

LCQ10: Quarantine arrangements amid Coronavirus Disease 2019 epidemic

Following is a question by Dr the Hon Pierre Chan and a written reply by the Secretary for Food and Health, Professor Sophia Chan, in the Legislative Council today (May 6):

Question:

To curb the spread of the Coronavirus Disease 2019 (COVID-19) in Hong Kong, the Government has issued the relevant persons with quarantine orders under the Prevention and Control of Disease Regulation (Cap. 599A), the Compulsory Quarantine of Certain Persons Arriving at Hong Kong Regulation (Cap. 599C) and the Compulsory Quarantine of Persons Arriving at Hong Kong from Foreign Places Regulation (Cap. 599E) respectively. In addition, the Prevention and Control of Disease (Disclosure of Information) Regulation (Cap. 599D) empowers a health officer to require a person to disclose or furnish any information relevant to the handling of a state of the public health emergency, such as travel history. In this connection, will the Government inform this Council:

(1) of the respective numbers, since the outbreak of the epidemic, of persons placed under compulsory quarantine upon their arrival at Hong Kong from the Mainland and other places; among such persons, the number of those who were suspected to have breached the quarantine orders, with a breakdown by the type of premises specified in the quarantine orders (i.e. home, quarantine centres, and others); the government department(s) responsible for taking follow-up actions against those persons suspected to have breached the quarantine orders, and set out a breakdown of the number of such persons by the actions (including making verbal warnings, issuing written warnings, requiring the wearing of a wristband, arranging the admission to quarantine centres, instituting prosecutions (and the number of convictions), and others (please specify)) taken against them;

(2) of the number of persons found, since Cap. 599D has come into operation, to have failed to truthfully declare their health conditions when arriving at Hong Kong; the government department(s) responsible for taking follow-up actions and set out a breakdown of the number of such persons by the actions taken against them; and

(3) as the Centre for Health Protection has admitted that the failure of some confirmed patients of COVID-19 to declare, truthfully in the health declaration form when entering Hong Kong earlier, their having developed symptoms has reflected that there is a loophole in the surveillance system, whether the Government will consider amending the legislation to plug the loophole; if so, of the details; if not, the reasons for that?

Reply:

President,

According to the Compulsory Quarantine of Certain Persons Arriving at Hong Kong Regulation (Cap. 599C), starting from February 8, 2020, except for exempted persons, all persons having stayed in the Mainland for any period during the 14 days preceding arrival in Hong Kong will be subject to compulsory quarantine for 14 days, regardless of nationality and travel documents used. Since March 25, 2020, the compulsory 14-day quarantine arrangement has been extended to all persons arriving from or having stayed in Macao and Taiwan in the past 14 days prior to arrival in Hong Kong, in addition to those arriving from the Mainland. Furthermore, according to the Compulsory Quarantine of Persons Arriving at Hong Kong from Foreign Places Regulation (Cap. 599E), starting from March 19, 2020, except for exempted persons, all persons arriving at Hong Kong from places outside China will be subject to compulsory quarantine for 14 days.

To facilitate the implementation of Cap. 599C and Cap. 599E, the Prevention and Control of Disease (Disclosure of Information) Regulation (Cap. 599D) empowers a health officer to require any person to disclose or furnish information relevant to the handling of a state of public health emergency. The relevant power is extended to other medical practitioners who may encounter a person involved in such public health emergency.

My consolidated reply to the various parts of the question raised by Dr the Hon Pierre Chan is as follows:

As at May 4, 2020, in accordance with Cap. 599C and Cap. 599E, the Department of Health (DH) had respectively issued 103 543 quarantine orders to persons arriving at Hong Kong from the Mainland, Taiwan and Macao, and 69 685 quarantine orders to persons arriving at Hong Kong from overseas.

In accordance with the requirements under Section 8 of Cap. 599C and Cap. 599E, a person placed under quarantine in accordance with Section 3 must not leave the place of quarantine if the relevant person has not been given permission by an authorised officer. The Government has implemented various measures to monitor whether persons placed under quarantine abide by the law, including conducting surprise checks, placing calls to the relevant persons, sharing of real-time location via communication software and using electronic wristbands/ monitoring wristbands paired with mobile app, with a view to ensuring that the persons placed under quarantine are staying at their dwelling places.

Implementing compulsory quarantine arrangement is a crucial element of the measures for the prevention and control of the epidemic. The relevant departments have strengthened monitoring and inspections. As at May 4, 2020, officers from disciplinary forces had conducted surprise visits on over 14 000 persons under quarantine. The call centre of DH had placed over 200 000 telephone calls to persons under quarantine to conduct surprise checks. Relevant departments had also distributed over 82 000 electronic wristbands/ monitoring wristbands, shared real-time location via communication software

with over 80 000 persons under compulsory quarantine, and made about 190 000 calls (including video calls) to ensure that persons under quarantine are staying at their dwelling places.

During the monitoring process, if abnormal situations are observed or persons who have breached the quarantine order are found, relevant departments will suitably follow up. The Government adopts a "zero tolerance" policy towards those who violate the quarantine order, and they are subject to immediate prosecution without warning starting from March 22, 2020. Offenders are subject to a maximum fine of \$25,000 and imprisonment for six months. As at May 4, 2020, four individuals who violated quarantine orders were respectively sentenced to imprisonment ranging from 10 days to three months by magistrates' courts. Besides, a total of 56 individuals left their dwelling places before expiry of the quarantine orders without reasonable explanation and permission given by an authorised officer, and were stopped by staff of the Immigration Department at border control points. The DH and Police will continue investigations on the cases concerned and gather more evidence for consideration by the Department of Justice (DoJ) for making prosecutions.

Furthermore, in accordance with Cap. 599D, it is a criminal offence for any person to provide false or misleading information to a health officer or medical practitioner concerned. The maximum penalty for failure to comply is a fine of \$10,000 and imprisonment for six months. The Government will take stringent follow-up actions on any suspected case of provision of false or misleading information. As at May 4, 2020, relevant enforcement departments had received 8 reports concerning cases of suspected violation of Cap. 599D. Enforcement departments consider there are sufficient grounds for further investigation on four of the cases, and will gather more evidence for consideration by DoJ for making prosecutions.