

Government makes "restriction-testing declaration" and issues compulsory testing notice in respect of specified "restricted area" in the Southern District

The Government today (May 5) 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 12.10am, under which people (hereafter referred to as "persons subject to compulsory testing") within the specified "restricted area" in the Southern District (i.e. Royalton, 118 Pok Fu Lam Road; see Annex) are required to stay in their premises and undergo compulsory testing. Persons subject to compulsory testing are required to stay in their premises until all such persons identified in the "restricted area" have undergone testing and the test results are mostly ascertained. Testing will start after 9am today and the Government aims at finishing this exercise within today.

A Government spokesman said, "Under Cap. 599J, the Government can, according to the needs of infection control, make a 'restriction-testing declaration'. As a preliminary positive case was detected in Royalton yesterday (May 4) and the preliminary test result involved a mutant strain, the risk of infection in the relevant area is assessed to be likely higher, the Government decided to make a 'restriction-testing declaration' for the relevant area after the test result was found positive."

The Government will set up temporary specimen collection stations at the "restricted area" and request persons subject to compulsory testing to undergo testing. Persons subject to compulsory testing will be arranged to undergo nucleic acid testing at specimen collection stations where dedicated staff will collect samples through combined nasal and throat swabs. Persons subject to compulsory testing must stay at their place of residence until all test results are ascertained to avoid cross-infection risk. The Government will arrange door-to-door specimen collection for people with impaired mobility and elderly persons.

"We understand that this exercise will cause inconvenience to the public. The Government has made arrangements to carry out testing for all persons present in the 'restricted area' as soon as possible. The aim is to strive to complete testing of all identified persons subject to compulsory testing and confirm the results, and finish the exercise within today. The Government will make a public announcement when the declaration expires officially. 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.

Persons in the "restricted area" who have undergone testing from May 2 to 4, 2021, and are able to provide the SMS notification through a mobile phone or related certification containing the test results, are not required to take the test again. However, they are required to stay in their premises until all such persons identified in the area have undergone testing and the test results are mostly ascertained. Also, according to the compulsory testing notice issued today, any person who had been present at the above building for more than two hours from April 21 to May 4, 2021, even if they were not present in the "restricted area" at the time when the declaration took effect, must undergo compulsory testing on or before May 6.

If there are 2021 Hong Kong Diploma of Secondary Education Examination (HKDSE) candidates in the "restricted area" who need to sit the HKDSE today but have not undergone testing from May 2 to 4, 2021, and are not able to provide the SMS notification through a mobile phone or related certification containing the test results, the Government advises candidates to go to the temporary specimen collection stations at the "restricted area" as soon as possible and identify themselves as 2021 HKDSE candidates and submit relevant documents (including admission forms) for proof. The candidates will be given priority testing with a view to enabling them to obtain test results as early as possible.

The candidates concerned should go to the temporary specimen collection stations in the "restricted area" with their identity document and admission form as soon as possible for priority testing. It is the candidate's responsibility to follow the testing process and go to the temporary specimen collection stations as soon as possible for the test. Otherwise, the officers will not be able to prioritise the testing of samples collected late.

If a candidate needs to leave the "restricted area" for the exam centre before the declaration is revoked, he/she can make a request to the prescribed officers in the "restricted area", regardless of whether the test result has been obtained or not. The prescribed officer may allow the candidate to leave the "restricted area" after verifying that the candidate has undergone testing as required and recording the relevant information of the candidate. Candidates who receive a negative test result on their way to the exam centres will be allowed to sit the exam as scheduled. For the safety of all candidates, only those candidates who have obtained negative results in the nucleic acid test will be allowed to enter the examination hall. For details, please read the relevant press release issued by the Education Bureau earlier: www.info.gov.hk/gia/general/202104/01/P2021040100808.htm

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.