

Compulsory Quarantine of Certain Persons Arriving at Hong Kong (Amendment) (No.2) Regulation 2020 gazetted

With the joint efforts of the healthcare sector and the community since early this year, the various public health measures that aim to enhance social distancing and boundary control have begun to bear fruits. The number of confirmed cases in Hong Kong appears to have stabilised in recent days though the COVID-19 pandemic remains volatile around the globe. The situation in the Mainland has been substantially improved, yet there is still a need to sustain the control over any secondary infections brought about by imported cases or cases with travel history from cross-boundary travel.

With a view to continuing our safeguards against any sudden turn in the COVID-19 situation in Hong Kong while allowing for adjustments of the public health measures, the Government published in the Gazette today (April 28) the Compulsory Quarantine of Certain Persons Arriving at Hong Kong (Amendment) (No.2) Regulation 2020 (the Amendment Regulation) which will commence at 0.00am tomorrow (April 29).

Major amendments under the Amendment Regulation are –

- (1) extending the expiry date for the Compulsory Quarantine of Certain Persons Arriving at Hong Kong Regulation (Cap. 599C) to June 7, 2020.
- (2) broadening the exemption of person or category of persons from compulsory quarantine arrangement

Currently, under section 4(1) of Cap. 599C, the Chief Secretary for Administration (CS) may designate any person or category of persons fulfilling certain criteria for exemption from the compulsory quarantine arrangement. In light of the gradual resumption of passenger movement and economic activities, the Amendment Regulation will further empower CS to exempt persons fulfilling the following criteria from compulsory quarantine (including all persons arriving from the Mainland, Macao and Taiwan) –

- (a) persons who need to enter Hong Kong in receiving or providing nursery, kindergarten, primary or secondary education at any school registered under the Education Ordinance (Cap. 279) in Hong Kong or for the safe travelling of these persons for the abovementioned purpose, including cross-boundary students and related personnel and service providers; and
- (b) persons whose travelling is necessary for purposes relating to manufacturing operations, business activities or the provision of professional services in the interest of Hong Kong's economic development.

Details on the above exemption arrangement (including how to make application for exemption to relevant departments) will be announced in due course. Exempted persons will be subject to medical surveillance under the Department of Health (DH) during their stay in Hong Kong and will be required to wear masks and check temperature daily for reporting to the DH.

(3) empowering the Director of Health to cancel quarantine order

The Director of Health (DoH) has been empowered to, at appropriate time, cancel the quarantine orders against persons arriving from the Mainland or Macao if they can fulfill certain criteria (including producing certificate on the completion of quarantine of not less than 14 days in the Mainland or Macao) and are tested negative for COVID-19. The Government is discussing with relevant authorities on the measure. At the initial stage, the measure seeks to facilitate the joint prevention and control efforts of COVID-19 with Guangdong and Macao authorities. Details of the arrangement, including the exact date of implementation, will be announced later.

The Amendment Regulation also includes a consequential amendment to align the nomenclature adopted by the World Health Organization.

The Government has been reviewing the feasibility of relevant measures and will make timely adjustments in view of the latest developments of the disease.

The above Amendment Regulation is made in accordance with the Prevention and Control of Disease Ordinance (Cap. 599). Section 8 of Cap. 599 empowers the Chief Executive in Council to make public health emergency regulation for the purposes of preventing, combating or alleviating the effects of a public health emergency and protecting public health.