

# FEHD reminds catering business operators and public to continue to comply with anti-epidemic regulations

A spokesman for the Food and Environmental Hygiene Department (FEHD) today (December 31) again reminded catering business and scheduled premises operators to strictly comply with the requirements and directions under the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F) (the Regulation). Members of the public should also strictly comply with the restrictions in relation to group gatherings and mask wearing to reduce the risk of virus transmission.

During the past three days (December 28 to 30), the FEHD inspected a total of 2,630 catering premises and 97 other premises, and initiated procedures on prosecution against four persons suspected of breaching the requirements (including provision of dine-in services after 6pm and in regard to the distance or partitioning between tables) under the Regulation. The FEHD also conducted blitz operations yesterday in Mong Kok and Yuen Long on places of public entertainment, during which prosecution procedures were initiated against operators of two claw-machine shops for violating the directions on closure of scheduled premises under the Regulation.

In addition, the FEHD issued 12 fixed penalty notices (one issued at food premises and 11 issued at FEHD markets) against violations on mask-wearing requirements during the past three days.

During the coming long New Year holidays, the FEHD will continue to step up law enforcement and publicity efforts to ensure that responsible parties comply with relevant anti-epidemic regulations and measures, and will deploy additional manpower to conduct joint operations with the Police. Stringent enforcement action will be taken against offenders to ensure compliance with relevant regulations. The FEHD also urged catering business and scheduled premises operators and the public to abide by the law.

The FEHD spokesman said, "The latest directions issued by the Secretary for Food and Health in relation to social distancing measures in catering business and scheduled premises under the Regulation have been extended till January 6, 2021. Catering business operators must strictly comply with a series of requirements and restrictions, which include requirements that a person responsible for carrying on a catering business must cease selling or supplying food or drink for consumption on the premises of the business from 6pm to 4.59am of the subsequent day; the number of people participating in a banquet in catering premises is limited to 20; no more than two persons may be seated together at one table within any catering premises, and the total number of customers allowed in catering premises must not exceed 50 per cent of the normal seating capacity; no live performance or dancing is allowed; a mask must be worn within the premises except when the person is consuming food or drink at a table therein; tables must be arranged in a way to ensure

there is a distance of at least 1.5 metres or some form of partition which could serve as an effective buffer between one table and another table; body temperature screening must be conducted before a person is allowed to enter the catering premises; and hand sanitisers must be provided. In addition, a person responsible for carrying on a catering business must display the poster containing the 'LeaveHomeSafe' venue QR code at the entrance of the premises or at a conspicuous location. Relevant scheduled premises operators must strictly comply with the direction on closure of scheduled premises, which include places of public entertainment."

If a person responsible for carrying on a catering business or scheduled premises contravenes the regulations under the Regulation, he or she is liable to prosecution and, upon conviction, to a maximum fine of \$50,000 and imprisonment for six months.

Customers in breach of the requirement on no more than two persons per table within catering premises are liable to a fixed penalty of \$5,000 for violating the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (Cap. 599G). Moreover, customers not wearing a mask when they are not eating or drinking at a table therein or they are not eating or drinking are liable to a fixed penalty of \$5,000 for contravening the Prevention and Control of Disease (Wearing of Mask) Regulation (Cap. 599I).

The spokesman continued, "Under section 4(1) of the Places of Public Entertainment Ordinance (Cap. 172), without a licence granted, no person shall keep or use any place of public entertainment. Offenders are liable to be prosecuted and upon conviction to a maximum fine at level 4 (\$25,000) and imprisonment for six months, and for a continuing offence, a fine of \$2,000 for every day."

The spokesman reminded catering business operators and the public to exercise self-discipline and co-operate to fight the virus together. He also appealed to catering business operators to comply with relevant regulations on prevention and control of disease in a concerted and persistent manner, with a view to keeping their staff, customers and the public safe. Members of the public also have to comply with the related regulations and directions on group gatherings and mask wearing at catering premises.

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## [Visits in Ma Tau Kok Detention Centre to resume](#)

The Immigration Department (ImmD) spokesperson announced today (December 31) that visits at Ma Tau Kok Detention Centre (MTKDC) will be resumed from tomorrow (January 1) in accordance with the advice of the Centre for Health Protection (CHP).

In response to a Vietnamese illegal immigrant detained at MTKDC who had tested positive for COVID-19, the ImmD had immediately suspended all visits at MTKDC, conducted a thorough cleaning and disinfection at all detention facilities and arranged for all detainees and officers to undergo COVID-19 testing in accordance with the advice of the CHP. The ImmD was informed by the CHP that all specimens had tested negative and that all visits in MTKDC will be resumed from tomorrow in accordance with the advice of the CHP. In order to maintain social distancing and arrange thorough cleanings in the visit room regularly, the waiting time for visits may be longer.

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## **FEHD raids fresh provision shops for selling chilled meat as fresh meat**

In a blitz operation today (December 31), the Food and Environmental Hygiene Department (FEHD) raided four fresh provision shops (FPSs) in Ho Pui Street, Chuen Lung Street and San Tsuen Street in Tsuen Wan for suspected selling of chilled meat as fresh meat.

During the operation, FEHD officers marked and sealed about 90 kilograms of suspected chilled pork in one of the FPSs for further investigation. The investigation against the licensee of that FPS for suspected violation of the Food Business Regulation is still ongoing. Prosecution will be taken out if sufficient evidence is collected. In addition, FEHD officers have issued verbal warnings to three FPSs for non-compliance of relevant licensing conditions and initiated prosecution against the proprietor of a shop for operating a food business without a valid FPS licence.

A spokesman for FEHD said, "Anyone selling chilled meat without permission is committing an offence and is liable to a maximum fine of \$50,000 and six months' imprisonment on conviction. The department will continue to closely monitor the sale of fresh meat at the retail level and take stringent enforcement action to safeguard food safety and public health. Moreover, the sale of chilled meat as fresh meat is a breach of licensing condition, and the department will consider cancellation of the relevant FPS licence if sufficient evidence is collected."

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## **Two illegal workers jailed**

Two Vietnamese illegal workers were jailed by Shatin Magistrates' Courts today (December 31).

During joint operations conducted by the Immigration Department (ImmD) and the Hong Kong Police Force codenamed "Champion" on December 28, enforcement officers raided a massage parlour in Causeway Bay. Two female Vietnamese illegal workers, aged 27 and 42, were arrested while working as masseuses.

The two illegal workers were charged at Shatin Magistrates' Courts today with taking employment after landing in Hong Kong unlawfully and remaining in Hong Kong without the authority of the Director of Immigration or while being a person in respect of whom a removal order or deportation order was in force. They pleaded guilty to the charge and were each sentenced to 15 months' imprisonment.

The ImmD spokesman warned that, as stipulated in section 38AA of the Immigration Ordinance, illegal immigrants or people who are the subject of a removal order or a deportation order are prohibited from taking any employment, whether paid or unpaid, or establishing or joining in any business. Offenders are liable upon conviction to a maximum fine of \$50,000 and up to three years' imprisonment. The Court of Appeal has issued a guideline ruling that a sentence of 15 months' imprisonment should be applied in such cases.

The spokesman reiterated that it is a serious offence to employ people who are not lawfully employable. The maximum penalty is imprisonment for three years and a fine of \$350,000. The High Court has laid down sentencing guidelines that the employer of an illegal worker should be given an immediate custodial sentence. According to the court sentencing, employers must take all practicable steps to determine whether a person is lawfully employable prior to employment. Apart from inspecting a prospective employee's identity card, the employer has the explicit duty to make enquiries regarding the person and ensure that the answers would not cast any reasonable doubt concerning the lawful employability of the person. The court will not accept failure to do so as a defence in proceedings. It is also an offence if an employer fails to inspect the job seeker's valid travel document if the job seeker does not have a Hong Kong permanent identity card. The maximum penalty for failing to inspect such a document is imprisonment for one year and a fine of \$150,000.

Under the existing mechanism, the ImmD will, as a standard procedure, conduct initial screening on vulnerable persons, including illegal workers, illegal immigrants, sex workers and foreign domestic helpers who are arrested during any operation, with a view to ascertaining whether they are trafficking in persons (TIP) victims. When any TIP indicator is revealed in the initial screening, the officers will conduct a full debriefing and identification by using a standardised checklist to ascertain the presence of TIP elements, such as threats and coercion in the recruitment phase and the nature of exploitation. Identified TIP victims will be provided with various forms of support and assistance, including urgent intervention, medical services, counselling, shelter, temporary accommodation and other supporting services. The ImmD calls on TIP victims to report crimes to the relevant departments.

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## Draft map of proposed South Lantau Marine Park available for public inspection

The Government gazetted today (December 31) the draft map of the proposed South Lantau Marine Park (SLMP) for public inspection within 60 days starting from today.

To better protect marine lives and their habitats, the Government has proposed to designate the SLMP in the waters south of Lantau. A spokesman for the Agriculture, Fisheries and Conservation Department (AFCD) said that the proposed SLMP will be located in the waters surrounding the Soko Islands and between the Soko Islands and Shek Kwu Chau in the south of Lantau, with a total area of about 2 067 hectares.

The spokesman said, "The waters south of Lantau are important habitats for the Chinese white dolphin, the finless porpoise and other marine life. After the designation of the SLMP, the area of protected marine habitats will be significantly increased, which will be conducive to maintaining the marine biodiversity and its sustainability. It can bring great benefits to the conservation of the Chinese white dolphin, the finless porpoise and other marine resources in the long run."

The draft map of the proposed SLMP has been prepared by the Country and Marine Parks Authority in accordance with the Marine Parks Ordinance (Cap. 476). Copies of the draft map are ready for public inspection free of charge on or before February 28 next year at the designated government offices during office hours. Relevant details are available on the AFCD's website: [www.afcd.gov.hk/english/country/cou\\_vis/cou\\_vis\\_mar/cou\\_vis\\_mar\\_wha/mp\\_sl\\_draftmap.html](http://www.afcd.gov.hk/english/country/cou_vis/cou_vis_mar/cou_vis_mar_wha/mp_sl_draftmap.html).

"Any person who intends to oppose the draft map may, within the period of 60 days after the notice is published in the Gazette, submit a written statement of objection, stating the nature of and reasons for the objection, and proposed alterations to the draft map, if any, to the Authority at the headquarters of the AFCD," the spokesman said.

Copies of the draft map are also available for sale to the public at \$55 each at the AFCD headquarters.