

L.N. 23 of 2022

**Emergency (Exemption from Statutory Requirements)
(COVID-19) Regulation**

(Made by the Chief Executive in Council under section 2 of the
Emergency Regulations Ordinance (Cap. 241))

1. Commencement

This Regulation comes into operation on 24 February 2022.

**2. Chief Secretary for Administration may grant exemption from
requirement under enactment**

- (1) For preventing, protecting against, delaying or otherwise controlling the incidence or transmission of the specified disease or treating patients with the specified disease (*specified purposes*), the Chief Secretary for Administration (*Chief Secretary*) may, having regard to the factors set out in subsection (2), grant an exemption in writing from any requirement under any enactment (including a requirement for licence, authority, approval, exemption, permit, registration, standard or specification).
- (2) For the purposes of subsection (1), the factors are—
 - (a) the extent and pattern (whether general or specific) of the spread of the specified disease in Hong Kong or anywhere else in the world;
 - (b) the need to alleviate the effects of the specified disease on the social or economic activities in Hong Kong;
 - (c) the availability of resources to achieve the specified purposes;

- (d) the urgency of achieving the specified purposes;
 - (e) the qualifications or experience of the person, or the category or description of persons, in relation to whom the exemption is to be granted;
 - (f) the qualities or standards of the property or thing, or the category or description of properties or things, in relation to which the exemption is to be granted; and
 - (g) any other factors in the public interest of Hong Kong.
- (3) An exemption under this Regulation may be subject to any condition specified by the Chief Secretary.
- (4) The Chief Secretary may cancel or vary—
- (a) an exemption under this Regulation; or
 - (b) a condition specified under subsection (3).
- (5) In this section—

specified disease (指明疾病) means the coronavirus disease 2019 (COVID-19), which is specified in item 8A of Schedule 1 to the Prevention and Control of Disease Ordinance (Cap. 599).

3. **Effect of repeal of section 2**

If section 2 is repealed in whole or in part by order of the Chief Executive in Council, the repeal does not affect—

- (a) the effect of an exemption under this Regulation; or
- (b) anything duly done under such an exemption.

Wendy LEUNG
Clerk to the Executive Council

COUNCIL CHAMBER

23 February 2022

Explanatory Note

The object of this Regulation is to empower the Chief Secretary for Administration to grant exemptions from any requirement under any enactment for preventing, protecting against, delaying or otherwise controlling the incidence or transmission of the coronavirus disease 2019 (COVID-19) or treating patients with the disease.