

Government gazettes compulsory testing notice and specifications under Prevention and Control of Disease (Compulsory Testing for Certain Persons) Regulation

The Government exercises the power under the Prevention and Control of Disease (Compulsory Testing for Certain Persons) Regulation (Cap. 599J) and publishes in the Gazette a compulsory testing notice and specifications, which requires any person who had been present at one specified premises during the specified period (persons subject to compulsory testing) to undergo a COVID-19 nucleic acid test, and continue to empower a registered medical practitioner to require any person whom he or she clinically suspects has contracted COVID-19 to undergo a test during a period of 14 days from December 11 to December 24, 2021.

Compulsory testing notice

In view of a positive imported case who had stayed in Hong Kong during the incubation period, one specified premises is included in the compulsory testing notice. For prudence's sake, the above compulsory testing requirement applies to those who have completed a COVID-19 vaccination course as well.

Persons subject to compulsory testing in accordance with a compulsory testing notice must go to any of the mobile specimen collection stations, community testing centres (CTCs) or recognised local medical testing institutions to undergo professional swab sampling in fulfilling the requirements for compulsory testing. Young children may continue to undergo the test using a stool specimen.

If Tropical Cyclone Warning Signal No. 3 or above, the Red or Black Rainstorm Warning Signal or the post-super typhoon "extreme conditions" announcement by the Government is in force at any time during the period for undergoing the compulsory testing, the period for undergoing the compulsory testing will be further extended for one day.

The Comirnaty and CoronaVac vaccines are highly effective in preventing severe cases and deaths from COVID-19. They can provide protection to those vaccinated to prevent serious complications and even death after infection. The Government appeals to persons who are not yet vaccinated, especially senior citizens, chronic patients and other immunocompromised persons who face a higher chance of death after COVID-19 infection, to get vaccinated as soon as possible for better self-protection before the fifth wave strikes in Hong Kong.

Details of the compulsory testing notice are in Annex 1.

Subsequent to the announcement by the Centre for Health Protection (CHP) on the updated quarantine arrangements of local COVID-19 cases with a mutant strain, persons who resided or worked within the same building as the residence of relevant cases will be subject to compulsory testing on specified dates in accordance with the announcement by the Department of Health (DH). They will also be required to undergo self-monitoring until the 21st day (see the details of the buildings and dates of testing at www.coronavirus.gov.hk/pdf/CTN_Specified_premises_and_Dates_of_Testing.pdf). For prudence's sake, the above compulsory testing requirement applies to those who have completed a COVID-19 vaccination course as well.

In accordance with the compulsory testing notice issued earlier, all household members of close contacts are required to undergo compulsory testing. Any person who had lived with a person placed under quarantine pursuant to section 22 of the Prevention and Control of Disease Regulation (Cap. 599A) (person under quarantine) in the same residential unit on the date of commencement of quarantine or during the 14 days before that day, and who becomes aware of the quarantine of the person under quarantine when the relevant quarantine has not yet been completed, has to undergo testing within two days of him or her becoming aware that the person under quarantine has been placed under quarantine and report to the Government the result of the test by phone (6275 6901), fax (2530 5872) or email (ct@csb.gov.hk) within three days of undergoing the test. For prudence's sake, the above compulsory testing requirement applies to those who have completed a COVID-19 vaccination course as well.

CTCs provide testing services for the public, including free service for persons subject to compulsory testing. Booking and walk-in services are available. Members of the public only need to provide simple personal information on the 24-hour booking system (www.communitytest.gov.hk/en). The system shows the booking status of the centres for the coming two weeks to facilitate the public's planning and selection of a suitable testing centre and a time slot for testing. The testing centres will accord priority to serve individuals with advance bookings. As of 6pm today (December 10), there were around 33 000 booking places available for tomorrow (December 11) at the CTCs, and around 92 per cent availability for booking places for the coming seven days. Members of the public may call the testing centres for enquiries on the availability of bookings or walk-in quotas before visiting the centres.

The service period of the mobile specimen collection station at Tung Chung North Park and the temporary extension of the Airport CTC at South Transition Deck, L6, Terminal 1 of Hong Kong International Airport will be extended to December 31 (Friday). Outdoor mobile specimen collection stations will be closed if Tropical Cyclone Warning Signal No. 3 or the Red Rainstorm Warning Signal is in force while all mobile specimen collection stations together with all CTCs will be closed when Tropical Cyclone Warning Signal No. 8 or higher or the Black Rainstorm Warning Signal is in force.

Free testing service will be provided to persons subject to compulsory testing at CTCs and mobile specimen collection stations located at 29 places in various districts tomorrow. The testing capacity should be sufficient to

meet the demand. Persons subject to compulsory testing and those with the "LeaveHomeSafe" COVID-19 exposure notification or SMS notification from the CHP reminding them to undergo testing as soon as possible may receive free testing at CTCs or mobile specimen collection stations (if the service scope is applicable). The opening dates and operating hours of the mobile specimen collection stations are stated in Annex 2.

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 CTCs (see the list at www.communitytest.gov.hk/en);
3. To self-arrange testing provided by private laboratories which are recognised by the 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), and the relevant sample must be taken through combined nasal and throat swabs; or
4. To use a specimen bottle distributed to the relevant specified premises by the CHP (if applicable), and return the specimen bottle with the stool sample collected as per relevant guidelines.

If a person subject to compulsory testing obtains a medical certificate issued by a registered medical practitioner, proving that he or she is unfit to undergo testing using a sample taken through combined nasal and throat swabs because of health reasons, then he or she may choose to undergo testing via the following routes by providing a deep throat saliva sample:

1. 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 out-patient 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);
2. To undergo testing at any of the GOPCs of the Hospital Authority as instructed by a medical professional of the Hospital Authority; or
3. To self-arrange testing provided by private laboratories which are recognised by the DH and can issue SMS notifications in respect of test results.

A spokesman for the Food and Health Bureau cautioned that testing received at the 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 CTCs."

Persons subject to compulsory testing must keep the SMS notifications containing the result of the test and the relevant medical certificate (if applicable) 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 CTCs, they can check the centre's appointment status in advance. The hotlines of the CTCs are available at www.communitytest.gov.hk/en/info.

Relevant specifications for compulsory testing for persons clinically suspected to have contracted COVID-19

According to expert advice, compulsory testing for symptomatic patients can effectively slow down the transmission of the virus by early identification, early isolation and early treatment. To keep the epidemic situation under control, the Government considers it necessary to continue to solicit help from medical practitioners in identifying possibly infected persons as soon as possible.

During the period of 14 days from December 11 to December 24, 2021 registered medical practitioners may, by a written direction, require a person whom the medical practitioner attends to in the course of professional practice and clinically suspects to have contracted COVID-19 to undergo a COVID-19 nucleic acid test. Persons who receive the written direction (persons who are subject to testing under written directions) should undergo a test within two days after the issue date of the written direction (the testing deadline).

Persons who are subject to testing under written directions may choose to undergo testing via the following routes:

(1) To use the specimen bottle provided by the registered medical practitioner who issued the written direction to collect a deep throat saliva specimen and submit the specimen bottle to a designated specimen collection point by the testing deadline (see the specimen collection points and times at www.coronavirus.gov.hk/eng/early-testing.html). Having reported the case to the DH, the registered medical practitioner who issued the written direction will be notified of the test result; or

(2) To self-arrange testing provided by private laboratories recognised by the DH (see the list at www.coronavirus.gov.hk/pdf/List_of_recognised_laboratories_RTPCR.pdf) by

the testing deadline and submit the test result to the medical practitioner who issued the written direction or his clinic staff by email, fax or hard copy within four days after the testing deadline.

For example, if the written direction is issued on a Monday, the person subject to testing under the written direction should undergo a test via one of the above options on or before Wednesday, the testing deadline. If the test result of the specimen is preliminary positive, the specimen will be referred to the Public Health Laboratory Services Branch of the DH for a confirmatory test. Confirmed cases will be followed up and announced by the CHP of the DH.

"Persons who are subject to testing under written directions are suspected to be infected and should not attend the mobile specimen collection stations or the CTCs for testing. To reduce transmission risk, relevant persons who underwent testing are advised to stay at home and avoid going out when waiting for test results."

â€‹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.

â€‹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 the DH or other relevant departments for anti-epidemic purposes as necessary. The workflow does not involve the provision of any personal data to organisations or persons outside Hong Kong.

â€‹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."