

L.N. 50 of 2022

**Prevention and Control of Disease (Wearing of Mask)
(Amendment) (No. 3) Regulation 2022**

(Made by the Chief Executive in Council under section 8 of the
Prevention and Control of Disease Ordinance (Cap. 599))

1. Commencement

This Regulation comes into operation on 21 April 2022.

**2. Prevention and Control of Disease (Wearing of Mask)
Regulation amended**

The Prevention and Control of Disease (Wearing of Mask)
Regulation (Cap. 599 sub. leg. I) is amended as set out in
sections 3, 4 and 5.

3. Section 2 amended (interpretation)

(1) Section 2(1), definition of *specified period*, paragraph (a)—

Repeal

“or”.

(2) Section 2(1), definition of *specified period*, paragraph (b)—

Repeal the semicolon

Substitute

“; or”.

(3) Section 2(1), definition of *specified period*, after paragraph
(b)—

Add

“(c) in section 5A(3A)(a)—a period specified under
section 3(1)(d);”.

Section 4

4. **Section 3 amended (specification by Secretary for Food and Health)**
 - (1) Section 3(1)(b)—
Repeal
“and”.
 - (2) Section 3(1)(c)—
Repeal the full stop
Substitute
“; and”.
 - (3) After section 3(1)(c)—
Add
“(d) specify a period for the purposes of section 5A(3A)(a).”.

5. **Section 5A amended (requirement to wear mask in specified public place and Cap. 599F premises during specified period)**
 - (1) Section 5A(3)(i)—
Repeal
“; or”
Substitute a semicolon.
 - (2) Section 5A(3)(j)—
Repeal the full stop
Substitute
“; or”.
 - (3) At the end of section 5A(3)—
Add

“(1) the person is engaged in any physical activity (including exercise) that may reasonably be regarded as strenuous for him or her, in a place that is not indoor.”.

(4) After section 5A(3)—

Add

“(3A) Subsection (3)(1) does not apply—

- (a) during a specified period; or
- (b) if the person is required under a Cap. 599F direction to wear a mask in the place.”.

(5) At the end of section 5A—

Add

“(6) In this section—

indoor (室内) means—

- (a) having a ceiling or roof, or a cover that functions (whether temporarily or permanently) as a ceiling or roof; and
- (b) having at least 50% of the total area of all sides enclosed (whether temporarily or permanently) otherwise than by—
 - (i) any window or door that can be opened; or
 - (ii) any opening that functions as such a window or door.”.

Prevention and Control of Disease (Wearing of Mask) (Amendment) (No. 3)
Regulation 2022

L.N. 50 of 2022
B597

Wendy LEUNG
Clerk to the Executive Council

COUNCIL CHAMBER

20 April 2022

Explanatory Note

This Regulation amends the Prevention and Control of Disease (Wearing of Mask) Regulation (Cap. 599 sub. leg. I) to—

- (a) provide that it is a reasonable excuse for a person not to wear a mask in any specified public place or premises regulated under the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599 sub. leg. F) if the person is engaged in any strenuous physical activity in a place that is not indoor; and
- (b) empower the Secretary for Food and Health to specify a period during which the reasonable excuse described in subparagraph (a) does not apply.