

LCQ14: Persons exempted from compulsory quarantine

Following is a question by the Hon Chan Chun-ying and a written reply by the Secretary for Food and Health, Professor Sophia Chan, in the Legislative Council today (August 18):

Question:

To prevent the importation of the COVID-19, the Government has been implementing stringent inbound prevention and control measures, including requiring inbound travellers to undergo virus testing upon arrival in Hong Kong, undergo compulsory quarantine at designated places, and undergo repeated virus testing during the quarantine period. Under the law, the Chief Secretary for Administration may exempt certain categories of persons from the compulsory quarantine, and may impose conditions for the exemption, including imposing restrictions on activity areas. It has been reported that earlier on, three children of a staff member of a foreign consulate in Hong Kong were exempted from compulsory quarantine upon arrival in Hong Kong, and were subsequently confirmed to have contracted COVID-19. The authorities learnt, after investigation, that they had gone out and visited a number of places during the self-isolation period, thereby breaching the exemption conditions. In this connection, will the Government inform this Council:

(1) of the total number of persons exempted from compulsory quarantine since the outbreak of the COVID-19 epidemic and, among them, the number of those who were confirmed to have contracted COVID-19 during the self-isolation period;

(2) whether it has studied how many overseas countries/regions currently exempt personnel of foreign embassies/consulates and their immediate family members from closed-loop compulsory quarantine; if so, of the details; if not, whether it will conduct such a study; and

(3) how the Government currently monitors the compliance with the exemption conditions by persons exempted from compulsory quarantine, and what follow-up actions it has taken against those who breached the exemption conditions, including whether it has instituted prosecutions (if so, of the details and the number of prosecutions)?

Reply:

President,

A reply to various parts of the question raised by the Hon Chan Chun-ying is as follows:

(1) In accordance with 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), except for those exempted by the Chief Secretary for Administration (CS) in accordance with relevant provisions of the regulations, all persons having stayed in places outside Hong Kong during the relevant period prior to arrival in Hong Kong are subject to compulsory quarantine, regardless of the duration, nationality and travel documents used.

To maintain necessary operation of Hong Kong's society and economy, and to ensure an uninterrupted supply of all daily necessities to the public, the CS has, in accordance with the relevant regulations, exempted certain categories of persons (for example, cross-boundary goods vehicle drivers, crew members of aircraft, consular and diplomatic officers, etc.) from the compulsory quarantine requirement upon arrival in Hong Kong. Exempted persons must be subject to certain sets of exemption conditions, including requirements on regular testing, self-isolation or restricted movement. These conditions are adjusted from time to time in accordance with the global and local epidemic situation and the risk assessment of respective exemption categories. In addition to the above-mentioned conditions, exempted persons are subject to medical surveillance during their stay in Hong Kong as required by the Department of Health (DH).

In view of the severe global pandemic situation, the Government has, on multiple previous occasions, adjusted the testing and isolation arrangements of exempted persons based on the development of the epidemic. In the light of the ravaging mutant strains of COVID-19 virus around the world, the Government has strengthened the testing arrangements for exempted persons alongside the implementation of the risk-based recategorisation of overseas places from August 9. All exempted persons must possess a negative COVID-19 test report prior to boarding and are subject to "test-and-hold" arrangement upon arrival in Hong Kong International Airport (HKIA). They must also undergo more frequent testing during their stay in Hong Kong depending on the risk levels of the places where they have previously stayed in.

As regards Member's enquiry about the total number of exempted persons, the Government has only maintained the total number of Notification of Medical Surveillance issued to exempted persons, with details at Annex. Please note that the figures include exempted persons approved under all categories, of which cross-boundary goods vehicle drivers, freight crew and passenger crew members of aircraft and sea crew for cargo operation on vessel in Hong Kong make up the largest group of exempted persons which is necessary for ensuring an uninterrupted supply of goods and daily necessities and maintaining economic activities. Besides, the validity of the Notification of Medical Surveillance issued to respective categories of exempted persons differs (for example, the validity period of the Notification of Medical Surveillance issued to cross-boundary goods vehicle drivers who travel frequently across border is 14 days). Therefore, the total number of Notification of Medical Surveillance issued is not equivalent to the total number of exempted persons.

From July 1, 2020 to August 6, 2021, the Centre for Health Protection

(CHP) of the DH recorded 145 confirmed COVID-19 cases involving air crew members and 112 confirmed COVID-19 cases involving sea crew members. The CHP does not maintain the number of confirmed cases of other categories of exempted persons.

(2) and (3) Pursuant to the prevailing policy on exemption, as the entry to Hong Kong of government officials carrying out governmental duties is necessary for the operation of HKSAR Government, the CS has exempted the concerned category from compulsory quarantine in accordance with relevant regulations. These officials include Consuls General or equivalent of the Consulates General in Hong Kong and their immediate family members. As mentioned above, exempted persons must comply with specified exemption conditions, including requirements on regular testing, self-isolation or restricted movement, etc. For government officials carrying out governmental duties, except Consuls General or representatives in Hong Kong and government officials at equivalent/higher level, all other government officials carrying out governmental duties who have stayed in places outside China or Taiwan during the 21 days prior to arrival in Hong Kong must be subject to self-isolation upon arrival in Hong Kong. During the self-isolation period, they are not allowed to leave the self-isolation location and come into contact with the public. They must undergo repeated testing during the self-isolation period. The respective organisation must take every practicable measures to ensure that the exempted persons comply with all exemption conditions with a view to minimising their contact with the community during the exemption period, including the requirement of point-to-point transportation between HKIA and their accommodation, as well as ensuring the compliance with the self-isolation arrangement as instructed by the DH and the prohibition from leaving the self-isolation location and contacting with the public, etc. Any breach of exemption conditions will render revocation of the exemption status and the relevant persons will be transferred to the quarantine centres for compulsory quarantine. In addition, exempted persons are subject to medical surveillance during exemption period. According to section 15 of the Prevention and Control of Disease Regulation, contravention of the conditions in the Notification of Medical Surveillance will be liable to a fine of \$5,000 and to imprisonment for six months.

The DH earlier handled a confirmed imported case of COVID-19 involving three minors of an official of a Consulate General in Hong Kong who were exempted persons. During the investigation, the DH discovered that they had left their self-isolation location, thereby violating the exemption conditions. The DH took immediate action to revoke their exemption status and transfer them to undergo compulsory quarantine. The Protocol Division also contacted the relevant Consulate General immediately. The Consulate General assured that it would fully co-operate with the quarantine measures imposed by the Government and has reminded its officials to comply with the relevant quarantine requirements. Further, in response to the above imported cases involving exempted persons, the Government has reviewed the border control arrangements for exempted persons and has issued letters to respective Consulates General to advise relevant persons to strictly comply with the exemption conditions.

The Government does not maintain relevant information on the exemption arrangements by overseas countries/regions for officials of Consulates General and their immediate family members.