

# Government to gazette compulsory testing notice

The Government will exercise the power under the Prevention and Control of Disease (Compulsory Testing for Certain Persons) Regulation (Cap. 599J) and publish in the Gazette a compulsory testing notice, which requires any person who had been present at 84 specified premises and persons who had been engaged to work at fitness centres during the specified period (persons subject to compulsory testing) to undergo a COVID-19 nucleic acid test.

Currently, in all districts in Hong Kong, if one or more new confirmed cases are found in the residential buildings (including buildings for both commercial and residential uses), or there are sewage samples tested positive which implied possible infection risks, the buildings will be included in the compulsory testing notice.

For testing targeting at workplaces, if one or more confirmed cases are found in a workplace, it will be included in the compulsory testing notice.

Eighty premises fulfilling the above criteria were included in the compulsory testing notice on March 12. In addition, since four schools had either their staff or students confirmed positive, staff, students and visitors attending those schools have to undergo compulsory testing.

In view of the recent large-scale cluster outbreak in fitness centres, apart from tightening the infection control measures in fitness centres, all persons who had been engaged to work or had been on duty at any fitness centre in Hong Kong at any time during the specified period also have to undergo compulsory testing, in order to break the transmission chain in the community early.

The Government encourages persons subject to compulsory testing to utilise the testing services of the community testing centres across the territory. Furthermore, more mobile specimen collection stations will be set up in various districts. Persons subject to compulsory testing including staff of fitness centres can receive free testing in community testing centres or mobile specimen collection stations.

Details of the compulsory testing notice are as follows:

1. Any person who had been present at any specified premises listed in Part A of Annex 1 for more than two hours at any time during the period from February 27 to March 12, 2021 (including but not limited to visitors, residents and workers), have to undergo testing by March 15, 2021. If persons subject to compulsory testing have previously undergone testing between March 10 and March 12, 2021, they would be taken to have complied with the requirements set out in the compulsory testing notice.
2. Any person who had been present at any specified premises listed in Part B

of Annex 1 for more than two hours at any time during the period from February 27 to March 12, 2021 (including but not limited to full-time, part-time and relief staff and visitors), have to undergo testing by March 15, 2021. If persons subject to compulsory testing have previously undergone testing between March 10 and March 12, 2021, they would be taken to have complied with the requirements set out in the compulsory testing notice.

3. Any person who had been present at any specified premises listed in Part C of Annex 1 at any time during the period from February 27 to March 12, 2021 (except persons who had been engaged to work or had been on duty therein), have to undergo testing by March 15, 2021. If persons subject to compulsory testing have previously undergone testing between March 10 and March 12, 2021, they would be taken to have complied with the requirements set out in the compulsory testing notice. Persons who had been engaged to work or had been on duty in the specified premises listed in Part C of Annex 1 should undergo testing in accordance with the requirements in point 5 below.

4. Any person who had been present at any specified premises listed in Part D of Annex 1 for more than two hours at any time during the period from February 27 to March 12, 2021 (including but not limited to full-time, part-time and relief staff, students and visitors), have to undergo testing by March 15, 2021. If persons subject to compulsory testing have previously undergone testing between March 10 and March 12, 2021, they would be taken to have complied with the requirements set out in the compulsory testing notice.

5. Any person who had been engaged to work or had been on duty at any fitness centre in Hong Kong defined under the Prevention and Control of Disease (Requirements and Directions) (Business and Premises) Regulation (Cap. 599F) at any time during the period from February 27 to March 12, 2021 (including but not limited to full-time, part-time and relief staff), have to undergo testing by March 14, 2021. If persons subject to compulsory testing have previously undergone testing on March 12 2021, they would be taken to have complied with the requirements set out in the compulsory testing notice.

A spokesman for the Food and Health Bureau reminds the public that 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 who is 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, have to undergo testing within two days of he/she becoming aware of 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 Government will set up mobile specimen collection stations at the following locations today (March 13). Please see Annex 2 for details of service scope:

- Block 27 of Baguio Villa, Pok Fu Lam (to open on March 14)
- Kennedy Town Playground
- Sai Ying Pun Community Complex
- Summit Court, North Point
- Victoria Harbour, North Point
- Grand Promenade, Sai Wan Ho
- Greenwood Terrace, Chai Wan
- Fung Shing Street Disciplined Services Quarters, Ngau Chi Wan
- Cheung Sha Wan Community Centre
- Pak Lai Road, Ma Wan
- Alto Residences, Tseung Kwan O
- Sheung Tak Community Hall, Tseung Kwan O
- MALIBU, Lohas Park, Tseung Kwan O

Starting from March 13, the mobile specimen collection station at Butterfly Bay Community Centre in Tuen Mun will be relocated to Kin Sang Community Hall and will be open until March 20 (Saturday) tentatively. The service period of the mobile specimen collection stations at French International School in Tseung Kwan O and Li Sing Street Playground in Sai Ying Pun will be extended to March 13 (Saturday) and March 14 (Sunday) respectively. The service period of the mobile specimen collection stations at Edinburgh Place in Central, Wong Tai Sin Square, Maple Street Playground in Sham Shui Po, Sha Tsui Road Playground in Tsuen Wan, On Hing Playground in Yuen Long, Tin Shui Sports Centre in Tin Shui Wai, Basketball Court of Tai Po Community Centre and 7-a-side Hard-surfaced Soccer Pitch, Tung Chung North Park will be extended to March 21 (Sunday).

Persons who had been engaged to work or had been on duty at any fitness centre can receive free testing at any mobile specimen collection stations which serve "local residents and workers subject to compulsory testing", "staff of catering premises and designated scheduled premises under Cap. 599F" or "general public".

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. Apart from mobile specimen collection stations, persons subject to compulsory testing can also choose to attend any of the community testing centres in all districts to receive testing free of charge.

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 Centre for Health Protection (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 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 DH or other relevant departments for anti-epidemic purpose 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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## **A female police constable preliminarily tested positive for COVID-19**

A 34-year-old female Police Constable who is posted to the Licensing Office Sub-unit of Mong Kok District received Coronavirus Disease (COVID-19) test earlier and was preliminarily tested positive yesterday (Mar 12). She has no travel history and did not go to work over past 14 days. Her last working day was February 22 and she started maternity leave since then.

The Police are highly concerned and will arrange all Police officers and civilian staff who might have been in contact with the officer concerned to undergo COVID-19 test before further assessment by the Department of Health (DH).

Police will maintain close communication with the DH. Arrangements will be made for close contacts to be conveyed to quarantine centres to undergo quarantine.

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# HKSAR Government responds to the European Commission Report

The Hong Kong Special Administrative Region (HKSAR) Government today (March 12) expressed strong opposition to the remarks in the report on Hong Kong issued by the European Commission (EU) and the High Representative of the Union for Foreign Affairs and Security Policy (the Report).

Hong Kong National Security Law

"We take great exceptions to the biased and ungrounded political smearing against the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (Hong Kong National Security Law). National security is a matter within the purview of the Central Authorities. It is the legitimate right and duty of every state to safeguard its national security. Be it adopting a unitary or federal system, legislation on national security is invariably carried out by the central authorities rather than local government. Enacting laws on national security with extraterritorial effect is also squarely in line with international practice. In many countries, laws regarding national security have extraterritorial effect. The EU is demonstrating their obvious double standards against HKSAR."

It is totally untrue and biased to say that the Hong Kong National Security Law have had a chilling effect on the exercise of rights and freedoms in Hong Kong. The Hong Kong National Security Law clearly stipulates that the HKSAR shall protect the rights and freedoms enjoyed by residents under the Basic Law, and International Covenant on Civil and Political Rights, as well as the International Covenant on Economic, Social and Cultural Rights as applied to Hong Kong in accordance with the law.

"The four categories of offences of endangering national security which the Hong Kong National Security Law provides are narrowly defined with the elements, the penalties, mitigation factors and other consequences of the offences clearly prescribed. Law-abiding people will not unwittingly violate the law."

"It should however be also pointed out that no one is above the law. Any acts, regardless of whether the relevant rights have been exercised, if violence is involved or the law has been violated, they will have gone beyond the constitutionally guaranteed bounds. The person will have to face legal sanctions regardless of his/her background. We should not let politics override justice. Political pluralism does not mean attempts to seriously undermining the performance of government duties and functions can be made. The arrests made by the Police are based on evidence and strictly according to the laws in force."

"We must emphasise that no one has any privilege to break the law without facing legal consequences. The Police have a statutory duty to

maintain public safety and public order. If the public express their views in a peaceful and lawful manner, there would be no need for the Police to use any force. The Police have a set of stringent guidelines on the use of force that are consistent with international human rights norms and standards."

"Since the implementation of the Hong Kong National Security Law, stability has been restored to society and national security has been safeguarded in the HKSAR. Our people can continue to enjoy their basic rights and freedoms in accordance with the law. Our economy and people's livelihood can revive (except for the reason of the epidemic). A stable environment is vitally important to the business activities of both local and overseas enterprises in Hong Kong."

"One Country, Two Systems"

The Report calls into question China's willingness to uphold the "one country, two systems" principle; and it is a groundless accusation. HKSAR is an inalienable part of the People's Republic of China (PRC), a local administrative region that enjoys a high degree of autonomy under "one country, two systems" and comes directly under the Central People's Government (CPG). To uphold and implement the principle of "one country, two systems" meets the interests of the Hong Kong people, responds to the needs of maintaining Hong Kong's prosperity and stability and serves the fundamental interests of the nation. The CPG has time and again made it clear that it will unswervingly implement the policy of "one country, two systems".

General Election of the Legislative Council

On the postponement of the General Election of the Legislative Council (LegCo), the health and wellbeing of the people are the overriding concern of any responsible government. The HKSAR Government has repeatedly stressed that the postponement of the 2020 LegCo General Election is entirely based on public health grounds. According to the decision made by the Standing Committee of the National People's Congress (NPCSC) on August 11, 2020, the sixth-term LegCo of the HKSAR will continue to discharge its duties for no less than one year until the commencement of the seventh-term LegCo. The decision also states clearly that the seventh-term LegCo of the HKSAR will have a term of four years after it has been formed in accordance with the law.

We do not agree to the Report's claim that the decision to disqualify the four LegCo members was "undermining Hong Kong's high degree of autonomy and the protection of fundamental rights and freedoms". The NPCSC's decision on the qualification of LegCo members of the HKSAR on November 11, 2020 clearly establishes that a member of the LegCo of the HKSAR does not fulfill the legal requirements and conditions on upholding the Basic Law and pledging allegiance to the HKSAR of the PRC if the member advocates or supports "Hong Kong independence", refuses to recognise the PRC's sovereignty over Hong Kong and the exercise of the sovereignty, solicits intervention by foreign or external forces in the HKSAR's affairs, or carries out other activities endangering national security. When the member is so decided in accordance with law, he or she is immediately disqualified from being a LegCo member.

The Decision is applicable to the members of the sixth-term LegCo whose nominations were decided to be invalid in accordance with law by the HKSAR during the nomination period of the election for the seventh-term LegCo of the HKSAR originally scheduled for September 6, 2020. He or she is immediately disqualified from being a LegCo member. The NPCSC's decision is a constitutional, lawful and reasonable arrangement. It is necessary and complies with the relevant stipulations of the Basic Law.

## Judicial Independence

The Report expressed concerns on the unfounded accusations of bias against courts. That the courts of HKSAR can exercise independent judicial power, including that of final adjudication, free from any interference has been enshrined under the Basic Law as set out in articles 2, 19 and 85. Article 92 of the Basic Law also clearly stipulates that judges and other members of the judiciary of the HKSAR shall be chosen on the basis of their judicial and professional qualities. The constitutional duty of judges, in the exercise of their judicial power, is to apply the law and nothing else. Such duty does not change when judges decide cases arising from or involving political controversies.

## Prosecutorial Decisions

The Report also expressed doubts on certain prosecutorial decisions. The HKSAR Government must stress that no one should interfere with the independent prosecutorial decisions which are based on an objective assessment of all admissible evidence, applicable laws and the Prosecution Code, without political considerations.

Article 63 of the Basic Law stipulates that prosecutions in the HKSAR are made by the Department of Justice, free from any interference. Prosecutions would only commence if there is sufficient admissible evidence to support a reasonable prospect of conviction.

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## [Tsing Yi community testing centre to commence service tomorrow](#)

â€‹To further facilitate members of the public to undergo COVID-19 testing, the Government will set up at Tsing Yi Sports Centre an additional community testing centre which will commence service at 1pm tomorrow (March 13). There will be a total of 20 community testing centres across the city to provide testing services for the public.

The new Tsing Yi community testing centre will operate until end of April 2021 tentatively. Community testing centres provide self-paid testing services for the public at a more affordable price to serve general community

or private purposes such as certification for travelling or work. The price of concerned testing services is capped at \$240. The Government would also, as and when necessary (such as in situations with higher risks of community transmission), conduct necessary testing for target groups, specified persons or other citizens at the testing centres for public health reasons on a need basis.

Community testing centres have come into service in phases since November 15, 2020. As at March 10, 2021, these centres in various districts had provided a total of around 1.8 million tests, of which over 1 050 samples were tested preliminarily positive (0.06 per cent) and had been referred to the Centre for Health Protection for confirmatory tests and follow-up.

A Government spokesman said, "The Government has been refining its anti-epidemic strategies in accordance with the development of the epidemic, including conducting large-scale COVID-19 testing for groups of different risks under the three key principles of 'compulsory testing on a mandatory basis, targeted testing on an obligatory basis and testing on a voluntary basis' with a view to achieving 'early identification, early isolation and early treatment', and cutting the transmission chains in the community as far as possible."

â€‹ "Having regard to the recent increase in risk of transmission and infection in different premises or groups and the implementation of strengthened anti-epidemic measures for the resumption of various economic and social activities, the Government encourages or requires people of various groups to undergo testing. The supply of testing services is being further enhanced to cope with the increasing demand for testing so as to meet anti-epidemic goals and facilitate the public. Community testing centres provide services not only for those who undergo testing voluntarily at a more affordable price, but also for persons who are subject to compulsory testing and targeted groups, thus enabling the Government to meet unexpected testing demand in a more efficient and flexible manner and to strengthen disease prevention and control in Hong Kong."

The community testing centres provide specimen collection services (using combined nasal and throat swabs) and COVID-19 testing services for all asymptomatic individuals holding valid Hong Kong identity cards, Hong Kong birth certificates or other valid identity documents (including Hong Kong residents and non-Hong Kong residents). The centres are open daily from 8am to 1.30pm and from 2.30pm to 8pm. Deep cleaning and disinfection would be conducted when they close in the afternoon and at night.

Booking and walk-in services are available. Members of the public only need to provide simple personal information (including their name, number of valid identity document and phone number) on the 24-hour booking system ([www.communitytest.gov.hk/en](http://www.communitytest.gov.hk/en)) to select the testing centre and time slot. The booking system will show the booking status of centres for the coming week, and members of the public can choose suitable time slots for testing. The testing centres would accord priority to provide service for individuals with advance bookings. Members of the public may also call the testing centres for enquiries on the availability of bookings or walk-in quotas before visiting

the centres.

At present, persons of certain targeted groups (including employees of designated scheduled premise and catering businesses, construction site workers, school staff), local residents and staff subject to compulsory testing, as well as persons with "LeaveHomeSafe" COVID-19 exposure notification may receive free testing at community testing centres. They must register through the booking system ([www.communitytest.gov.hk/en](http://www.communitytest.gov.hk/en)) for free testing service. Those without bookings will need to pay the testing fee. If necessary, targeted groups who underwent testing may make another booking. The Government will regularly review the coverage and frequency of targeted group testing with reference to the latest epidemic risk assessment.

The Government spokesman said, "To reduce the risk of virus transmission, testing agencies provide various means of contactless payment. The Government encourages citizens using self-paid service to reduce or avoid using cash as a means of payment as far as possible."

Participants, upon receiving self-paid testing service, with a negative result will receive a test report for a COVID-19 nucleic acid test within 24 hours. Persons subject to compulsory testing and persons of targeted groups who are users of free testing service will be informed of test results by SMS notifications through their mobile phones. Those who are tested positive as confirmed by the Department of Health (DH) will receive calls from the DH to arrange for isolation and treatment in public hospitals in accordance with established procedures.

The locations and hotlines of community testing centres in various districts are at the Annex. The Government reminds the public that they can undergo COVID-19 testing through various means. For details on other testing means than community testing centres, please refer to the following webpage: [www.coronavirus.gov.hk/eng/early-testing.html](http://www.coronavirus.gov.hk/eng/early-testing.html). Person who has symptoms should seek medical attention immediately and should not attend the community testing centres.

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## **Statistics for COVID-19 Vaccination Programme**

â€‹The COVID-19 Vaccination Programme has been implemented since February 26. In the past 24 hours ending at 8pm today (March 12), the following figures were recorded:

(i) About 9 500 persons received their first dose of Sinovac vaccine, including about 6 900 persons vaccinated at eight Community Vaccination Centres (CVCs) and about 2 100 persons at private doctors and clinics

participating in the programme; and

(ii) About 6 700 persons received their first dose of Comirnaty vaccine at seven CVCs.

(iii) A total of about 16 200 persons received their first dose of vaccine.

The overall percentage of people who have received Sinovac vaccine at eight CVCs today is about 72 per cent, while the overall percentage of people who have received Comirnaty vaccine at seven CVCs today is about 90 per cent.

So far, a cumulative total of about 162 100 persons have received their first vaccination dose (Annex 1), with about 140 700 persons receiving Sinovac vaccine and about 21 400 persons receiving Comirnaty vaccine.

In the past 24 hours ending at 0000 hours today, there were eight cases of ambulance transfer to hospital. Among them, seven cases were discharged and one case was admitted for observation (Annex 2).