

# Government makes “restriction-testing declaration” and issues compulsory testing notice in respect of specified “restricted area” in Kwai Chung

The Government today (January 21) exercised the power under the Prevention and Control of Disease (Compulsory Testing for Certain Persons) Regulation (Cap. 599J) to make a "restriction-testing declaration" (declaration) effective from 6pm, under which people (hereafter referred to as "persons subject to compulsory testing") within the specified "restricted area" in Kwai Chung (i.e. Yat Kwai House, Kwai Chung Estate. See Annex.) are required to stay in their premises and undergo compulsory testing. The Government aims at finishing this exercise at about 7am on January 26. Persons subject to compulsory testing are required to stay in their premises and undergo five tests under designated arrangement, until all such persons identified in the "restricted area" have undergone testing and the test results are mostly ascertained, and upon agreement of the Secretary for Food and Health having regard to all the circumstances and public interest of Hong Kong.

The Government spokesman said, "There has been at least 20 confirmed cases or preliminary tested positive cases in Yat Kwai House, Kwai Chung Estate. The outbreak thereat is worrying. There was a super spreading event leading to the cluster at Yat Kwai House, Kwai Chung Estate involving significant risk of infection. Therefore, in addition to the compulsory testing imposed on the residents of Yat Kwai House, Kwai Chung Estate earlier, we consider it necessary to undertake determined action by conducting the five-day 'restriction-testing declaration' operation under Cap. 599J to prevent the virus from further spreading."

The Government has set up temporary specimen collection stations at the "restricted area" and requested persons subject to testing to undergo testing as designated between January 21 and January 25. Arrangements have been made for persons subject to testing to undergo a nucleic acid test at specimen collection stations where dedicated staff will collect samples through combined nasal and throat swabs. Persons subject to testing must stay at their place of residence until all test results are ascertained to avoid cross-infection risk. The Government will arrange for door-to-door specimen collection for people with impaired mobility and elderly persons. As a mutant strain is involved, and having considered relevant infection risks, for prudence's sake, vaccinated persons and persons who have recently been tested are also required to undergo testing.

The Government spokesman said, "We understand that this exercise will cause inconvenience to the public. We sincerely appeal to the co-operation of residents of Yat Kwai House (including those who are at work and not

currently at the premises) to return to their household rather than move out the premises and comply with the testing arrangement. For those who have visited Yat Kwai house in the past two weeks for more than two hours, they should undergo testing on January 21, 22, 23, 27, 31 and February 2 in accordance with the compulsory testing notice issued earlier. The Government will make a public announcement when the declaration expires officially."

In order to maintain public and emergency services within the "restricted area", the Government and relevant working staff (such as healthcare officers and other officers of the Hospital Authority, testing service providers engaged by the Government, and cleaning service providers etc.) are allowed to enter and leave the "restricted area" on condition that personal information and contacts are given, as well as certain infection control instructions are followed (including undergoing testing before leaving the "restricted area" without the need to wait for the test results). In the cases in which employees are unable to go to work because of the declaration, the Government hopes their employers can exercise discretion and not deduct the salaries or benefits of the employees."

If staying in the "restricted area" will cause unreasonable hardship to individuals who are not residents in the area when the declaration takes effect, government officers may exercise discretion and allow that person to leave the area after considering the individual circumstances. That person must have followed the instructions to undergo testing and leave his/her personal information for contact purposes.

The Housing Department has set up hotlines (Tel: 3617 9201 and 2427 9006) which have started operation at 6pm today for residents restricted by the declaration to make enquiries and seek assistance. The Social Welfare Department will also provide assistance to the affected persons.

The Government appeals to persons subject to compulsory testing for their full co-operation by registering and undergoing testing, and waiting for the results patiently at home. The Government will strictly follow up on whether the persons concerned have complied with the compulsory testing notices and "restriction-testing declaration". Any person who fails to comply with the compulsory testing notices commits an offence and may be fined a fixed penalty of \$5,000. The person would also be issued with a compulsory testing order requiring him or her to undergo testing within a specified time frame. Failure to comply with the compulsory testing order or the "restriction-testing declaration" is an offence and the offender would be liable to a fine at level 4 (\$25,000) and imprisonment for six months.

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**[Hong Kong Customs seizes suspected](#)**

## [scheduled red sandalwood \(with photo\)](#)

Hong Kong Customs today (January 21) seized about 3 378 kilograms of suspected scheduled red sandalwood, with an estimated market value of about \$17 million, at Hong Kong International Airport.

Through risk assessment, Customs officers today inspected an air consignment, declared to be carrying furniture raw materials, arriving in Hong Kong from Dubai. Upon inspection, Customs officers found the batch of suspected scheduled red sandalwood inside two large wooden boxes.

The case was handed over to the Agriculture, Fisheries and Conservation Department for follow-up investigation.

Under the Protection of Endangered Species of Animals and Plants Ordinance, any person found guilty of importing or exporting an endangered species without a licence is liable to a maximum fine of \$10 million and imprisonment for 10 years.

Members of the public may report any suspected smuggling activities to Customs' 24-hour hotline 2545 6182 or its dedicated crime-reporting email account ([crimereport@customs.gov.hk](mailto:crimereport@customs.gov.hk)).



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## [HKSAR Government strongly opposes resolutions of European Parliament](#)

The Hong Kong Special Administrative Region (HKSAR) Government today (January 21) deplored the so-called resolutions adopted by the European Parliament against Hong Kong, and strongly opposed the Parliament for making baseless allegations and smearing the rule of law, freedom and democratic development in Hong Kong.

A HKSAR Government spokesman said, "Regarding the suggestions by foreign politicians on the so-called 'sanctions' on HKSAR Government officials, the HKSAR Government despises the suggestions and will continue to strive to safeguard national security.

"We urge foreign politicians to immediately stop breaching international laws based on their biased political interests to intervene in Hong Kong matters, which are purely the internal affairs of the People's Republic of China.

"The improvement to the electoral system fully implements the principle of 'patriots administering Hong Kong', ensuring that members of the Legislative Council love the country and Hong Kong, and act in the interests of the country's development and the long-term prosperity and stability of Hong Kong. The elected legislators come from different backgrounds and from across the political spectrum. Such diversity showcases the broad representation and political inclusiveness of the improved electoral system. They have been returned by the Election Committee constituency, functional constituencies and geographical constituencies through direct elections. By balancing the overall interests of Hong Kong, the interests of different sectors and districts, the election ensures balanced participation. Furthermore, open, fair, and healthy competition among candidates reflected the fairness and competitiveness of the new electoral system.

"The democratic framework implemented by Hong Kong since its return to the Motherland stems from the country's Constitution and the Basic Law. The improved electoral system is clearly set out in Annex 1 and Annex 2 of the Basic Law, which fully demonstrates its legitimacy, strengths and progressiveness. The new electoral system under the principle of 'patriots administering Hong Kong' manifests broad representation, balanced participation, political inclusiveness and fair competition, enabling voters to vote freely and make choices.

"Freedom of speech and freedom of the press are protected under the Basic Law and the Hong Kong Bill of Rights. Article 4 of the Hong Kong National Security Law also stipulates that such rights and freedoms shall be protected in accordance with the law in safeguarding national security in the HKSAR. According to the International Covenant on Civil and Political Rights, exercising freedom of speech and freedom of the press must comply with the restriction of the law for reasons including protection of national security.

"Article 63 of the Basic Law expressly guarantees that all prosecutions are controlled by the Department of Justice, free from any interference. Prosecutions would be instituted only if there is sufficient admissible evidence to support a reasonable prospect of conviction and if it is in the public interest to do so. We must reiterate that no one is above the law, or has the privilege to break the law without facing legal consequences. It would be contrary to the rule of law to suggest that people or entities of certain sectors or professions could be above the law.

"We express our deep regret and must rebuke politicians of Western countries in respect of their attempt to twist facts and issue slandering remarks on the enforcement actions taken in accordance with the law. Such acts violate international laws and constitute gross interference in the affairs of Hong Kong.

"Being an inalienable part of the People's Republic of China, the HKSAR has the duty to safeguard national security. Furthermore, the HKSAR has the constitutional responsibility for enacting legislation on Article 23 of the Basic Law (BL23). Article 7 of the Hong Kong National Security Law also clearly stipulates that 'the Hong Kong Special Administrative Region shall complete, as early as possible, legislation for safeguarding national security as stipulated in the Basic Law of the Hong Kong Special Administrative Region and shall refine relevant laws'. We will proactively take forward the relevant work in respect of the enactment of legislation on BL23.

"The legal basis for implementing 'one country, two systems' is the Constitution of the People's Republic of China and the Basic Law, not the Sino-British Joint Declaration. As the Ministry of Foreign Affairs has stressed time and again, the Sino-British Joint Declaration stipulated the resumption of the exercise of sovereignty by China over Hong Kong and relevant arrangements during the transition period.

"The policy of 'one country, two systems' ensures Hong Kong's long-term prosperity and stability and is fully implemented in Hong Kong without being bent or distorted."

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## **CHP reminds relevant residents to comply with “restriction-testing declaration” operation on case tested preliminarily positive for SARS-CoV-2 virus**

The Centre for Health Protection (CHP) of the Department of Health (DH) today (January 21) reminded members of the public that "restriction-testing declaration" (RTD) has been made for the residence of one of the cases tested preliminarily positive for SARS-CoV-2 virus the CHP is following up. The CHP strongly reminds relevant residents that they must comply with the RTD operation. Any person who fails to present an SMS notification with a test result or wear a wristband as proof of having undergone testing breaches the compulsory testing notice and may be liable to a fine of \$5,000. The person

will also be issued with a compulsory testing order, requiring him/her to undergo testing within a specified time frame. Failure to comply with the compulsory testing order or the RTD is an offence and the offender may be liable to a fine of level 4 (\$25,000) and imprisonment for six months.

The case involves a 40-year-old male living in 35-37 Nam Cheong Street, Sham Shui Po. He works at construction sites and last went to work on January 19. He developed symptom on January 19 and sought medical attention at a public hospital on January 20. The sample collected tested preliminarily positive. He received two doses of COVID-19 vaccination (Comirnaty) on August 24 and September 14, 2021 in Hong Kong.

The CHP is now investigating the places where the patient visited during incubation period in order to ascertain the infection sources and to terminate the silent transmission chains in the community.

The Government has made an RTD tonight for the building where the patient resided (35-37 Nam Cheong Street, Sham Shui Po) and persons who resided or worked at the building will be subject to increased compulsory testing frequency. The places where the patient had visited during the incubation period will also be included in a compulsory testing notice. Specified persons who were present at the relevant venues at specified periods need to undergo compulsory testing on the specified date.

In view of the recent transmission chains in several areas of Sham Shui Po district (including Tai Hang Tung Estate, Mei Foo Sun Chuen, Nam Cheong Street and Hing Wah Street) where risks of community transmission are higher, the CHP urges residents and those working in relevant areas who are exposed to infection risks to undergo voluntary testing as soon as possible.

The Government appeals for the co-operation of members of the public to safeguard the health of themselves and their families by undergoing testing on a voluntary basis and fight the virus together. The Government urges all individuals who are in doubt about their own health conditions, or individuals with infection risks (such as individuals who visited places with epidemic outbreaks or had contact with cases that tested positive), to undergo testing promptly for early identification of infected persons to reduce the transmission risks of COVID-19.

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## [Transcript of remarks by SFH at media session](#)

Following is the transcript of remarks by the Secretary for Food and Health, Professor Sophia Chan, at a media session this evening (January 21) on the operation at Yat Kwai House in Kwai Chung Estate:

Reporter: Last year the lockdown in Jordan lasted for two days, why lockdown for five days for just a building now? And also what would happen if residents do not go home tonight? Thanks.

Secretary for Food and Health: First of all, thank you very much for your question. Today we announced this "restriction-testing declaration" (RTD), this operation will start tonight. The reason why this is a five-day operation is mainly because we have identified some cases in the building. We have also identified a super spreader who has been going round the building. So, there could be some cases which are in their incubation period at this moment of time and are living in the building. So this is our suspicion, I think it is prudent to have this operation whereby we restrict residents' movements and have compulsory testing in the next few days. If there are cases, we can find out immediately, so that we can attain "early detection, early identification and early isolation". This is the reason why the operation is five days. And your second question is?

Reporter: (inaudible)

Secretary for Food and Health: I strongly appeal people who are now perhaps still at work to go home tonight like what they did normally. The Housing Department will arrange a number of supportive operations like meal delivery and so on. But at the same time, we will also be setting up mobile testing stations near the building, so people can orderly come down to the mobile testing stations to get their compulsory testing done. I strongly appeal to that. In our observation, during the past two years in controlling the epidemic, our Hong Kong people are actually quite compliant to compulsory testing order and all these "restriction-testing declarations". I think they are more or less compliant and also they understand that this could bring them some inconvenience but at the same time this is for their common good, and this is also to protect everybody in Hong Kong, not only those from the building.

Reporter: Will there be any compensation for affected residents who cannot go to work during this five-day operation? Is it effective to only lockdown or do a "restriction-testing declaration" on Yat Kwai House when we know there are cases in other buildings of this estate? If more cases appear in other buildings, would that essentially make this lockdown operation meaningless? Lastly, I would just like to know if the cleaner, who is a preliminary case, is vaccinated.

Secretary for Food and Health: First of all, we understand with an operation of RTD for five days, people may feel that there is inconvenience, such as what you have just said that they may not be able to go to work. We appeal to the employers if they have employees who are being caught in this operation, I hope they will treat this situation in a more open and understanding manner, so that they won't deduct people's salary, because this is an epidemic control operation in Hong Kong. With this epidemic control operation, the most important aim is to firstly identify or to detect cases within the building, and secondly, we want to stop the transmission chains from going further. This is really for the common good. Of course, there are

other districts or other places that we are also concerned, for example Aberdeen and Sham Shui Po. For these areas, we have issued compulsory testing notice (CTN) and added a number of mobile testing stations there. We would like to appeal to people to go for testing if they are living in these areas. If we identify risks associated in these areas that warrant another RTD in another building or in another district, we will continue to arrange similar operations. Those measures would not stop because RTDs and CTNs are very effective and critical measures to control our epidemic situation in Hong Kong.

(Please also refer to the Chinese portion of the transcript.)