

Temporary Protection Measures for Business Tenants (COVID-19 Pandemic) Ordinance to take effect tomorrow

The Temporary Protection Measures for Business Tenants (COVID-19 Pandemic) Ordinance (the Ordinance) will come into effect upon gazettal tomorrow (May 1). The three-month "protection period" under the Ordinance will start tomorrow and run until July 31 this year.

Under the Ordinance, when the "protection period" begins (or on the day when the tenancy becomes effective if it takes effect within the "protection period"), in respect of any premises that are wholly or primarily used as specified premises and the tenants concerned have defaulted in rent payment between January 1, 2022, and the end of the "protection period", the landlords will be barred from taking certain rental enforcement actions during the "protection period". Actions taken before the start of the "protection period", if still pending, shall be stayed.

A Government spokesman stated that the main purpose of the Ordinance is to provide a short buffer period for business tenants who are in distress due to the COVID-19 epidemic, so that they will not be forced out of business as a result of legal or other rental enforcement actions taken by their landlords for their inability to pay rent immediately, while providing room and opportunity for landlords and tenants to negotiate on the restructuring of rental arrangements.

The rental enforcement actions that landlords are barred from taking include: terminating the tenancy, suspending the provision of utility services, deducting rent from the deposit held by the landlord, exercising a right of re-entry or forfeiture, bringing an action in court or presenting a bankruptcy or winding-up petition against the tenant concerned, etc.

The Schedule to the Ordinance sets out the types of specified premises covered by the rental enforcement moratorium. These premises include most of the scheduled premises under the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F) (save for cruise ships and supermarkets), food and catering business premises, retail shops (excluding supermarkets), education-related premises, and premises used for the business of travel agents, employment agencies and laundry trade, etc.

To assist landlord-borrowers who are affected by the rental enforcement moratorium and fail to repay their secured loans, the Ordinance also stipulates that if the landlord-borrowers can establish that the tenants' inability to pay rent and the rental enforcement moratorium are the sole reason or a significant reason for their default in repayment, the lenders concerned cannot take certain enforcement actions against such landlord-

borrowers during the affected period; actions taken before the beginning of the affected period, if still pending, shall be stayed.

Landlords or lenders taking actions prohibited under the Ordinance against their tenants or landlord-borrowers commit an offence and are liable on conviction on indictment to a fine that is equal to twice the amount of rent in arrears claimed by the landlord, or twice the amount of the repayment default claimed by the lender, and in any event not less than \$50,000, unless the court considers it just and equitable to impose a lower fine.

For any alleged breach of the Ordinance, a tenant can lodge a complaint to the Rating and Valuation Department, while a landlord-borrower can lodge a complaint to the Hong Kong Monetary Authority (if the lender is a bank) or to the Companies Registry (if the lender is a licensed money lender). The relevant department/authority will handle the case and will, having regard to the circumstances, refer the case to the Department of Justice for consideration of prosecution. If civil litigation is involved, the tenant or landlord-borrower concerned can explain to the court the relevant situation, so that the court can make appropriate arrangements or instructions regarding the concerned civil litigation.

For details of the Ordinance, please visit the following webpage:
www.budget.gov.hk/2022/eng/rental/index.html.

[Transcript of remarks by SLW on 2022 Employment Support Scheme](#)

Following is the transcript of remarks by the Secretary for Labour and Welfare, Dr Law Chi-kwong, on the 2022 Employment Support Scheme after attending a radio programme this morning (April 30):

Reporter: Dr Law, what do you think about the response to the 2022 Employment Support Scheme? To what extent do you think it can improve the job market?

Secretary for Labour and Welfare: The response yesterday (April 29), the first day of application, was quite earnest. I would say that people are eager to apply for it, with close to 50 000 applications from employers just within one day.

For the effect of the Employment Support Scheme, when we started to announce the intention of setting up the Employment Support Scheme, we have already seen some actions in the market, where people started to rethink about the continuity of their business and the planning of resuming their business after the relaxation of the social distancing measures. So, I would say the impact has already been seen in the past couple of weeks. We hope

that, with this Employment Support Scheme, people will be able to scale up their operations and create more employment for our labour force.

(Please also refer to the Chinese portion of the transcript.)

[Land Registry releases new Street Index and New Territories Lot/Address Cross Reference Table](#)

The Land Registry (LR) announced today (April 30) that compact discs for the 54th edition of the Index of Streets, House Numbers and Lots in Hong Kong, Kowloon and New Kowloon (Street Index), and the 23rd edition of the New Territories Lot/Address Cross Reference Table (CRT), have been released. The discs facilitate searches of land records of urban and New Territories properties by correlating property addresses, building names or lot numbers.

The new edition of the Street Index features 402 amendments to the last edition, with 20 new streets and 38 new lots/sections/subsections added. In the latest edition of the CRT, 1 462 amendments have been made and seven new streets and 1 023 new lots/sections/subsections have been added.

The new editions of the Street Index and CRT compact discs cost \$370 each. Licences for using them on computer networks are also available for sale. The respective licence fees are \$2,960 for computer networks linked to less than 50 terminals and \$5,920 if linked to 50 terminals or more.

Members of the public who wish to purchase the compact discs and the licences may submit a completed order form on the LR's website (www.landreg.gov.hk/en/pforms/form.htm), by post or in person to the LR's Customer Centre (19/F, Queensway Government Offices (QGO), 66 Queensway, Hong Kong), the New Territories Search Offices or the LR's Street Index and CRT Help Desk (Unit 1202, 12/F, One Kowloon, 1 Wang Yuen Street, Kowloon Bay, Kowloon) or deposit it in the drop-in box located near the Information Counter on the Deck Floor of the High Block of QGO. The form can be obtained at the LR's website (www.landreg.gov.hk/en/pforms/form.htm), by fax by calling the customer service hotline at 3105 0000, or at the LR's Customer Centre, the New Territories Search Offices and the Street Index and CRT Help Desk.

Given the latest situation of COVID-19, to achieve social distancing and to reduce the risk of spreading the virus, members of the public are encouraged to obtain order forms online or by calling the customer service hotline, and to submit completed application forms online, by post or use the drop-in box as far as possible.

An online version of the new Street Index and CRT is also available for free browsing on the LR's website (www.landreg.gov.hk/en/public/pu-si_agree.htm) or through the hyperlink on the Integrated Registration Information System Online Services (www.iris.gov.hk).

For enquiries, please call the Street Index and CRT Help Desk or the Customer Service Manager of the LR at 3105 0000.

Government finishes exercise on “restriction-testing declaration” in respect of specified “restricted area” in Fung Tak Estate, Diamond Hill and enforcement operation for breaches of compulsory testing notice (with photo)

The Government yesterday (April 29) exercised the power under the Prevention and Control of Disease (Compulsory Testing for Certain Persons) Regulation (Cap. 599J) to make a "restriction-testing declaration" effective from 4pm that day, under which people (hereafter referred to as "persons subject to compulsory testing") within the specified "restricted area" in Diamond Hill (i.e. Toi Fung House, Fung Tak Estate, Diamond Hill, excluding non-domestic units on G/F) were required to stay in their premises and undergo compulsory testing. Persons subject to compulsory testing were required to stay in their premises until all such persons identified in the "restricted area" had undergone testing and the test results were mostly ascertained. All persons in the "restricted area" who had tested positive in the past three months, including positive cases identified either by nucleic acid tests that have been recorded by the Department of Health (DH) or by rapid antigen tests (RAT) that had been self-declared to the DH, were not required to undergo testing in this compulsory testing exercise.

Moreover, the Government issued a compulsory testing notice yesterday, requiring persons other than those specified above who had been present at the above building for more than two hours from April 23 to April 29, 2022, even if they were not present in the "restricted area" at the time when the declaration took effect, to undergo compulsory testing on or before May 1, 2022. The Government announced the completion of the compulsory testing exercise at around 7am today (April 30) and carried out enforcement action in the "restricted area" afterwards to verify that all people in the "restricted area" had undergone compulsory testing in accordance with the requirements of

the relevant declaration and compulsory testing notice. The Government announced that the enforcement operation ended at around 9am today.

The Government provided food packs and necessity packs for persons subject to compulsory testing, so as to facilitate the meal arrangements and daily needs of some persons subject to compulsory testing. Anti-epidemic proprietary Chinese medicines supplied by the Central People's Government and rapid test kits were also provided to persons subject to compulsory testing to help them fight against the virus.

The Home Affairs Department also set up a hotline for people restricted by the declaration to make enquiries and seek assistance.

The Government thanks persons subject to compulsory testing for their support and understanding. With everyone's co-operation and efforts, coupled with the tireless efforts of the testing contractors, residents have been informed about their testing results by SMS notification. After finishing the compulsory testing exercise at around 7am today, the Government took enforcement action in the "restricted area" immediately to verify that all people in the "restricted area" had undergone testing according to the requirements of the declaration and the compulsory testing notice. Persons who could present an SMS notification containing a negative testing result or wore a wristband as proof of having undergone the compulsory testing could leave the "restricted area" through the designated exit after providing personal information to a prescribed officer. The enforcement operation was completed at around 9am. Test records of around 120 persons subject to compulsory testing were checked. Seven persons were found not having undergone compulsory testing and compulsory testing orders were issued to them. Taking into account the above situation, the Secretary for Food and Health revoked the "restriction-testing declaration" in accordance with Cap. 599J (see attachment).

The Government reminds the about 140 households who have not answered the door to contact the Government for arrangement of testing as soon as possible after reading the notices put up by the Government, in the hope of eliminating the possible risk of further spread of the virus in the community.

ã€ã€ã€The Government thanks all participating government staff and the testing agencies for their hard work. The Government is also grateful to those subject to compulsory testing for their support and understanding, and their full co-operation during this period in undergoing testing and waiting for the results at home.

ã€ã€ã€The Government will seriously follow up on the compliance situation of the compulsory testing notices and the "restriction-testing declaration" by persons subject to compulsory testing. 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.



[Key statistics on service demand of A&E Departments and occupancy rates in public hospitals](#)

The following is issued on behalf of the Hospital Authority:

During the winter surge, the Hospital Authority closely monitors the service demand of Accident and Emergency Departments and the occupancy rates in public hospitals. Key service statistics are being issued daily for public information. Details are in the appended table.