

LCQ3: Regulations made in respect of Coronavirus Disease 2019

Following is a question by the Hon Alice Mak and a written reply by the Secretary for Food and Health, Professor Sophia Chan, in the Legislative Council today (April 29):

Question:

To curb the spread of the Coronavirus Disease 2019 in Hong Kong, the Government made 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) on February 7 and March 18 this year respectively. Such regulations provide that all persons (except for exempted persons) who have stayed on the Mainland (the scope of application of the former) and in all places outside China (the scope of application of the latter) for any period during the 14 days preceding arrival at Hong Kong, regardless of nationality and travel documents used, are subject to compulsory quarantine for 14 days. In addition, the Prevention and Control of Disease (Disclosure of Information) Regulation (Cap. 599D) made on February 7 this year empowers a health officer to require any person to furnish or disclose information relevant to the handling of a state of the public health emergency, such as travel history. Regarding the implementation of such regulations, will the Government inform this Council:

- (1) of the respective to-date numbers of persons who were suspected and convicted of having contravened the aforesaid regulations, with a breakdown by type of offence; the follow-up actions taken by the relevant government departments in respect of those persons suspected of contravening the regulations;
- (2) of the respective numbers of quarantine orders issued since the aforesaid two compulsory quarantine regulations came into operation, as well as the respective numbers of persons who are currently subject to quarantine at home and at quarantine centres;
- (3) given that the public is gravely concerned about the state of compliance with the quarantine orders, whether the Government will consider raising the penalties for breaching quarantine orders and speeding up the prosecution work to enhance the deterrent effect; and
- (4) given that some compulsory quarantine measures did not come into force until several days after they were announced by the Government, resulting in a large number of persons advancing their trips and entering Hong Kong before the measures came into force so as to avoid being subject to compulsory quarantine, and some of whom were subsequently tested positive for the coronavirus, and such a situation has posed potential threats to the public health, whether the Government will review the relevant arrangements to plug

the loopholes?

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.

My consolidated reply to the various parts of the question raised by the Hon Alice Mak is as follows:

As at April 27, 2020, in accordance with Cap. 599C and Cap. 599E, the Department of Health (DH) had respectively issued 98 344 quarantine orders to persons arriving at Hong Kong from the Mainland, Taiwan and Macao, and 65 381 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 April 27, 2020, officers from disciplinary forces had conducted surprise visits on over 14 000 persons under quarantine. The call centre of the DH had placed over 190 000 telephone calls to persons under quarantine to conduct surprise checks. The relevant departments had also distributed over 75 000 electronic wristbands/ monitoring wristbands, shared real-time location via communication software with over 80 000 persons under compulsory quarantine, and made about 180 000 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, the 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 April 27, 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 for making prosecutions.

When implementing compulsory quarantine measures, the Government needs to take into consideration that Hong Kong is an international transport hub with close ties with other countries and regions in various aspects. There are also tens of thousands of local students studying abroad. In view of the above, to avoid confusion, the Government considers that it would be more practical to provide a grace period for residents to get prepared after announcement of the compulsory quarantine arrangement.