

PREVENTION AND CONTROL OF DISEASE (REQUIREMENTS AND DIRECTIONS)
(BUSINESS AND PREMISES) REGULATION

Specification and Directions in Relation to Catering Business

I hereby exercise the power conferred on me by sections 4 and 6 of the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (*the Regulation*) (Chapter 599, sub. leg. F) to specify and direct that, during the period of 14 days beginning on 18 February to 3 March 2021:—

(A) All Catering Businesses except for Specific Catering Businesses ^[Note]

(I) Cessation of Sale of Food and Drinks for Consumption on Premises during Specified Period

(a) for catering businesses adopting measures under paragraphs (A)(II)(b)(1) and (A)(II)(b)(2) below:—

- (i) selling or supplying of food or drink for consumption on the premises of any catering business must be ceased from 10.00 p.m. to 4.59 a.m. of the subsequent day; and
- (ii) any premises, or part of the premises, on which food or drink is sold or supplied by the business for consumption on the premises (*catering premises*) must be closed from 10.00 p.m. to 4.59 a.m. of the subsequent day;

(b) for catering businesses not adopting measures under paragraphs (A)(II)(b)(1) and (A)(II)(b)(2) below:—

- (i) selling or supplying of food or drink for consumption on the premises of any catering business must be ceased from 6.00 p.m. to 4.59 a.m. of the subsequent day; and
- (ii) any catering premises, on which food or drink is sold or supplied must be closed from 6.00 p.m. to 4.59 a.m. of the subsequent day;

(II) Measures to be Undertaken at the Premises

(a) Mandatory Measures

(1) a notice must be displayed at the entrance to any catering premises to remind customers that food or drink must not be consumed in areas adjacent to that catering premises during the hours when consumption of food or drink on catering premises is not allowed under paragraph (A)(I) above;

(2) any catering business must, before commencement of the specified period, decide whether the business will be a category of catering business under paragraph (A)(I)(a) or that under paragraph (A)(I)(b) above and, during the specified period, the catering business cannot change from one category to another category of catering business under (A)(I). Any premises which falls within the category of catering business under paragraph (A)(I)(b) above must display a notice with the following specifications round-the-clock at its entrance to signify that the premises falls within the category under paragraph (A)(I)(b) above during the specified period, the corresponding restrictions in the period during which the selling or supplying of food or drink for consumption on the premises of the catering business must be ceased and the maximum number of persons may be seated together at one table, and such arrangement must remain unchanged during the specified period:—

- (i) the size of the notice must not be less than 297 x 210 mm (A3 size);

- (ii) the letters in the notice must be black in colour, the font type must be Times New Roman, and the font size must not be less than 32;
- (iii) the content of the notice must be displayed in a way that is clearly legible and unobstructed, with the following information included:—
 - 1. licence number, name and address of the business;
 - 2. the catering business falls within the category of premises under paragraph (A)(I)(b) above in the specified period from 18 February to 3 March 2021;
 - 3. selling or supplying of food or drink for consumption on the premises of the catering business from 6.00 p.m. to 4.59 a.m. of the subsequent day is not allowed in the aforementioned specified period; and
 - 4. no more than 2 persons are allowed to be seated together at one table during the operating hours of a day in the aforementioned specified period;
- (3) if the requirements or restrictions below are not adopted, on being identified by an enforcement agent, the following corresponding measures for reducing the risk of transmission must be taken on the subsequent day:—

Requirements or restrictions not adopted	Corresponding measures for reducing the risk of transmission
(i) Any of those set out in paragraphs (A)(II)(a)(1), (B)(I)(a) to B(I)(c), (B)(II)(j), (B)(II)(k)	For a period of 3 days, selling or supplying food or drink for consumption on the premises of any catering business must be ceased from 6.00 p.m. to 4.59 a.m. of the subsequent day, and no more than 2 persons may be seated together at one table
(ii) Any of those set out in paragraphs (A)(I)(a), B(I)(e) to B(I)(h)	For a period of 7 days, selling or supplying food or drink for consumption on the premises of any catering business must be ceased from 6.00 p.m. to 4.59 a.m. of the subsequent day, and no more than 2 persons may be seated together at one table
(iii) Any of those set out in paragraphs (A)(II)(b)(1), (A)(II)(b)(2), B(I)(d)	For a period of 14 days, selling or supplying food or drink for consumption on the premises of any catering business must be ceased from 6.00 p.m. to 4.59 a.m. of the subsequent day, and no more than 2 persons may be seated together at one table

- (4) any premises which is adopting measures under paragraph (A)(II)(a)(3) above must, during the applicable period of such measures, display a notice with the following specifications round-the-clock at its entrance to signify that the premises falls within paragraph (A)(II)(a)(3) above, the corresponding measures under category (i), (ii) or (iii) to be adopted and the dates when the corresponding measures are applicable:—
 - (i) the size of the notice must not be less than 297 x 210 mm (A3 size);
 - (ii) the letters in the notice must be black in colour, the font type must be Times New Roman, and the font size must not be less than 32;

(iii) the content of the notice must be displayed in a way that is clearly legible and unobstructed, with the following information included:—

1. licence number, name and address of the business;
 2. the catering business falls under paragraph (A)(II)(a)(3) above and the category of corresponding measures under (A)(II)(a)(3)(i), (ii) or (iii) to be adopted;
 3. the commencement and end dates of the applicable period of the corresponding measures to be adopted in respect of the catering business;
 4. the selling or supplying of food or drink for consumption on the premises of the catering business from 6.00 p.m. to 4.59 a.m. of the subsequent day is not allowed in the applicable period; and
 5. no more than 2 persons are allowed to be seated together at one table during the operating hours of a day in the applicable period;
- (5) in respect of any premises which falls within the category of premises under paragraph (A)(I)(b) above but not adopting applicable measures under paragraphs (A)(I)(b)(i), (A)(I)(b)(ii) above or paragraph (B)(I)(g) below, for a period of 14 days from the subsequent day after being identified by an enforcement agent, food or drink for consumption on the premises of the catering business may only be sold or supplied from 6.00 p.m. to 4.59 a.m. of the subsequent day, the catering premises on which food or drink is sold or supplied must be closed during the same period and the maximum number of persons allowed to be seated together at one table remains at 2 persons for the purpose of reducing the risk of transmission;
- (6) any premises which falls within the category of premises under paragraph (A)(II)(a)(5) above must display a notice with the following specifications round-the-clock at its entrance to signify that the premises falls within the category under paragraph (A)(II)(a)(5) above and the dates when the corresponding measures are applicable:—
- (i) the size of the notice must not be less than 297 x 210 mm (A3 size);
 - (ii) the letters in the notice must be black in colour, the font type must be Times New Roman, and the font size must not be less than 32;
 - (iii) the content must be displayed in a way that is clearly legible and unobstructed, with the following information included:—
 1. licence number, name and address of the business;
 2. the catering business falls within the category of premises under paragraph (A)(II)(a)(5) above;
 3. the commencement and end dates of the applicable period of the corresponding measures to be adopted in respect of the catering business;
 4. the selling or supplying of food or drink for consumption on the premises of the catering business from 6.00 p.m. to 4.59 a.m. of the subsequent day is not allowed in the applicable period; and
 5. no more than 2 persons is allowed to be seated together at one table during the operating hours of a day in the applicable period;

(b) Optional Measures

- (1) it must be ensured that before a customer (except a customer who is ordering takeaway only) is allowed to enter the premises, the customer scans the 'LeaveHomeSafe' venue QR code or registers his/her name, contact number and the date and time of his/her visit with written or electronic records to be kept for 31 days;

- (2) arrangements must be made for all staff involved in the operation of the premises to undergo a polymerase chain reaction-based nucleic acid test for the coronavirus disease 2019 every 14 days starting from 11 February 2021 and ensure that the staff obtain SMS (mobile phone text message) notification containing the result of the test before 25 February 2021 and the end of every subsequent 14-day period and keep record of each SMS notification for 31 days;

(B) All Catering Businesses

(I) Measures Required at the Premises

- (a) a person must wear a mask at any time within any catering premises except when the person is consuming food or drink at a table therein;
- (b) body temperature screening on a person must be conducted before the person is allowed to enter the catering premises;
- (c) hand sanitisers must be provided at any catering premises for any person at the premises;
- (d) 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 which must be unobstructed at any one time so that it is readily accessible for scanning with a mobile phone by a person entering the catering premises and the size of the image of the poster displayed must not be less than 210 x 297mm (A4 size);
- (e) tables available for use or being used by customers within any catering premises 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 effective buffer between one table and another table at the premises. For elongated tables which may accommodate a considerable number of persons, groups using the same table must be arranged in a way to ensure that, between any customer of one group and any customer of another group, there is a distance of at least 1.5 metres and some form of partition which could serve as effective buffer;
- (f) the number of customers at any catering premises at any one time when consumption on the premises may be allowed must not exceed 50% of the seating capacity of the premises;
- (g) for any catering premises that falls within the category in paragraph (A)(I)(a) above, no more than 4 persons may be seated together at one table or be allowed in the same group; for any catering premises that falls within the category in paragraph (A)(I)(b) above and catering premises which is adopting measures under paragraph (A)(II)(a)(3) or (A)(II)(a)(5) above, no more than 2 persons may be seated together at one table or be allowed in the same group;
- (h) the number of persons participating in any one banquet at any one time may not exceed 20 persons;
- (i) for requirements and restrictions in relation to group gathering within any catering premises:—
 - (i) requirements or restrictions applicable to any person participating in a group gathering are set out in paragraphs (B)(I)(e) and (B)(I)(g) above;
 - (ii) requirements or restrictions applicable to any person who organizes any group gathering are set out in paragraphs (B)(I)(e), (B)(I)(f), (B)(I)(g) and (B)(I)(h) above;
 - (iii) requirements or restrictions applicable to any person who controls or operates catering premises in which a group gathering takes place are set out in paragraphs (B)(I)(e), (B)(I)(f), (B)(I)(g) and (B)(I)(h) above;

(II) Suspension of Activities

- (j) no live performance or dancing activity is allowed in any catering premises;
- (k) no karaoke or mahjong-tin kau activity is allowed in any catering premises;

(III) Closure of Premises for Sale or Supply of Intoxicating Liquors

- (l) any premises (commonly known as bar or pub) that is exclusively or mainly used for the sale or supply of intoxicating liquors as defined in section 53(1) of the Dutiable Commodities Ordinance (Chapter 109) (*intoxicating liquors*) for consumption in that premises must be closed;
- (m) any part of a catering premises that is exclusively or mainly used for the sale or supply of intoxicating liquors for consumption in that part must be closed;
- (n) no members of the public may gather in the premises under paragraph (B)(III)(l) and the part under paragraph (B)(III)(m); and
- (o) the restriction in paragraph (B)(III)(n) above is a restriction imposed in relation to a group gathering at the premises under paragraph (B)(III)(l) or the part under paragraph (B)(III)(m) and is applicable to a person who participates in a group gathering in the premises or part, a person who organizes a group gathering in the premises or part and a person who controls or operates the premises or part in which a group gathering takes place.

Note:—

Any of the following catering business:—

1. A catering business carried on at any premises set out in Part 1 of Schedule 1 to the Regulation; or
2. A catering business or category of catering business designated under section 7A(1) of the Regulation by the Chief Secretary for Administration for the purposes of section 3(3)(b) or (c) of the Regulation.

17 February 2021

Secretary for Food and Health