

Specifications under the Prevention and Control of Disease (Regulation of Cross-boundary Conveyances and Travellers) Regulation gazetted

In view of the development and severity of the COVID-19 epidemic situation in Hong Kong, the Government earlier made the Prevention and Control of Disease (Regulation of Cross-boundary Conveyances and Travellers) Regulation (Cap. 599H) and the Secretary for Food and Health (SFH) subsequently gazetted specifications under Cap. 599H to impose conditions based on public health grounds on travellers who have visited specified high-risk places within 14 days before arrival in Hong Kong in order to reduce the health risk they may bring to Hong Kong, thereby further strengthening epidemic control efforts.

Currently, 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 (specified aircraft), or during the 14 days before that day, has stayed in any specified place (i.e. Bangladesh, India, Indonesia, Kazakhstan, Nepal, Pakistan, the Philippines, South Africa and the United States of America), must provide documents relating to a nucleic acid test for COVID-19 and room reservation in a hotel in Hong Kong.

The Government has all along been reviewing the development of the latest epidemic situation globally in order to update the specified countries and places from time to time and impose conditions on travellers who have stayed in those places. Taking into account the latest public health risk assessment, and the changes and developments of the epidemic situation, the Government has decided to maintain the above-mentioned nine countries as specified places and issued the latest specifications to simplify relevant conditions having regard to the circumstances on the ground since the implementation of the regulation. Details are as follows:

The relevant traveller must provide the following documents:

(a) the test report in English or Chinese issued by a laboratory or healthcare institution bearing the name of the relevant traveller identical to that in his/her valid travel document to show that:

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

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

(iii) the result of the test is the relevant traveller was tested

negative for COVID-19; and

(b) if the relevant report is not in English or Chinese or does not contain all of the aforementioned information, a written confirmation in English or Chinese issued by the laboratory or healthcare institution bearing the name of the relevant traveller identical to that in his/her valid travel document, setting out all of the aforementioned information and presented together with the test report; and

(c) documentary proof in English or Chinese to show that the laboratory or healthcare institution is ISO 15189 accredited or is recognised or approved by the relevant authority of the government of the place in which the laboratory or healthcare institution is located; and

(d) the relevant traveller 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 traveller in Hong Kong.

The operator of the specified aircraft should submit to the Department of Health (DH) before the specified aircraft arrives at Hong Kong a document in a form specified by DH confirming that each relevant traveller has, before being checked-in for the flight to Hong Kong on the aircraft, produced for boarding on the aircraft the above documents.

The relevant specifications will come into effect at 0.00am on August 10, 2020, and will remain effective until further notice.

If any condition specified by the SFH is not met in relation to any relevant traveller on the conveyance, each of the operators of the conveyance commits an offence, and is liable on conviction to the maximum penalty of a fine at level 5 (\$50,000) and imprisonment for six months. If an operator fails to comply with a requirement to provide information, or knowingly or recklessly provides any information that is false or misleading in a material particular, he or she is liable on conviction to the maximum penalty of a fine at level 5 (\$50,000) and imprisonment for six months.

As for travellers, if a traveller coming to Hong Kong fails to comply with a requirement to provide information, or knowingly or recklessly provides any information that is false or misleading in a material particular, he or she is liable on conviction to the maximum penalty of a fine at level 3 (\$10,000) and imprisonment for six months.

Travellers to Hong Kong should note that they will be mandated to wait for their test results at a designated location after their deep throat saliva samples are collected for conducting testing for COVID-19 at DH's Temporary Specimen Collection Centre pursuant to the Prevention and Control of Disease Ordinance (Cap. 599).

If their test results are negative, they will be allowed to go to the hotel for which they made the reservation to continue the 14-day compulsory quarantine until completion. If their results are positive, the travellers will be transferred to hospital for isolation and treatment.

The Government will continue to monitor closely the situation including the development of the epidemic situation both globally and locally and changes in the volume of cross-boundary passenger traffic, and will not hesitate to adopt further measures if necessary.