

Conduct of Inquiry Hearings (“IHs”) in view of the prevailing public health situation

General

1. Where circumstances safely permit, IHs will generally continue to proceed as scheduled unless they are adjourned pursuant to specific directions of the IH Panel.
2. The EAA will review the public health situation from time to time and take into account various factors when considering whether IHs can be proceeded or need to be adjourned. When hearings are conducted, they will be closely monitored and adjustments in respect of the hearing schedules and preventive and crowd management measures for IHs will be made where appropriate.

Check EAA website for latest information on IHs

3. Information on Notice of IHs can be found on the EAA website (<http://www.eaa.org.hk/en-us/Inquiry-Hearing/Notice-of-inquiry-hearings>). Parties to IHs and the public are strongly advised to check the EAA website regularly as hearing of the cases may be subject to change at short notice due to the rapidly changing public health situation.

Preventive and crowd management measures for IHs

4. The EAA will have the following precautionary and crowd management measures put in place in relation to the conduct of IHs to ensure appropriate social distancing for parties attending IHs and for the health protection of all people who are required to enter and remain in the EAA office and/or the hearing room:
 - (a) Acrylic panels, microphone covers and alcohol-based hand rub will be made available for use during an IH.
 - (b) Sufficient social distancing (at least 1.5m) will be maintained between the parties inside the hearing room at all times. The EAA will adopt a “space-out” approach to ensure that the people flow in the hearing room is smooth and that the hearing room and the EAA office are not over-crowded.
 - (c) Hearing room will be vacated for Panel Members’ discussion and deliberation during hearing breaks (if necessary) and after the IH.
 - (d) Attendees including Panel Members, respondents and their legal representatives, witnesses, presenter and public audience (“Attendees”) who have a fever (body temperature at or higher than 37.5 degrees Celsius) or are subject to any quarantine requirements or medical surveillance should not attend an IH and (if applicable) should apply for permission of absence or adjournment with reasons as soon as practicable.
 - (e) Attendees are required to wear face mask when entering and remaining in the EAA office and the hearing room. Before entering the EAA office or the hearing room, Attendees are required to use the “LeaveHomeSafe” mobile

application to scan the EAA's venue QR code, undergo body temperature check, and fill in a health declaration form to be provided by the EAA.

- (f) The EAA has the right to impose a limit (and revise the limit, if necessary) on the number of Attendees inside the EAA office and the hearing room at any point in time to suit the latest situation and put in place necessary queuing, ticketing and triage systems as well as designated entry and exit points.
 - (g) In case IHs are held, they will remain opened to the public. However, to ensure sufficient distancing between each public audience (item 4(b) above refers), seating capacity of IHs will be reduced to six and made available on a first-come-first-serve basis. If the maximum public seating capacity is reached, a number will be allocated to those who wish to queue and wait for the next available seat.
 - (h) For parties to IHs, they are required to minimize the number of people coming to IHs to not more than four people from each group. Regardless of the number of people from each group, the EAA has the right to direct person(s) accompanying the witness, the respondent or his legal representative to take up seat(s) of the public audience where appropriate.
 - (i) Attendees should maintain good personal hygiene at all times and disinfect their hands frequently during their stay at the hearing room and the EAA office.
 - (j) If a respondent or a witness of an IH has a fever / refuses to use the "LeaveHomeSafe" mobile application to scan the EAA's venue QR code / refuses to undergo body temperature check / does not wear face mask / selects "yes" as answer to any of the questions in the health declaration form / is unable to complete the health declaration form / refuses to comply with any one of the above applicable measures, the Clerk to the Disciplinary Committee will notify IH Panel which will hear the submission of the relevant party of the IH (where applicable) and then decide whether (i) entry into the hearing room and/or the EAA office by the respondent or witness will be allowed; (ii) the IH be adjourned to a date to be fixed; or (iii) the IH be proceeded with and determined in the absence of the respondent or witness.
 - (k) Any Attendee (other than a respondent or witness of an IH) who has a fever / refuses to use the "LeaveHomeSafe" mobile application to scan the EAA's venue QR code / refuses to undergo body temperature check / does not wear face mask / selects "yes" as answer to any of the questions in the health declaration form / is unable to complete the health declaration form / refuses to comply with any one of the above applicable measures will be refused entry into or directed to leave the hearing room and/or the EAA office.
5. The EAA will continue to update information in relation to IHs on its website. Attendees are strongly advised to check the EAA website for the latest information as necessary.

January 2022