

## **Q&A on new requirements to reduce gatherings**

### **Q: What are public places? Will private properties not be classified as public places?**

A: Public places refer to places where members of the public can get access to from time to time. If private properties allow access by members of the public from time to time, such as cinemas, shops and restaurants, such private properties would fall under the definition of public places and hence the requirements regarding group gatherings in the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation will also be applicable.

### **Q: Which party should be held legally liable for contravening relevant provisions of the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation?**

A: Three types of people, namely those who participate in a prohibited group gathering, those who organise the gathering; and those who own, control or operate the place of the gathering and knowingly allow the taking place of the gathering, may commit an offence.

### **Q: What are the penalties for contravening the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation?**

A: Any person who contravenes the group gathering regulation shall be guilty of an offence and shall be liable on conviction to a maximum fine of \$25,000 or imprisonment for six months. Participants of group gatherings shall be liable to a fixed penalty of \$2,000 without trial by the court.

### **Q: Will a group of more than four people queuing up for buses, using elevators, crossing the road or waiting for takeaways be defined as group gatherings?**

A: Group gathering generally means a group of people who gather for a common purpose. However, whether a case is defined as a group gathering depends on its nature, such as whether the gathering is organised beforehand, whether there is any interaction between the participants, and whether the gathering only lasts for a very short period of time. Generally speaking, the definition of group gatherings does not apply to the abovementioned examples.

**Q: Can mahjong parlours, karaoke establishments, massage parlours and religious premises continue their businesses?**

A: According to the direction issued by the Secretary for Food and Health under the Prevention and Control of Disease (Requirement and Directions) (Business and Premises) Regulation, the abovementioned premises are not among the six categories of premises which must be closed. They can continue to conduct businesses. However, if such premises allow access by members of the public for gatherings from time to time, they would fall under the definition of public places under the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation. They need to comply with the prohibition of group gatherings of more than four people and ensure a distance of 1.5 metres or more between groups, etc. If catering service is provided in such premises, they also need to comply with the six new epidemic prevention requirements for catering businesses at the same time.

**Q: Can family members attend grave-sweeping activities together?**

A: Household members will be exempted from the prohibition of group gatherings. However, those who do not live together and go grave sweeping in a group of more than four people cannot be exempted. They are required to stagger their grave-sweeping activities in groups of not more than 4 people with a distance of 1.5 metres between different groups.

**Q: “Group gathering of persons living in the same household” is one of the exemptions. Will a family of five or six going to the park or shopping together be exempted?**

A: For people living in the same household, their gatherings are exempted.

**Q: “Group gathering at a place of work for the purposes of work” is one of the exempted group gatherings. Is the exemption only applicable to the employees of an organisation working in the office of their organisation?**

A: Generally speaking, “group gathering at a place of work for the purposes of work” refers to employees working at a place of work of their organisation. However, we understand that certain industries might have their special operational needs and judgment will be made on a case-by-case basis.

**Q: Will staff canteens be similarly required to comply with the no-more-than-four restriction on group gathering? Staff canteens of certain private companies that do not open to the public are not required to apply for food establishment licence, will such premises need to comply with the requirements?**

A: Regardless of the kind of licences they are holding, all premises which sell or provide food or drinks must comply with the six new epidemic prevention requirements applicable to the catering industry. No exemptions will be granted. The Prevention and Control of Disease (Requirement and Directions) (Business and Premises) Regulation empowers inspectors to conduct inspections at the concerned premises during reasonable time.

**Q: Will sales and marketing of new properties be exempted?**

A: Members of the public participating in such activities will not be exempted. They must comply with the prohibition of group gatherings of more than four people, and there must be a distance of 1.5 metres or more between different groups.

**Q: Will groups distributing face masks in public places be exempted?**

A: Generally speaking, group gatherings in public places for activities conducive to the prevention and control of diseases, such as distributing face masks, may be exempted. However, we appeal to members of the public to avoid public gatherings during this critical period to minimise the risk of spreading the virus.