

Prevention and Control of Disease (Compulsory Testing for Certain Persons) Regulation gazetted

The Government has published the Prevention and Control of Disease (Compulsory Testing for Certain Persons) Regulation (Cap. 599J) in the Gazette today (November 14), which provides the legal framework for the Government to require certain categories of persons to undergo COVID-19 testing, and for specified medical practitioners to require symptomatic patients to undergo COVID-19 testing. The Regulation will commence at 0.00am on November 15.

Strengthening COVID-19 testing is an integral part of the epidemic control strategy, which can help to slow down the transmission of the virus by early identification, early isolation and early treatment. The Government has been urging 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 for early identification of infected persons.

To further strengthen testing, the Regulation provides a legal framework for the Government to specify by compulsory testing notice published in the Gazette, a category or description of persons who are required to undergo a test for COVID-19, taking into account the epidemic development. Examples include persons who live or work in specified premises with outbreak of cases, persons of a particular occupation, or persons who are close to completion of the compulsory 14-day quarantine upon their arrival at Hong Kong. The Secretary for Food and Health (SFH) will publish the relevant notices when necessary taking into account the epidemic development and the testing participation rate.

In addition, the Regulation allows SFH to specify by notice published in the Gazette a period of not more than 14 days, during which a specified medical practitioner can require a person whom he clinically suspects has contracted COVID-19 to undergo testing by written direction issued to that person.

Those who are subject to compulsory testing may either choose the testing service provided by the Department of Health (DH) or a qualified private laboratory in accordance with the existing mechanism. To facilitate members of the public to undergo testing, we will further streamline the logistical arrangements for the distribution and collection of specimen bottles by the DH and Hospital Authority. The Government will also facilitate private medical practitioners to order COVID-19 testing for patients

Any person who fails to comply with the testing notice or testing

direction commits an offence and may be fined a fixed penalty of \$2,000. The person would also be issued with a compulsory testing order requiring him/her to undergo testing within a specified timeframe. Failure to comply with the order is an offence and the offender would be liable to a fine at level 4 (\$25,000) and to imprisonment for six months.

The Regulation is made in accordance with the Prevention and Control of Disease Ordinance (Cap. 599). Section 8 of the Ordinance empowers the Chief Executive in Council to make public health emergency regulation for the purposes of preventing, combating or alleviating the effects of a public health emergency and protecting public health.

The Government has launched the website "COVID-19 Thematic Website" (www.coronavirus.gov.hk) for announcing the latest updates on various news on COVID-19 infection and health advice to help the public understand the latest updates. Members of the public may also gain access to information via the COVID-19 WhatsApp Helpline launched by the Office of the Government Chief Information Officer. Simply by saving 9617 1823 in their phone contacts or clicking the link wa.me/85296171823?text=hi, they will be able to obtain information on COVID-19 as well as the "StayHomeSafe" mobile app and wristband via WhatsApp.