

## Property owner fined over \$50,000 for persistently not complying with removal order

A property owner was convicted and fined over \$50,000 at the Eastern Magistrates' Courts last month for persistently failing to comply with a removal order issued under the Buildings Ordinance (BO) (Cap. 123).

The order involved unauthorised building works (UBWs) carried out in a domestic premises at Kam Ping Street, North Point, including erection of an unauthorised flat roof structure of about 40 square metres and removal of a fire-resisting main entrance door.

As the above UBWs were carried out without prior approval and consent from the Buildings Department (BD), a removal order was served on the owner under section 24(1) of the BO.

Failing to comply with the removal order, the owner was prosecuted by the BD twice and fined about \$36,000 in total upon conviction at the Eastern Magistrates' Courts. However, the owner persisted in not complying with the order and the BD instigated prosecution against the owner for a third time. The owner was convicted again and fined \$53,000 on April 29.

"UBWs may adversely affect the structural and fire safety of a building, leading to serious consequences. Owners must comply with the removal orders without further delay. The BD will continue to take enforcement action against owners who have failed to comply with the removal orders (including instigation of prosecution) so as to achieve a deterrent effect," a spokesman for the BD said today (May 9).

Pursuant to section 40(1BA) of the BO, any person who, without reasonable excuse, fails to comply with a removal order served on him or her under section 24(1) of the BO commits an offence and is liable on conviction to a fine of \$200,000 and to imprisonment for one year, as well as a further fine of \$20,000 for each day that the offence continues.

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## Liquor Licensing Board to meet on Tuesday

The following is issued on behalf of the Liquor Licensing Board:

The Liquor Licensing Board (LLB) will meet on Tuesday (May 11) to consider two applications for new issue and renewal of liquor licences.

The applications are (not in order of discussion):

Hong Kong:

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LOT RESTAURANT AND BAR in Central  
Bar Pacific in Sai Wan Ho

The meeting will be held at 9.45am in the conference room, Room 102, 1/F, 258 Queen's Road East, Wan Chai. In response to the latest developments of COVID-19, to avoid the gathering of people in an enclosed environment and to safeguard the health of all participants, only limited public seats will be available on a first-come, first-served basis for all open hearings of the LLB in the interim.

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## [Scheme helps harvest energy](#)

The Government is actively promoting the development of renewable energy by helping eligible schools and welfare non-governmental organisations to install photovoltaic systems free of charge through its Solar Harvest scheme.

The scheme has received an enthusiastic response since its launch two years ago. As at April this year, the Electrical and Mechanical Services Department received more than 500 applications to join the scheme.

News.gov.hk spoke to a building services engineer from the department and the principal of a participating school to learn more about how the scheme works and the way it helps enhance students' environmental awareness.

The story is available at [www.news.gov.hk/eng/feature](http://www.news.gov.hk/eng/feature) today (May 9) in text and video format.

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## [Government gazettes compulsory testing notice](#)

The Government exercised the power under the Prevention and Control of Disease (Compulsory Testing for Certain Persons) Regulation (Cap. 599J) and published in the Gazette a compulsory testing notice, which requires any

person who had been present at two specified premises during the specified period (persons subject to compulsory testing) to undergo a COVID-19 nucleic acid test.

A spokesman for the Food and Health Bureau reminded the public that persons who have completed a COVID-19 vaccination course would be taken to have complied with the requirements set out in the compulsory testing notices and hence are not required to undergo compulsory testing. Completion of the vaccination course in general means having received two doses of COVID-19 vaccine 14 days ago.

â€ Since there were outbreaks of upper respiratory tract infection and/or influenza-like illness in two schools, and the symptoms of the concerned diseases are similar to those of COVID-19, for prudence's sake, the two schools are covered in the compulsory testing notice today (May 8).

Details of the compulsory testing notice are at Annex 1.

In accordance with the compulsory testing notice issued earlier, all household members of close contacts are required to undergo compulsory testing. Any person who had lived with a person placed under quarantine pursuant to section 22 of the Prevention and Control of Disease Regulation (Cap. 599A) (person under quarantine) in the same residential unit on the date of commencement of quarantine or during the 14 days before that day, and who becomes aware of the quarantine of the person under quarantine when the relevant quarantine has not yet been completed, has to undergo testing within two days of him or her becoming aware that the person under quarantine has been placed under quarantine and report to the Government the result of the test by phone (at 6275 6901), fax (at 2530 5872) or email (ct@csb.gov.hk) within three days of undergoing the test.

The spokesman thanked the general public for their co-operation in undergoing compulsory testing for fighting the virus together.

Specimens were collected for over 83 000 persons (including more than 22 000 foreign domestic helpers (FDHs)) yesterday (May 7) at community testing centres (CTCs) and mobile specimen collection stations. Specimens were collected for over 280 000 FDHs from May 1 to May 7 at the CTCs and mobile specimen collection stations across the city. The spokesman reminded FDHs who have yet to receive testing that they need to complete testing by tomorrow (May 9).

For FDHs who have yet to receive testing, they can still make use of the service provided at CTCs and mobile specimen collection stations tomorrow. Currently, there are a total of 21 CTCs providing testing service for the public, including free service for persons subject to compulsory testing. The number of tests available for appointments at CTCs has been increased to over 51 000 per day, and additional manpower has been deployed to serve the public. As of 6pm today, there are around 7 000 booking places available for tomorrow (May 9) at the 21 CTCs. Booking and walk-in services are available. Members of the public only need to provide simple personal information on the

24-hour booking system ([www.communitytest.gov.hk/en](http://www.communitytest.gov.hk/en)). Booking status of centres for the coming week will be shown for public's selection of suitable testing centre and time slot for testing. The testing centres will accord priority to serve individuals with advance bookings. Members of the public may call the testing centres for enquiries on the availability of bookings or walk-in quotas before visiting the centres. The Government reminds FDHs who have made bookings to visit their selected centre at the booked time slot for testing, and employers may assist those who have yet to receive testing to book online to utilise the remaining quotas.

The Government will set up a mobile specimen collection station at Beech Street, Tai Kok Tsui tomorrow for persons subject to compulsory testing for free testing.

Five mobile specimen collection stations located at Edinburgh Place in Central, outside Central Piers No.9 and No.10, at Sai Ying Pun Community Complex, Kennedy Town Playground and Tamar Park in Admiralty in the Central and Western District will open early at 8am or 9am tomorrow and continue to provide service on May 10 (Monday) to enable the public to undergo testing. Coupled with the 21 CTCs, there will be a total of 62 CTCs/mobile specimen collection stations in various districts tomorrow to provide free service for persons subject to compulsory testing (including FDHs), the testing capacity should be sufficient to meet the demand. The opening dates and operating hours of the mobile specimen collection stations in various districts providing free COVID-19 nucleic acid testing services for the general public are stated in Annex 2. Persons with "LeaveHomeSafe" COVID-19 exposure notification or SMS notification from the Centre for Health Protection reminding them to undergo testing as soon as possible may receive free testing at community testing centres or mobile specimen collection stations (if the service scope is applicable).

Persons subject to compulsory testing may choose to undergo testing via the following routes:

1. To visit any of the mobile specimen collection stations (see the list and target groups (if applicable) at [www.coronavirus.gov.hk/eng/early-testing.html](http://www.coronavirus.gov.hk/eng/early-testing.html)) for testing;
2. To attend any of the community testing centres (see the list at [www.communitytest.gov.hk/en](http://www.communitytest.gov.hk/en));
3. To obtain a deep throat saliva specimen collection pack from any of the 121 post offices, vending machines set up at 20 MTR stations or 47 designated general outpatient clinics (GOPCs) of the Hospital Authority and return the specimen to one of the designated specimen collection points (see the distribution points and times, and the specimen collection points and times, at [www.coronavirus.gov.hk/eng/early-testing.html](http://www.coronavirus.gov.hk/eng/early-testing.html));
4. To undergo testing at any of the GOPCs of the Hospital Authority as instructed by a medical professional of the Hospital Authority;
5. To self-arrange testing provided by private laboratories which are recognised by the Department of Health (DH) and can issue SMS notifications in respect of test results (see the list at [www.coronavirus.gov.hk/pdf/List\\_of\\_recognised\\_laboratories RTPCR.pdf](http://www.coronavirus.gov.hk/pdf/List_of_recognised_laboratories RTPCR.pdf)); or

6. To use a specimen bottle distributed to the relevant specified premises by the CHP (if applicable), and return the specimen bottle with the sample collected as per relevant guidelines.

The spokesman cautioned that testing received at Accident and Emergency Departments of the Hospital Authority or during hospital stays, or testing provided by private laboratories which cannot issue SMS notifications in respect of test results, does not comply with the requirements of the aforementioned compulsory testing notice.

"If persons subject to compulsory testing have symptoms, they should seek medical attention immediately and undergo testing as instructed by a medical professional. They should not attend the mobile specimen collection stations or the community testing centres."

Persons subject to compulsory testing must keep the SMS notification containing the result of the test for checking by a law enforcement officer when the officer requires the persons to provide information about their undergoing the specified test.

Furthermore, persons subject to testing under the compulsory testing notices should, as far as reasonably practicable, take appropriate personal disease prevention measures including wearing a mask and maintaining hand hygiene, and, unless for the purpose of undergoing the specified test, stay at their place of residence and avoid going out until the test result is ascertained as far as possible.

Any enquiries on compulsory testing arrangements may be addressed to the hotline at 6275 6901, which operates daily from 9am to 6pm. If persons subject to compulsory testing plan to conduct testing at any of the community testing centres, they can check the centre's appointment status in advance. The hotlines of the community testing centres are available at [www.communitytest.gov.hk/en/info](http://www.communitytest.gov.hk/en/info).

The Government will continue to trace possibly infected persons who had been to the relevant premises, and seriously verify whether they had complied with the testing notices. Any person who fails to comply with the testing notices commits an offence and may be fined a fixed penalty of \$5,000. The person would also be issued with a compulsory testing order requiring him or her to undergo testing within a specified time frame. Failure to comply with the order is an offence and the offender would be liable to a fine at level 4 (\$25,000) and imprisonment for six months.

Relevant officers of different government departments are empowered to perform certain functions under the relevant Regulations under the Prevention and Control of Disease Ordinance (Cap. 599), including requesting individuals to provide information and assistance when necessary. Any person who fails to comply with the relevant request commits an offence and would be liable to a fine at level 3 (\$10,000). Collection and use of any personal data for conducting COVID-19 tests must meet the requirements under the Personal Data (Privacy) Ordinance (Cap. 486). Government departments or testing service providers which handle the relevant information may provide the data to the

DH or other relevant departments for anti-epidemic purposes as necessary. The workflow does not involve the provision of any personal data to organisations or persons outside Hong Kong.

The spokesman said, "The Government urges 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 promptly for early identification of infected persons."

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## **Labour Department highly concerned about fatal work accident that happened today**

The Labour Department (LD) is highly concerned about a fatal work accident that happened at a construction site on Lamma Island this morning (May 8), in which a male worker, while operating a village vehicle to transport a large rock down a ramp, was thrown out from the driver's seat after the vehicle collided with the rock that fell out of the vehicle. He was injured and certified dead in the hospital. The LD is saddened by the death of the worker and expresses its deepest sympathies to the victim's family.

The LD's spokesman said, "We commenced an immediate on-site investigation as soon as we were notified of the accident and issued suspension notices to the contractors concerned, suspending the operation of the vehicle, rock breaking work and transporting of rock at the work area. The contractors cannot resume the work processes until the LD is satisfied that measures to abate the relevant risks have been taken."

The spokesman added, "We will complete investigation as soon as possible to identify the cause of the accident, ascertain the liability of the duty holders and recommend improvement measures. We will take actions pursuant to the law if there is any violation of the work safety legislation."

The general duty provisions of the Factories and Industrial Undertakings Ordinance require employers to provide safe working environments, plant and safe systems of work for their employees. Those who contravene the above provisions are liable to a maximum fine of \$500,000 and imprisonment for six months.

In regard to today's accident, the LD will issue a Work Safety Alert through its website and email, giving a brief account of the accident

concerned to duty holders, workers' unions, professional bodies of safety practitioners and others, reminding the industry of the importance of following safety precautionary measures to prevent a recurrence of similar accidents.

The LD will also remind the employer concerned of the liability for employees' compensation under the Employees' Compensation Ordinance, assist family members of the deceased to claim employees' compensation and closely follow up on the case. For those with financial difficulties, the LD will assist them to apply for appropriate emergency funds. Subject to the needs and wishes of family members of the deceased, the LD will also liaise with the Social Welfare Department for financial or other assistance.

For the sake of securing the safety and health of employees at work, the LD appeals to employers to provide plant and systems of work that are safe and without risks to health. Employees should co-operate with their employers, adopt all safety measures and use personal protective equipment provided properly to avoid endangering their own work safety and that of other workers.