

Labour Department reminds foreign domestic helpers and employers of specifications relating to travelling to Hong Kong

The Government announced today (July 18) that it had gazetted the specifications under the Prevention and Control of Disease (Regulation of Cross-boundary Conveyances and Travellers) Regulation (Cap. 599H) to impose conditions based on public health grounds in order to further reduce the number of imported cases of coronavirus disease 2019 (COVID-19). A traveller who, on the day on which the traveller boarded a civil aviation aircraft that arrives at, or is about to arrive at Hong Kong, or during the 14 days before that day, has stayed in any specified place (i.e. Bangladesh, India, Indonesia, Nepal, Pakistan, the Philippines and South Africa), he/she must meet the conditions specified by the Secretary for Food and Health. The relevant specifications will come into effect at 0.00am on July 25, 2020, and will remain effective until further notice.

The Labour Department (LD) reminds foreign domestic helpers (FDHs), employers and employment agencies (EAs) to take note of the aforementioned specifications. For an FDH to whom the specifications apply, he/she must provide the following documents:

1. a letter or certificate in English or Chinese issued by a laboratory or healthcare institution bearing the name and identity card or passport number of the relevant FDH to show that:

(a) the relevant FDH underwent a nucleic acid test for COVID-19 the sample for which was taken from the relevant FDH within 72 hours before the scheduled time of departure of the specified aircraft;

(b) the test conducted on the sample is a nucleic acid test for COVID-19; and

(c) the result of the test is that the relevant FDH was tested negative for COVID-19;

2. the original of the report for the test issued by the laboratory or healthcare institution bearing the name and identity card or passport number of the relevant FDH;

3. a letter in English or Chinese issued by the relevant authority of the government of the place in which the laboratory or healthcare institution is located certifying that the laboratory or healthcare institution is recognised or approved by the government; and

4. the relevant FDH has confirmation in English or Chinese of room reservation in a hotel in Hong Kong for not less than 14 days starting on the day of the arrival of the relevant FDH in Hong Kong.

An LD spokesman said, "Before the relevant FDH is checked-in for a flight to Hong Kong, he/she should produce the above documents to the

operator of the aircraft for boarding the aircraft. Employers and EAs (if applicable) are reminded to make necessary preparations for their FDHs beforehand. If an FDH is not able to meet any of the conditions specified by the Secretary for Food and Health, he/she may not be allowed to board the flight to Hong Kong and newly arrived FDHs may be denied entry into Hong Kong upon arrival. Relevant FDHs are reminded to stay at the hotel address as stated in the quarantine order during the 14-day compulsory quarantine."

"Employers should bear the cost of the nucleic acid test for their FDHs. Employers applying to the Immigration Department (ImmD) to employ domestic helpers will be required to sign an undertaking to the Government, indicating that they will comply with the relevant specifications and bear the cost of the nucleic acid test when arranging for their FDHs to come to Hong Kong, in case their FDHs have stayed in a specified place on the day on which they boarded an aircraft that arrives at, or is about to arrive at Hong Kong, or during the 14 days before that day. Employers found to be in breach of the undertaking may be given an adverse record and ImmD may refuse their future applications for employment of FDHs. Employers are also reminded to comply with their obligations under the Standard Employment Contract, including bearing the accommodation expenses and providing food allowance to FDHs during the FDHs' compulsory quarantine," the spokesman continued.

"For EAs, they have the responsibility to provide correct information to employers and FDH. They should remind and/or assist employers in making relevant arrangements to comply with the relevant specifications. If there is evidence that an EA has violated the requirements in the Code of Practice for Employment Agencies, the EA concerned will be penalised."

A list of licensed hotels is available at the website of the Office of the Licensing Authority of the Home Affairs Department (www.hadla.gov.hk/cgi-bin/hadlanew/search.pl?client=1&searchtype=1&licenceNo=&name=&address=&room=0&district=0&displaytype=2). When choosing a hotel for quarantine purpose, employers and EAs (if applicable) are reminded to contact the hotel for more details and refer to the Infection Control Advice for Person under Compulsory Home Quarantine (www.chp.gov.hk/files/pdf/infection_control_advice.pdf) issued by the Centre for Health Protection of the Department of Health.

For enquiries on employment rights and benefits, please contact LD at the dedicated FDH hotline at 2157 9537 (manned by "1823") or by email to fdh-enquiry@labour.gov.hk. As to enquiries on FDH visa applications, please contact ImmD by calling the enquiry hotline at 2824 6111 or by email to enquiry@immd.gov.hk.