

# Hong Kong broke law by scrapping vaccine exemptions: court

October 21 2022

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Hong Kong's government broke the law when it invalidated thousands of certificates exempting people from coronavirus vaccinations, a court ruled Friday, in a rare rebuke of the city's strict pandemic controls.

Coronavirus jabs are not mandatory in Hong Kong, but the Chinese city uses a QR healthcode system that denies [unvaccinated people](#) access to

many public premises.

Police have accused seven doctors of issuing fraudulent exemptions in recent months in a city where coronavirus vaccine hesitancy is pronounced, especially among the elderly.

After arresting the medics, local authorities announced some 20,000 exemption certificates would be declared invalid.

But High Court judge Russell Coleman ruled that such a move was not supported by Hong Kong's public health laws.

"A government minister gets his or her legal powers from legislation—and not from an announcement made in a press release," Coleman wrote on Friday.

Hong Kong's unelected government has used emergency powers to pass some of the strictest pandemic rules in the world—including compulsory mask wearing and bans on large outdoor gatherings—which remain in place to this day.

The emergency legislation set out how exemption certificates work, but offered no solution when the document's validity was disputed, the judge said.

Health Secretary Lo Chung-mau said he would respond to the ruling after studying it with the Department of Justice.

The legal challenge against the invalidation was started by Kwok Cheuk-kin, a resident known as the "king of judicial reviews" who often uses the courts to scrutinise government policies.

Government lawyers had argued that it was necessary to nullify

"questionable" certificates to reduce infection risks, adding that people could still get replacements if they qualified.

They also said unvaccinated residents could carry on their business and could, for example, buy takeaway food instead of going into restaurants.

Hong Kong's fully vaccinated rate is around 90 percent. But over 360,000 people over the age of 60—the demographic most at risk of dying—remain unvaccinated.

Authorities have arrested at least 26 people, including five [government](#) employees, for allegedly using improperly issued exemption documents.

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Citation: Hong Kong broke law by scrapping vaccine exemptions: court (2022, October 21)  
retrieved 6 May 2024 from  
<https://medicalxpress.com/news/2022-10-hong-kong-broke-law-scrapping.html>

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