

**Regarding Frequently Asked Question Applicable to
the Latest Directions and the Specifications under Cap. 599F
(During the period of 14 days beginning at 0.00 a.m. on 4 March to 17 March 2021)**

(I) Dedicated Staff for Cleaning-up Duties

Q1. Is it necessary for an operator of catering business to arrange dedicated staff for cleaning-up duties?

A1. An operator of catering business must arrange dedicated staff for clearing used utensils and cleaning and disinfecting used tables and partitions (cleaning-up duties). If this arrangement is not practicable, he/she must ensure that the staff carrying out any of the cleaning-up duties must adopt hand hygiene measures, i.e. using alcohol-based hand sanitisers, washing hands or changing gloves, before switching to perform other duties.

Q2. What are hand hygiene measures?

A2. Hand hygiene measures mean using alcohol-based hand sanitisers or washing hands with soap or changing gloves to ensure that the hands are clean.

Q3. The provision of dedicated staff for cleaning-up duties adds to operational burden for catering premises. Frequent hand washing or changing of gloves will make the process complicated and impose pressure on coping with the relaxation of the restriction on the number of customers per table. As such, does this really help the anti-epidemic cause?

A3. The operator of catering business should note that while the number of person per table is relaxed to no more than 4 persons, the number of customers at the premises at any one time is still maintained at no more than 50% of the seating capacity of the premises. The operator of catering business and the staff should familiarise themselves with the routine under the current scale of operation. With sustained improvement to the epidemic situation leading to relaxation of the relevant measures, more customers could be served and more revenue could be generated. Manpower could then be increased as necessary, so as to enable various anti-epidemic measures to be implemented in a sustainable and effective manner.

(II) “LeaveHomeSafe”

Q4. Will it be considered intrusion into privacy, if an operator of catering business calls a customer using the phone number he/she leaves on the spot so as to verify whether the information is true?

A4. Regarding the accuracy of the personal data collected, as stated in Principle 2 of the Data Protection Principles of the Personal Data (Privacy) Ordinance, the data user shall take all practicable steps to ensure that the personal data retained is accurate.

Q5. On the relevant information filled in by customers in the log book or record form, how to protect their privacy?

A5. The operator of catering premises can state the purposes of collecting personal data of customers on the log book or record form provided to customers for filling in the relevant information, such as listing the following text:

“The information provided by you will be used for facilitating the work of the Government in controlling the spread of COVID-19 and related purposes only. Only persons authorised by this restaurant will have access to such information for the aforesaid purposes. For the purpose of epidemiological investigation and contact tracing, where necessary, the information provided by you may be provided to the Government / organisations / associations / persons, for example, the Department of Health (including the Centre for Health Protection), the Hospital Authority and authorised law enforcement agencies, etc. This restaurant will ensure that the personal data will be destroyed after 31 days. If you wish to amend or access the personal information provided, please contact Mr/Ms XXX at xxxx xxxx. If you fail to provide the required personal information, this restaurant has the right to deny your entry.”

Q6. Does staff of FEHD have the right to request the operator of catering premises to provide the written or electronic registration records of the customers’ information for inspection?

A6. Pursuant to section 12(1)(e) of Cap. 599F, in order to ascertain whether any requirements or directions issued under Cap. 599F regarding catering business or scheduled premises are being or have been complied with, an authorised officer may, if deemed necessary, require any person to provide the authorised person with information in his possession. Staff of the FEHD are authorized officers referred to in Cap. 599F, and therefore have the right to request the operator of catering premises to provide written or electronic registration records of the customers’ information in his possession for inspection if deemed necessary.

Q7. Why collecting personal information of the customers?

A7. The operator of catering premises is required to collect personal data of customers for the purpose of providing more effective facilitation to the Centre of Health Protection for their epidemiological investigation and further protecting the health and safety of staff and customers in face of the pandemic.

Q8. Will catering premises be considered as complying with the requirements if they provide a box for collecting forms filled in by customers themselves or ask customers to register their visits using the Google form?

A8. The operator of catering business must require customers to scan the “LeaveHomeSafe” venue QR code using the “LeaveHomeSafe” mobile application on the mobile phone or register their information through other means (the information required includes their names, contact numbers and the date and time of their visits), before they are allowed to enter the premises. The provision stipulates that the operator is responsible for **ensuring** that customers have filled in the required information using the means provided, for example checking the forms / receipts to see if the relevant information has been provided properly, etc.

Q9. Customers fill in by themselves the forms / receipts / Google form provided by the catering business, and then put them directly into the collection box, but there is no staff to check the relevant information (or customers do not allow the staff to check). Is it considered that the relevant new measure has been complied with?

A9. Not acceptable, as the operator of catering business has not checked the form / receipt to ensure that the customer has properly filled in the relevant information. In order to fulfil the purpose of “ensuring”, the operator of catering business must request the customer to fill in afresh and provide the properly completed form / receipt / Google form to the staff again.

Q10. If operator of catering business opts to use record sheet/log book for record purpose and allows a number of customers to fill in their personal data on the same form, will the arrangement be considered intrusion into privacy?

A10. If record sheet / log book are used for record purpose, staff of the catering premises should properly cover the information of other customers, to ensure customers could not see the others’ personal information, in order to protect their privacy.

Q11. If operator of catering business opts to use receipt / form and let the customers to fill in the receipt / form by themselves and then put it directly into the collection box. How the arrangement should be made, in order to protect their privacy?

A11. If opting to use collection box for collecting the customer’s personal information, the collection box should be properly covered to ensure customers’ personal information could not be tampered, in order to protect their privacy.

Q12. How should the operator of catering business display the “LeaveHomeSafe” venue QR code?

A12. The poster containing the “LeaveHomeSafe” venue QR code has to be displayed by the operator of catering business at the entrance or a conspicuous location of the premises. Under the directions, food premises are required to display a poster containing the “LeaveHomeSafe” venue QR code at the entrance or a conspicuous location of the premises which must be unobstructed at any one time so that it is readily accessible for scanning with the “LeaveHomeSafe” mobile application on a mobile phone by a person entering the catering premises. The size of the image of the poster displayed must not be less than 210 x 297mm (A4 size).

Q13. Can customers scan the QR code or get registered after being seated?

A13. The directions stipulates the requirement to ensure that before a customer is allowed to enter the premises, the customer scans the relevant QR code with the “LeaveHomeSafe” mobile application on their mobile phones or registers his/her name, contact number and the date and time of his/her visit. If the customer scans the QR code after being seated will not be considered as complying with the relevant requirements.

Q14. For those entering the premises on a family basis, is it allowed for only one family member to scan the “LeaveHomeSafe” QR code? For those who enter the premises on a family basis and would like to register their names, contact numbers and the dates and time of their visits in writing, can they only register the information of one of their family members?

A14. Before a customer is allowed to enter the premises, every customer must scan the QR code with the “LeaveHomeSafe” mobile application on his/her mobile phone or have his/her name, contact number and the date and time of his/her visit registered including senior citizens and children. For those who do not have a smart phone, the persons accompanying them may register in writing for them, and enter the contact numbers of their family members, parents or guardians in the entries about contact numbers.

Q15. Are customers required to scan the “LeaveHomeSafe” venue QR code when ordering takeaways?

A15. As customers ordering takeaways will not be mask-off at the catering premises, and the time of their stay at the catering premises will be shorter than that of dine-in patrons, it is acceptable if customers purely ordering takeaway and staying for a short period of time do not scan the “LeaveHomeSafe” venue QR code or register their information.

Q16. Is it necessary for patrons who dine outdoors in catering premises with outside seating accommodation to scan the “LeaveHomeSafe” QR code?

A16. Patrons are required to scan the QR code or register personal information, before they enter the catering premises. As outside seating accommodation is part of the catering premises, patrons are required to scan the QR code using the “LeaveHomeSafe” mobile application on their mobile phone or register personal information before entering the outside seating area.

(III) Staff have to Undergo Nucleic Acid Testing Every 14 days

Q17. Staff involved in the operation of the premises are required to undergo a polymerase chain reaction-based nucleic acid testing for COVID-19 every 14 days. At this stage, what is the period of time during which the nucleic acid test results are issued will be regarded as valid proof?

A17. The operator of catering business must arrange staff to undergo a polymerase chain reaction-based nucleic acid test for the coronavirus disease 2019 every 14 days starting from 25 February 2021 and ensure that staff obtain SMS (mobile phone test message) notification containing the result of the test before 11 March 2021 and the end of every subsequent 14-day period, and keep record of each SMS notification for 31 days.

Q18. How long should the staff involved in the operation of the premises keep record of their nucleic acid test results?

A18. Staff must keep the SMS for nucleic acid test results on the original mobile phone receiving the original SMS for 31 days for inspection by authorised officers.

Q19. What tests for COVID-19 are accepted under the directions?

A19. Staff involved in the operation of the premises must undergo a polymerase chain reaction-based nucleic acid test for COVID-19 every 14 days. The Government does not accept the results of antigen tests or antibody tests, etc.

(IV) Corresponding Measures to be taken for Reducing the Risk of Transmission for Breaching the Relevant Requirements

Q20. What measures will be taken against catering premises which have failed to comply with the requirements?

A20. The Government will adopt corresponding measures for reducing the risk of transmission according to different breaches of requirements and directions, including shortening the dine-in period to 5:59 p.m. and imposing a restriction to allow no more than 2 persons to be seated together at one table, for a period ranging from 3, 7 or 14 days.

Q21. If Category A catering premises fail to comply with the requirements and are required to take corresponding measures for reducing the risk of transmission, do their staff still need to undergo regular testing and ensure that customers scan the “LeaveHomeSafe” QR code or register their names, contact numbers and the dates and time of their visits?

A21. Category A catering premises must, under all circumstances (including taking corresponding measures for reducing the risk of transmission as a result of not complying the requirements), arrange regular testing for their staff in accordance with the relevant requirements and ensure that customers scan the relevant QR code using the “LeaveHomeSafe” mobile application on their mobile phone or register their names, contact numbers and the date and time of their visits.

Q22. If Category A catering premises contravene the relevant requirements again when the corresponding measures to reduce transmission risks are being implemented, will the corresponding measures be extended?

A22. If the catering premises breach the requirements again during the applicable period of the corresponding measures to reduce transmission risks, the corresponding measures attributable to the latest breaches will be implemented on the subsequent day of identifying them, i.e. not being executed sequentially. There may be overlapping of the implementation periods of the measures.

(V) Others

Q23. What types of catering premises need to display the notice?

A23. Catering premises are broadly classified into Category A (closed from 10:00 p.m. to 4:59 a.m. of the subsequent day) and Category B (closed from 6:00 p.m. to 4:59 a.m. of the subsequent day). The notice shall be displayed for Category B catering premises. The notice shall also be displayed for Category A catering premises that have to adopt the corresponding measures for breaching the requirements.

Q24. What information should be included in the notice for Category B?

A24. For Category B catering premises, the notice must be displayed in a way that the content is clearly legible and unobstructed, with the following information included:

- (i) licence number, name and address of the business;
- (ii) the category to which the catering business (with operating hours from 6:00 p.m. to 4:59 a.m. of the subsequent day) belongs during the specified period between 4 March 2021 and 17 March 2021;
- (iii) the selling or supplying of food or drink for consumption on the catering premises from 6:00 p.m. to 4:59 a.m. of the subsequent day is not allowed in the above specified period; and
- (iv) no more than 2 persons is allowed to be seated together at one table during the operating hours of a day in the specified period.

Q25. Are Category A catering premises only required to ensure that customers scan the QR code using the “LeaveHomeSafe” mobile application on their mobile phone or register their names, contact numbers and the date and time of their visits between 6:00 p.m. and 9.59 p.m.?

A25. Category A catering premises must, in any circumstances (including the opening hours of their business), ensure that dine-in customers must scan the QR code using the “LeaveHomeSafe” mobile application on their mobile phone or register their names, contact numbers and the date and time of their visits according to the relevant requirement.

Q26. If Category A or Category B catering premises fail to comply with the relevant directions and need to take corresponding measures to reduce the risk of transmission and the implementation period straddles two specified periods, will the corresponding measures for the remaining applicable period need to be implemented during the new specified period?

A26. Yes. For corresponding measures that have commenced but have yet to be completed during the previous specified period, their implementation must still be completed in full as scheduled. The implementation will not be affected for reason of the advent of the current specified period.

Q27. When are the persons-in-charge of catering premises required to decide whether their catering premises fall under Category A or B?

A27. Under the circumstances of the previous question, the operator of catering business will make a choice after completing the implementation of the corresponding measures, while all other operators of catering business must decide whether their catering premises fall under Category A or B for the entire specified period before the commencement of the specified period.

Q28. If a customer makes an order at 5:30 p.m. in a Category B catering premises, is it possible for the customer to continue eating or drinking in the catering premises after 6:00 p.m.?

A28. Catering premises must make appropriate arrangements having regard to the closure time of the premises, such as to cease to take orders at appropriate time, so that the time for customers to finish their meals could match the closure time of the premises.