

Prevention and Control of Disease (Prohibition on Group Gathering) Regulation

Maintaining social distancing is key to delay the spread of COVID-19 in Hong Kong. The Government will publish the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (the Regulation) (Cap.599G) in the Gazette today (March 28), with a view to combating the COVID-19 epidemic with resolute and stringent measures. The Regulation will commence at 0.00am on March 29 and take effect for three months.

In accordance with the Regulation, the Secretary for Food and Health (SFH) will issue a notice in the Gazette today to prohibit group gatherings with more than four people in public places, which will take effect at 0.00am on March 29 for 14 days.

The Regulation empowers the Secretary for Food and Health (SFH), for preventing, protecting against, delaying or otherwise controlling the incidence or transmission of the specified disease, to prohibit any group gathering of more than 4 persons in any public place during a specified period.

Exempted group gatherings are listed in the Schedule 1 to the Regulation -

1. Group gathering for the purposes of or related to transportation
2. Group gathering for performing any governmental function
3. Group gathering for performing any duty of a statutory body or an advisory body of the Government
4. Group gathering at a place of work for the purposes of work
5. Group gathering for providing, obtaining or receiving hospital or healthcare service at a healthcare facility
6. Group gathering of persons living in the same household
7. Group gathering necessary for the conduct of proceedings in a court, magistrates' court or tribunal
8. Group gathering necessary for the proceedings in the Legislative Council or a District Council
9. Group gathering during a funeral or any other occasion for mourning for or remembering a deceased who has yet to be buried or cremated (including any ritual or ceremony held in the vicinity of the place where the deceased died or suffered fatal injury to mourn for the death of the deceased)
10. Group gathering of not more than 20 persons during a wedding ceremony at which no food or drink is served
11. Group gathering at a meeting of a body that must be held within a specified period in order to comply with any Ordinance or other regulatory instrument that governs the operation of the body or its business
12. Group gathering held for imparting information or skills, or handling supplies or items, that are conducive to the prevention and control of the specified disease

Moreover, the Regulation also empowers the Chief Secretary for Administration to permit any group gathering if the Chief Secretary for Administration is satisfied that the taking place of the gathering -

(a) is necessary for governmental operation; or
(b) because of the exceptional circumstances of the case, otherwise serves the public interest of Hong Kong.

Any person who participates in a prohibited group gathering; organises a prohibited group gathering; owns, controls or operates the place of the gathering; and knowingly allows the taking place of the gathering, commits an offence. Offenders are liable to a maximum penalty of a fine at level 5 (\$50,000) and imprisonment for six months, which is the maximum penalty stipulated in section 8 of Cap. 599. Persons who participates in a prohibited group gathering may discharge liability for the offence by paying a fixed penalty of \$2,000.

The Director of Health may appoint any public officer as an authorised officer for the purposes of implementing the Regulation. The authorised officer may demand personal details and inspect the proof of identity as well as disperse prohibited group gatherings.

In accordance with the Regulation, the SFH will issue a notice in the Gazette today. The prohibition of group gatherings with more than four people in public places will commence at 0.00am on March 29 for a period of 14 days (i.e. till April 11).

The Government has been reviewing and will adjust relevant measures and their feasibility in view of the latest developments. A Government spokesman said that putting in place the Regulation could help further enhance social distancing and prevent mass gatherings. When making the Regulation, the Government has taken into account the activities and premises/places with high risks of COVID-19 infection, as well as overseas practices.

The Regulation is made in accordance with the Prevention and Control of Disease Ordinance (Cap. 599). Section 8 of the Ordinance empowers the Chief Executive in Council to make public health emergency regulation for the purposes of preventing, combating or alleviating the effects of a public health emergency and protecting public health.

The Centre for Health Protection (CHP) reminds members of the public to maintain an appropriate social distance with other people as far as possible in their daily lives. In particular, they should go out less and avoid social activities such as meal gatherings or other gatherings.

The CHP strongly urges the public to maintain at all times strict personal and environmental hygiene, which is key to personal protection against infection and prevention of the spread of the disease in the community. On a personal level, members of the public should wear a surgical mask when having respiratory symptoms, taking public transport or staying in crowded places. They should also perform hand hygiene frequently, especially before touching the mouth, nose or eyes.

The Department of Health will closely monitor the situation. Any updates will be issued through the media, the Government's "COVID-19 Thematic Website" (www.coronavirus.gov.hk/eng/index.html) and the DH's webpage (www.gov.hk/ncv). Any enquiries on health information on COVID-19 may be addressed to the DH's hotline at (852) 2125 1122 (operating daily from 8am to midnight).

Ends/Saturday, March 28, 2020

Issued at HKT 3:19