PMH has adopted enhanced *Candida auris* screening for patients in the ward concerned. During the enhanced screening from May 8 to 17, four female patients and one male patient (aged 32 to 74) were identified as carriers of *Candida auris* while not having signs of infection. All patients are now being treated under isolation and in stable condition.

The hospital will continue the contact tracing in accordance with the prevailing guidelines. A series of enhanced infection control measures have already been adopted:

1. Thorough cleaning and disinfection of the ward concerned;
2. Enhanced admission screening for patients and environmental screening procedures; and
3. Application of stringent contact precautions and enhanced hand hygiene for staff and patients.

The hospital will continue to closely monitor the situation of the patients. The cases have been reported to the Hospital Authority Head Office and the Centre for Health Protection for necessary follow-up.

Money service operator convicted of operating without licence

A male shopkeeper was fined \$10,000 today (May 18) at Tuen Mun Magistrates' Courts after being convicted of operating a money service without a valid licence.

In May last year, Customs officers found that a male shopkeeper had been operating a money changing business at a money exchange shop in Tin Shui Wai after expiry of the money service operator licence.

Under the Anti-Money Laundering and Counter-Terrorist Financing Ordinance, a person who operates a remittance and/or money changing service needs to first obtain a licence from the Customs and Excise Department. The maximum penalty for such operators without a valid licence upon conviction is a fine of \$100,000 and imprisonment for six months.

Customs reminds consumers to procure services from licensed money service operators. A register of licensees is accessible from the website of Customs' Money Service Operators Licensing System at eservices.customs.gov.hk/MSOS/wsrh/001s1?request_locale=en.

Members of the public may report any suspected unlicensed money service operation to Customs' 24-hour hotline 2545 6182 or its dedicated crime-reporting email account (crimereport@customs.gov.hk).

Government makes “restriction-testing declaration” and issues compulsory testing notice in respect of specified “restricted area” in West Terrace, Sai Wan Estate, Kennedy Town

The Government today (May 18) exercised the power under the Prevention and Control of Disease (Compulsory Testing for Certain Persons) Regulation (Cap. 599J) to make a "restriction-testing declaration" (declaration) effective from 6.30pm under which people (hereafter referred to as "persons subject to compulsory testing") within the specified "restricted area" in Kennedy Town (i.e. West Terrace, Sai Wan Estate, Kennedy Town, see Annex) are required to stay in their premises and undergo compulsory testing. Persons

subject to compulsory testing are required to stay in their premises until all such persons identified in the "restricted area" have undergone testing and the test results are mostly ascertained. The Government aims at finishing this exercise at about 10am tomorrow (May 19). The operation may be extended depending on test results.

A Government spokesman said, "Under Cap. 599J, the Government can, according to the needs of infection control, make a 'restriction-testing declaration'. Having reviewed a basket of factors, including the viral load in sewage, the information of relevant positive cases, and other circumstantial factors, and conducted a risk assessment, the Government decided to make another 'restriction-testing declaration' for West Terrace of Sai Wan Estate following last week's exercise."

The Government will set up temporary specimen collection stations at the "restricted area" and request persons subject to compulsory testing to undergo testing before 11.30pm today. Arrangements will be made for persons subject to compulsory testing to undergo a nucleic acid test at specimen collection stations where dedicated staff will collect samples through combined nasal and throat swabs. Persons subject to compulsory testing must stay at their place of residence until all test results are ascertained to avoid cross-infection risk. The Government will make arrangement to facilitate specimen collection for people with impaired mobility. All persons in the "restricted area" who have tested positive in the past 14 days, including positive cases identified either by nucleic acid tests recorded by the Department of Health (DH) or by rapid antigen tests that have been self-declared to the DH, are not required to undergo testing in this compulsory testing exercise.

The Government spokesman said, "We understand that this exercise will cause inconvenience to the public. The Government has made arrangements to carry out testing for all persons present in the 'restricted area' as soon as possible. The aim is to strive to complete testing of all identified persons subject to compulsory testing and confirm the results, and finish the exercise at about 10am tomorrow. The Government will make a public announcement when the declaration expires officially. In the cases in which employees are unable to go to work because of the declaration, the Government hopes their employers can exercise discretion and not deduct the salaries or benefits of the employees."

If staying in the "restricted area" will cause unreasonable hardship to individuals who are not residents in the area when the declaration takes effect, government officers may exercise discretion and allow that person to leave the area after considering the individual circumstances. That person must have followed the instructions to undergo testing and leave his/her personal information for contact purposes.

According to the compulsory testing notice to be issued today, any persons other than those specified above who had been present at the above building for more than two hours from May 12 to May 18, 2022, even if they were not present in the "restricted area" at the time when the declaration took effect, must undergo compulsory testing on or before May 20, 2022. As a

mutant strain is involved, for prudence's sake, vaccinated persons and persons who have recently been tested are also required to undergo testing.

The Housing Department has set up a hotline (Tel: 2816 2734) which started operation at 6.30pm today for residents restricted by the declaration to make enquiries and seek assistance. The Social Welfare Department will also provide assistance to the affected persons.

The Government appeals to persons subject to compulsory testing for their full co-operation by registering and undergoing testing, and waiting for the results patiently at home. The Government will strictly follow up on whether the persons concerned have complied with the compulsory testing notices and "restriction-testing declaration". Any person who fails to comply with the compulsory testing notices commits an offence and may be fined a fixed penalty of \$10,000. The person would also be issued with a compulsory testing order requiring him or her to undergo testing within a specified time frame. Failure to comply with the compulsory testing order or the "restriction-testing declaration" is an offence and the offender would be liable to a fine at level 5 (\$50,000) and imprisonment for six months.

[CHP closely monitors human case of avian influenza A\(H5N6\) in Mainland](#)

The Centre for Health Protection (CHP) of the Department of Health is today (May 18) closely monitoring a human case of avian influenza A(H5N6) in the Mainland, and again urged the public to maintain strict personal, food and environmental hygiene both locally and during travel.

The case involves a 49-year-old male living in Baise City in Guangxi, who had visited a live poultry market before onset. He developed symptoms on April 16 and was admitted for treatment on April 18. He passed away on April 24.

From 2014 to date, 78 human cases of avian influenza A(H5N6) have been reported by Mainland health authorities.

"All novel influenza A infections, including H5N6, are notifiable infectious diseases in Hong Kong," a spokesman for the CHP said.

Travellers to the Mainland or other affected areas must avoid visiting wet markets, live poultry markets or farms. They should be alert to the presence of backyard poultry when visiting relatives and friends. They should also avoid purchasing live or freshly slaughtered poultry, and avoid touching poultry/birds or their droppings. They should strictly observe personal and hand hygiene when visiting any place with live poultry.

Travellers returning from affected areas should consult a doctor promptly if symptoms develop, and inform the doctor of their travel history for prompt diagnosis and treatment of potential diseases. It is essential to tell the doctor if they have seen any live poultry during travel, which may imply possible exposure to contaminated environments. This will enable the doctor to assess the possibility of avian influenza and arrange necessary investigations and appropriate treatment in a timely manner.

While local surveillance, prevention and control measures are in place, the CHP will remain vigilant and work closely with the World Health Organization and relevant health authorities to monitor the latest developments.

The public should maintain strict personal, hand, food and environmental hygiene and take heed of the advice below when handling poultry:

- Avoid touching poultry, birds, animals or their droppings;
- When buying live chickens, do not touch them and their droppings. Do not blow at their bottoms. Wash eggs with detergent if soiled with faecal matter and cook and consume the eggs immediately. Always wash hands thoroughly with soap and water after handling chickens and eggs;
- Eggs should be cooked well until the white and yolk become firm. Do not eat raw eggs or dip cooked food into any sauce with raw eggs. Poultry should be cooked thoroughly. If there is pinkish juice running from the cooked poultry or the middle part of its bone is still red, the poultry should be cooked again until fully done;
- Wash hands frequently, especially before touching the mouth, nose or eyes, before handling food or eating, and after going to the toilet, touching public installations or equipment such as escalator handrails, elevator control panels or door knobs, or when hands are dirtied by respiratory secretions after coughing or sneezing; and
- Wear a mask if fever or respiratory symptoms develop, when going to a hospital or clinic, or while taking care of patients with fever or respiratory symptoms.

The public may visit the CHP's pages for more information: the [avian influenza](#) page, the weekly [Avian Influenza Report](#), [global statistics and affected areas](#) of avian influenza, the [Facebook Page](#) and the [YouTube Channel](#).