

Government gazettes compulsory testing notice

The Government has exercised the power under the Prevention and Control of Disease (Compulsory Testing for Certain Persons) Regulation (Cap. 599J) and published in the Gazette a compulsory testing notice, which requires any person who had been present at nine specified premises during the specified period (persons subject to compulsory testing) to undergo a COVID-19 nucleic acid test.

Currently, in all districts in Hong Kong, if one or more new confirmed cases with unknown sources are found in the residential buildings (including buildings for both commercial and residential uses), or there are sewage samples tested positive which implied possible infection risks, the buildings will be included in the compulsory testing notice.

Furthermore, the Government has delineated earlier four specified areas, namely the "Jordan specified area" bounded by Nathan Road to its east, Austin Road to its south, Ferry Street, Man Cheong Street, Man Wui Street and Canton Road to its west, and Kansu Street to its north, the "Yau Ma Tei/Mong Kok specified area" bounded by Nathan Road to its east, Public Square Street to its south, Ferry Street to its west and Dundas Street to its north, the "Hung Hom specified area" bounded by Station Lane to its northeast, Dock Street and Po Loi Street to its southeast, Winslow Street and Hung Hom South Road to its southwest, and Chatham Road North to its northwest and the "Sham Shui Po specified area" bounded by Yen Chow Street to its northwest, Tai Po Road to its northeast, Maple Street to its southeast and Lai Chi Kok Road to its southwest. If there is one or more new confirmed cases found in the residential buildings (including buildings for both commercial and residential uses) in the areas, or there are sewage samples tested positive which implied possible infection risks, the buildings will be included in the compulsory testing notice.

For testing targeting at workplaces, if two or more confirmed cases are found in a workplace, it will be included in the compulsory testing notice.

Nine buildings fulfilling the above criteria were included in the compulsory testing notice on February 4.

Details of the compulsory testing notice are as follows:

1. Any person who had been present at any specified premises listed in Parts A, B of Annex 1 for more than two hours at any time during the period from January 22 to February 4, 2021 (including but not limited to visitors, residents and workers), have to undergo testing by February 6, 2021. If persons subject to compulsory testing have previously undergone testing between February 2 and February 4, 2021, they would be taken to have complied with the requirements set out in the compulsory testing notice.

2. Any person who had been engaged to work or had been on duty at specified premises listed in Part C of Annex 1 at any time during the period from January 22 to February 4, 2021 (including full-time, part-time and relief staff), have to undergo testing by February 6, 2021. If persons subject to compulsory testing have previously undergone testing between February 2 and February 4, 2021, they would be taken to have complied with the requirements set out in the compulsory testing notice.

The Government will set up mobile specimen collection stations at Heng On Estate in Ma On Shan and Wo Ming Court in Tseung Kwan O today (February 5). The service periods of the mobile specimen collection stations at MacPherson Playground in Mong Kok, Man Wui Street (near Ferry Street), Ferry Point in Jordan and Hung Hom Municipal Services Building Sports Centre will be extended to February 5, February 6 (Saturday) and February 7, 2021 (Sunday) respectively. The opening dates and operating hours of the mobile specimen collection stations in various districts providing free COVID-19 nucleic acid testing services for the general public are stated in Annex 2. Apart from mobile specimen collection stations, persons subject to compulsory testing can also choose to attend any of the community testing centres in all districts to receive testing free of charge.

Persons subject to compulsory testing may choose to undergo testing via the following routes:

1. To visit any of the mobile specimen collection stations (see the list and target groups (if applicable) at www.coronavirus.gov.hk/eng/early-testing.html) for testing;
2. To attend any of the community testing centres (see the list at www.communitytest.gov.hk/en/);
3. To obtain a deep throat saliva specimen collection pack from any of the 121 post offices, vending machines set up at 20 MTR stations or 47 designated general outpatient clinics (GOPCs) of the Hospital Authority and return the specimen to one of the designated specimen collection points (see the distribution points and times, and the specimen collection points and times, at www.coronavirus.gov.hk/eng/early-testing.html);
4. To undergo testing at any of the GOPCs of the Hospital Authority as instructed by a medical professional of the Hospital Authority;
5. To self-arrange testing provided by private laboratories which are recognised by the Department of Health (DH) and can issue SMS notifications in respect of test results (see the list at www.coronavirus.gov.hk/pdf/List_of_recognised_laboratories_RTPCR.pdf); or
6. To use a specimen bottle distributed to the relevant specified premises by the Centre for Health Protection (if applicable), and return the specimen bottle with the sample collected as per relevant guidelines.

A spokesman for the Food and Health Bureau cautioned that testing received at accident and emergency departments of the Hospital Authority or during hospital stays, or testing provided by private laboratories which cannot issue SMS notifications in respect of test results, does not comply with the requirements of the aforementioned compulsory testing notice.

"If persons subject to compulsory testing have symptoms, they should seek medical attention immediately and undergo testing as instructed by a medical professional. They should not attend the mobile specimen collection stations or the community testing centres."

Persons subject to compulsory testing must keep the SMS notification containing result of the test for checking by a law enforcement officer when the officer requires the persons to provide information about their undergoing the specified test.

Furthermore, persons subject to testing under the compulsory testing notices should, as far as reasonably practicable, take appropriate personal disease prevention measures including wearing a mask and maintaining hand hygiene, and, unless for the purpose of undergoing the specified test, stay at their place of residence and avoid going out until the test result is ascertained as far as possible.

Any enquiries on compulsory testing arrangements may be addressed to the hotline at 6275 6901, which operates daily from 9am to 6pm. If persons subject to compulsory testing plan to conduct testing at any of the community testing centres, they can check the centre's appointment status in advance. The hotlines of the community testing centres are available at www.communitytest.gov.hk/en/info/.

The Government will continue to trace possibly infected persons who had been to the relevant premises, and seriously verify whether they had complied with the testing notices. Any person who fails to comply with the 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 order is an offence and the offender would be liable to a fine at level 4 (\$25,000) and imprisonment for six months.

Relevant officers of different government departments are empowered to perform certain functions under the relevant Regulations under the Prevention and Control of Disease Ordinance (Cap. 599), including requesting individuals to provide information and assistance when necessary. Any person who fails to comply with the relevant request commits an offence and would be liable to a fine at level 3 (\$10,000). Collection and use of any personal data for conducting COVID-19 tests must meet the requirements under the Personal Data (Privacy) Ordinance (Cap. 486). Government departments or testing service providers which handle the relevant information may provide the data to DH or other relevant departments for anti-epidemic purpose as necessary. The workflow does not involve the provision of any personal data to organisations or persons outside Hong Kong.

The spokesman said, "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 contacted confirmed cases), to undergo testing promptly for early identification of

infected persons."