



Hong Kong

May 2020

IMPLEMENTATION PERIOD OF SOCIAL DISTANCING MEASURES EXTENDED BY THE GOVERNMENT OF THE HKSAR

The HKSAR Government announced on 19 May 2020 an extension of the prohibition on group gathering in public places under the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (Cap. 599G) (the “**Extended Prohibition on Group Gatherings**”). The Extended Prohibition on Group Gatherings will now last until 4 June 2020 (the “**Specified Period**”). The exemption in paragraph 11 to schedule 1 of the Extended Prohibition on Group Gatherings in relation to AGMs and general meetings (the “**Exemption**”) has been retained with no changes. The impact of the Exemption on AGMs and general meetings was discussed in our newsletter on the Easing of certain social distancing measures and how they apply to shareholders’ meetings.¹ As a result, companies are reminded that should they proceed with their AGMs and/or general meetings within the Specified Period, they must comply with the conditions set out in paragraph 11 to schedule 1 of **Extended Prohibition on Group Gatherings**.

1. The Religious Gathering Exemption

In addition, the HKSAR Government has extended the scope of the exempted group gatherings to include religious gatherings (the “**Religious Gathering Exemption**”). The Religious Gathering Exemption provides that a group gathering during a religious activity may be held subject to the following conditions (the “**Conditions**”):

- a) it is held at any premises constructed or regularly used as a place of worship (including a church, monastery or nunnery, mosque, synagogue or temple);
- b) no food or drink is served (except as part of a religious ritual); and
- c) measures are put in place for restricting the number of participants to no more than 50% of the number of persons that may normally be accommodated on the premises as a place of worship.

Therefore, a gathering of people for religious purposes will fall within the Religious Gathering Exemption so long as the aforementioned Conditions are complied with.

2. Catering business (restaurants, pubs and bars) and fitness centres

The HKSAR Government also announced amendments under the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F) (the “**Business and Premises Regulations**”). Under the Business Premises Regulations, catering business (which includes restaurants, pubs and bars) and fitness centres among other premises are open under specific requirements as follows:

¹ <https://www.charltonslaw.com/easing-of-certain-social-distancing-measures-and-how-they-apply-to-shareholders-meetings/>

	Catering business		Fitness centre
	Catering business	Bars and pubs	
Headcount	Max. 8 per table	<ul style="list-style-type: none"> • Max. 4 per table. • 50% seating capacity and no live music performance or dancing 	Max. 8 persons in each group training or group class including the coach/instructor
Specific requirements	No karaoke activities		Fitness station, machine and equipment cleaned and disinfected before and after each use
Distancing	1.5m or some form of effective partitioning between tables		1.5m or some form of effective partitioning between fitness stations, machines and equipment in use
Mask requirement	Yes		Yes (before and after exercise)

A complete list of the scheduled premises that are open under the Business and Premises Regulations appears in the latest HKSAR Government announcement, "Government announces latest social distancing measures under the Prevention of Disease Ordinance."²

² <https://www.info.gov.hk/gia/general/202005/19/P2020051900837.htm>

CHARLTONS

Award winning Hong Kong law firm

This newsletter is for information purposes only.

Its contents do not constitute legal advice and it should not be regarded as a substitute for detailed advice in individual cases.

Transmission of this information is not intended to create and receipt does not constitute a lawyer-client relationship between Charltons and the user or browser.

Charltons is not responsible for any third party content which can be accessed through the website.

If you do not wish to receive this newsletter please let us know by emailing us at unsubscribe@charltonslaw.com

Hong Kong Office

Dominion Centre

12th Floor

43-59 Queen's Road East

Hong Kong

Tel: + (852) 2905 7888

Fax: + (852) 2854 9596

www.charltonslaw.com