

Government gazettes compulsory testing notices

â€‹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 six specified premises during the specified period (persons subject to compulsory testing) to undergo a COVID-19 nucleic acid test.

The Government has delineated earlier the "Jordan specified area" bounded by Nathan Road to its east, Jordan Road to its south, Ferry Street to its west and Kansu Street to its north 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. The threshold for compulsory testing in the areas was lowered in order to cut the transmission chain in the community as soon as possible. For buildings within the two specified areas, if there is one or more confirmed cases found in a unit in the past 14 days, or where no confirmed case was found but the sewage samples were constantly tested positive, the buildings would be covered by the compulsory testing notices under Cap. 599J (see separately the enhanced compulsory testing arrangement of the "Jordan specified area" in following paragraph). Three buildings in the "Sham Shui Po specified area" fulfilling the above criteria were included in a compulsory testing notice on January 23.

The Government has further expanded the compulsory testing arrangement in the "Jordan specified area" earlier, and specified the "core area" bounded by Temple Street to its east, Ning Po Street to its south, Reclamation Street to its west and Pak Hoi Street to its north, requiring around 70 buildings therein to be covered by compulsory testing regardless of whether confirmed cases were found. Taking into account the continuously serious epidemic situation in the "Jordan specified area", the Government expanded the "core area" on January 23 morning and delineated the "restricted area" bounded by Woosung Street to its east, Nanking Street to its south, Battery Street to its west and Kansu Street to its north (see Annex 1), requiring persons within the "restricted area" to stay in their premises and undergo compulsory testing in accordance with the arrangement by the Government. At the same time, the Government has also published a compulsory testing notice covering all premises within the "restricted area", which requires persons who had been present in the "restricted area" for more than two hours in the past 14 days to undergo compulsory testing before midnight of January 23, even if they were not present in the "restricted area" at the time when the relevant declaration took effect.

As for all districts in Hong Kong outside the "Jordan specified area" and the "Sham Shui Po specified area", if confirmed cases not epidemiologically linked to each other were found in two or more units in the

same building in the past 14 days, the building would be included in the compulsory testing notice. Three buildings fulfilling the above criteria were included in a compulsory testing notice on January 23.

Details of the compulsory testing notice are as follows:

Any person who had been present at any specified premises listed in Annex 2 for more than two hours at any time during the period from January 10 to January 23, 2021 (including but not limited to visitors, residents and workers), have to undergo testing by January 26, 2021. If persons subject to compulsory testing have previously undergone testing between January 21 and January 23, 2021, they would be taken to have complied with the requirements set out in the compulsory testing notice.

A spokesman for the Food and Health Bureau (FHB) said on January 23, "The Government will seriously follow up on the compliance of compulsory testing notices by persons subject to compulsory testing, and continually review the compulsory testing arrangement of the above specified areas taking into account the epidemic development. Since the infection risk in the community of the specified areas might be higher, the Government encourages residents in the areas to undergo testing proactively and promptly, even if they are not subject to compulsory testing. The mobile specimen collection stations will provide free testing services for all residents in the areas regardless of whether they are subject to compulsory testing or not."

For implementation of the compulsory testing notices for the above specified areas, the Government will set up a mobile specimen collection station at Kwong Ming Street Children's Playground in Wan Chai on January 24 and extend the service period of the mobile specimen collection stations in Maple Street Playground and Kwun Chung Sports Centre, as well as the mobile specimen collection vehicles at the section of Canton Road between Jordan Road and Saigon Street (also called Jade Street) to January 26, 2021 (Tuesday). 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 3. 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.

The spokesman 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 notices.

"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.

Members of the Auxiliary Medical Service and the relevant officers of departments such as DH, Home Affairs Department, Social Welfare Department, Housing Department and Hong Kong Police Force, 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. The FHB will publish compulsory testing notices regarding particular groups when necessary taking into account the epidemic developments and the testing participation rate."