

PREVENTION AND CONTROL OF DISEASE (COMPULSORY TESTING FOR CERTAIN PERSONS) REGULATION

Compulsory Testing Notice

I hereby exercise the power conferred on me by section 10(1) of the Prevention and Control of Disease (Compulsory Testing for Certain Persons) Regulation (*the Regulation*) (Chapter 599, sub. leg. J) to:—

Category of Persons

- (I) specify the following category of persons ^[Note 1]:—
- (a) any person who had lived in the building (*that building*) in which the place of residence of the relevant case is located during the 21-day period prior to the day on which the relevant case last stayed in that building ^[Note 3] before being admitted to hospital for treatment or leaving Hong Kong ^[Note 2], where the relevant case is a case of coronavirus disease 2019 (*COVID-19*) suspected to carry Omicron variant (*suspected Omicron case*) and is not epidemiologically linked with other local case(s) who had lived in the same building in which the place of residence of the relevant case is located;
 - (b) any person who, during the 21-day period prior to the day on which the relevant suspected Omicron case last stayed in that building before being admitted to hospital for treatment or leaving Hong Kong ^[Note 2], has that building ^[Note 3] as his/her usual place of work;
 - (c) any person who had lived in that building during the 21-day period prior to the day on which the relevant confirmed case last stayed in that building ^[Note 3] before being admitted to hospital for treatment or leaving Hong Kong ^[Note 2], where the relevant confirmed case is a confirmed case of COVID-19 with other variant of concern (*confirmed case with other VOC*) and is not epidemiologically linked with other local case(s) who had lived in the same building in which the place of residence of the relevant confirmed case is located;
 - (d) any person who, during the 21-day period prior to the day on which the relevant confirmed case with other VOC last stayed in that building before being admitted to hospital for treatment or leaving Hong Kong ^[Note 2], has that building ^[Note 3] as his/her usual place of work;

Requirements and Procedure for the Test

- (II) require every person who falls within the category of persons specified in Parts (I)(a) and (I)(b) above to undergo polymerase chain reaction-based nucleic acid tests for the coronavirus disease 2019 (*the Specified Tests*) in compliance with the requirements and procedure ^[Notes 4 and 5] set out below:—
- (a) for tests at mobile specimen collection stations:—
 - (i) attend one of the mobile specimen collection stations ^[Note 6] set up by the Government on the 2nd day, 3rd day, 4th day, 7th day, 12th day and 19th day ^[Notes 2 and 5] counting from the day subsequent to that when the relevant suspected Omicron case last stayed in that building before being admitted to hospital for treatment or leaving Hong Kong;
 - (ii) undergo the Specified Tests, including providing samples taken through combined nasal and throat swabs, in accordance with the instructions given by the staff at the stations; and
 - (iii) keep the SMS (mobile phone text message) notifications containing the result of the tests, and provide the relevant SMS notifications for checking by a prescribed officer when the prescribed officer requires the person to provide information about his or her undergoing the Specified Tests;

OR

(b) for tests at Community Testing Centres:—

- (i) attend one of the Community Testing Centres ^[Note 7] set up by the Government on the 2nd day, 3rd day, 4th day, 7th day, 12th day and 19th day ^[Notes 2 and 5] counting from the day subsequent to that when the relevant suspected Omicron case last stayed in that building before being admitted to hospital for treatment or leaving Hong Kong;
- (ii) undergo the Specified Tests, including providing samples taken through combined nasal and throat swabs, in accordance with the instructions given by the staff at the centre; and
- (iii) keep the SMS (mobile phone text message) notifications containing the result of the tests, and provide the relevant SMS notifications for checking by a prescribed officer when the prescribed officer requires the person to provide information about his or her undergoing the Specified Tests;

OR

(c) for tests using specimen bottles distributed to the building(s) specified in Part (I) above by the Centre for Health Protection (**CHP**) (if applicable):—

- (i) obtain specimen bottles from the CHP;
- (ii) collect relevant samples (which must not be deep throat saliva samples) in the aforesaid specimen bottles as per the guidelines in the specimen collection packs;
- (iii) return, on the 2nd day, 3rd day, 4th day, 7th day, 12th day and 19th day ^[Notes 2 and 5] counting from the day subsequent to that when the relevant suspected Omicron case last stayed in that building before being admitted to hospital for treatment or leaving Hong Kong, the specimen bottles with the samples to one of the designated collection points ^[Note 8]; and
- (iv) keep the SMS (mobile phone text message) notifications containing the result of the tests, and provide the relevant SMS notifications for checking by a prescribed officer when the prescribed officer requires the person to provide information about his or her undergoing the Specified Tests;

OR

(d) for self-arranged tests:—

- (i) arrange for the carrying out of the Specified Tests at a laboratory which is included in a list of recognised laboratories for the Specified Test published at the coronavirus disease 2019 thematic website on https://www.coronavirus.gov.hk/pdf/List_of_recognised_laboratories_RTPCR.pdf and which can issue SMS (mobile phone text message) notifications in respect of test results;
- (ii) undergo, on the 2nd day, 3rd day, 4th day, 7th day, 12th day and 19th day ^[Notes 2 and 5] counting from the day subsequent to that when the relevant suspected Omicron case last stayed in that building before being admitted to hospital for treatment or leaving Hong Kong, the Specified Tests in accordance with the instructions given by the staff of the laboratory, including providing samples taken through combined nasal and throat swabs; and
- (iii) keep the SMS (mobile phone text message) notifications containing the result of the tests, and provide the relevant SMS notifications for checking by a prescribed officer when the prescribed officer requires the person to provide information about his or her undergoing the Specified Tests;

(III) require every person who falls within the category of persons specified in Parts (I)(c) and (I)(d) above to undergo the Specified Tests in compliance with the requirements and procedure ^[Notes 4 and 5] set out below:—

(a) for tests at mobile specimen collection stations:—

- (i) attend one of the mobile specimen collection stations ^[Note 6] set up by the Government on the 3rd day, 7th day, 12th day and 19th day ^[Notes 2 and 5] counting from the day subsequent to that when the relevant confirmed case last stayed in

that building before being admitted to hospital for treatment or leaving Hong Kong;

- (ii) undergo the Specified Tests, including providing samples taken through combined nasal and throat swabs, in accordance with the instructions given by the staff at the stations; and
- (iii) keep the SMS (mobile phone text message) notifications containing the result of the tests, and provide the relevant SMS notifications for checking by a prescribed officer when the prescribed officer requires the person to provide information about his or her undergoing the Specified Tests;

OR

(b) for tests at Community Testing Centres:—

- (i) attend one of the Community Testing Centres ^[Note 7] set up by the Government on the 3rd day, 7th day, 12th day and 19th day ^[Notes 2 and 5] counting from the day subsequent to that when the relevant confirmed case last stayed in that building before being admitted to hospital for treatment or leaving Hong Kong;
- (ii) undergo the Specified Tests, including providing samples taken through combined nasal and throat swabs, in accordance with the instructions given by the staff at the centre; and
- (iii) keep the SMS (mobile phone text message) notifications containing the result of the tests, and provide the relevant SMS notifications for checking by a prescribed officer when the prescribed officer requires the person to provide information about his or her undergoing the Specified Tests;

OR

(c) for tests using specimen bottles distributed to the building(s) specified in Part (I) above by the CHP (if applicable):—

- (i) obtain specimen bottles from the CHP;
- (ii) collect relevant samples (which must not be deep throat saliva samples) in the aforesaid specimen bottles as per the guidelines in the specimen collection packs;
- (iii) return, on the 3rd day, 7th day, 12th day and 19th day ^[Notes 2 and 5] counting from the day subsequent to that when the relevant confirmed case last stayed in that building before being admitted to hospital for treatment or leaving Hong Kong, the specimen bottles with the samples to one of the designated collection points ^[Note 8], and
- (iv) keep the SMS (mobile phone text message) notifications containing the result of the tests, and provide the relevant SMS notifications for checking by a prescribed officer when the prescribed officer requires the person to provide information about his or her undergoing the Specified Tests;

OR

(d) for self-arranged tests:—

- (i) arrange for the carrying out of the Specified Tests at a laboratory which is included in a list of recognised laboratories for the Specified Test published at the coronavirus disease 2019 thematic website on https://www.coronavirus.gov.hk/pdf/List_of_recognised_laboratories_RTPCR.pdf and which can issue SMS (mobile phone text message) notifications in respect of test results;
- (ii) undergo, on the 3rd day, 7th day, 12th day and 19th day ^[Notes 2 and 5] counting from the day subsequent to that when the relevant confirmed case last stayed in that building before being admitted to hospital for treatment or leaving Hong Kong, the Specified Tests in accordance with the instructions given by the staff of the laboratory, including providing samples taken through combined nasal and throat swabs; and
- (iii) keep the SMS (mobile phone text message) notifications containing the result of the tests, and provide the relevant SMS notifications for checking by a prescribed officer when the prescribed officer requires the person to provide information about his or her undergoing the Specified Tests;

(IV) require every person who falls within the above category to take appropriate personal disease prevention measures as far as reasonably practicable, including wearing a mask and maintaining hand hygiene; and unless for the purpose of undergoing the Specified Tests, stay at his/her place of residence and avoid going out until the test results are ascertained as far as possible;

Period Specified for the Purpose of Section 14(3)(b) of the Regulation

(V) specify in relation to the category of persons in Parts (I)(a) and (I)(b) above the six 30-day periods from the 3rd day, 4th day, 5th day, 8th day, 13th day and 20th day respectively counting from the day subsequent to that when the relevant confirmed case last stayed in that building before being admitted to hospital for treatment or leaving Hong Kong; or the day following the Extended Testing Period due to Inclement Weather ^[Notes 2 and 5] as the periods during which a Compulsory Testing Order may be issued under the Regulation upon non-compliance with this Notice;

specify in relation to the category of persons in Parts (I)(c) and (I)(d) above the four 30-day periods from the 4th day, 8th day, 13th day and 20th day respectively counting from the day subsequent to that when the relevant confirmed case last stayed in that building before being admitted to hospital for treatment or leaving Hong Kong; or the day following the Extended Testing Period due to Inclement Weather ^[Notes 2 and 5] as the periods during which a Compulsory Testing Order may be issued under the Regulation upon non-compliance with this Notice;

Appointment of Prescribed Officers

(VI) appoint members of the Auxiliary Medical Service and all public officers of the Government of the Hong Kong Special Administrative Region to perform a function under the Regulation concerning a requirement specified under this Notice ^[Note 9].

G.N. (E.) 755 of 2021 will be suspended upon the commencement of this Notice on 11 January 2022.

Note 1:—

If a person who falls within the category specified in Part (I) above is required to undergo quarantine pursuant to section 22 of the Prevention and Control of Disease Regulation (Chapter 599, sub. leg. A), that person is not required to comply with the requirements set out in this Notice.

If a person who falls within the category specified in Part (I) above has previously undergone the Specified Test (in compliance with the requirements and procedure (except the relevant testing dates) set out in Part (II) above or Note 4 below) on a certain date, he/she would be taken to have complied with the requirements set out in this Notice (regardless of whether or not the test was conducted for complying with this Notice) if so announced by the Government specifically.

Note 2:—

The 21-day period prior to the same day on which a suspected Omicron case or confirmed case with other VOC last stayed in that building before being admitted to hospital for treatment or leaving Hong Kong is counted by taking the day on which the relevant case last stayed in that building as the 21st day. For example, if the relevant confirmed case last stayed in that building on 21 October 2021, then the “21-day period” would be from 1 October to 21 October 2021.

The 2nd day, 3rd day, 4th day, 7th day, 12th day and 19th day counting from the day subsequent to that when the relevant suspected Omicron case last stayed in that building before being admitted to hospital for treatment or leaving Hong Kong are counted by taking the day subsequent to that when the relevant confirmed case last stayed in that building before being admitted to hospital for treatment or leaving Hong Kong as the first day. For example, if the relevant case last stayed in that building on 21 October 2021 before being admitted to hospital for treatment or leaving Hong Kong, then the “1st day” would be 22 October 2021 and the “2nd day” would be 23 October 2021.

The 3rd day, 7th day, 12th day and 19th day counting from the day subsequent to that when the relevant confirmed case with other VOC last stayed in that building before being admitted to hospital for treatment or leaving Hong Kong are counted by taking the day subsequent to that

when the relevant confirmed case last stayed in that building before being admitted to hospital for treatment or leaving Hong Kong as the first day. For example, if the relevant confirmed case last stayed in that building on 21 October 2021 before being admitted to hospital for treatment or leaving Hong Kong, then the “1st day” would be 22 October 2021 and the “3rd day” would be 24 October 2021.

“The date on which the relevant confirmed case last stayed in that building before being admitted to hospital for treatment or leaving Hong Kong” would be that as announced by the Department of Health.

If the tropical cyclone signal No. 3 or above is hoisted, or a red/black rainstorm warning signal or “extreme conditions after super typhoons” announced by the Government is/are in force at any time on the 2nd, 3rd day, 4th, 7th day, 12th day and 19th day (in respect of suspected Omicron case) or the 3rd day, 7th day, 12th day and 19th day (in respect of confirmed case with other VOC) counting from the day subsequent to that when the relevant confirmed case last stayed in that building before being admitted to hospital for treatment or leaving Hong Kong, the period for undergoing the Specified Test will be extended to the next day after the tropical cyclone signal No. 3 is lowered, or a red rainstorm warning signal or the “extreme conditions after super typhoons” announced by the Government has/have ceased to be in force (*the Extended Testing Period due to Inclement Weather*).

Note 3:—

The area included in the building in which the place of residence of the relevant confirmed case is located would be that announced by the Department of Health.

Note 4:—

If a person who falls within the category specified in Part (I) above is issued a medical certificate by a registered medical practitioner (*relevant medical certificate*), proving that he/she is unfit to undergo the Specified Tests using samples taken through combined nasal and throat swabs in compliance with the requirements and procedure set out in Part (II) because of health reasons, then he/she may undergo the Specified Tests using deep throat saliva samples in compliance with the requirements and procedure set out below:—

- (a) for tests with a specimen bottle obtained:—
 - (i) obtain specimen bottles from one of the 121 post offices, 47 general out-patient clinics of the Hospital Authority or vending machines set up at 20 MTR stations ^[Note 8];
 - (ii) collect deep throat saliva samples in the specimen bottles as per the guidelines provided together with the specimen bottles;
 - (iii) return, on the 2nd, 3rd day, 4th, 7th day, 12th day and 19th day (in respect of suspected Omicron case) or the 3rd day, 7th day, 12th day and 19th day (in respect of confirmed case with other VOC) ^[Notes 2 and 5] counting from the day subsequent to that when the relevant confirmed case last stayed in that building before being admitted to hospital for treatment or leaving Hong Kong, the specimen bottles with the samples to one of the designated collection points ^[Note 8]; and
 - (iv) keep the SMS (mobile phone text message) notifications containing the result of the tests and the relevant medical certificate, and provide the relevant SMS notifications and relevant medical certificate for checking by a prescribed officer when the prescribed officer requires the person to provide information about his or her undergoing the Specified Tests;

OR

- (b) for tests at general out-patient clinics of the Hospital Authority:—
 - (i) undergo, on the 2nd, 3rd day, 4th, 7th day, 12th day and 19th day (in respect of suspected Omicron case) or the 3rd day, 7th day, 12th day and 19th day (in respect of confirmed case with other VOC) ^[Notes 2 and 5] counting from the day subsequent to that when the relevant confirmed case last stayed in that building before being admitted to hospital for treatment or leaving Hong Kong, the Specified Tests at general out-patient clinics of the Hospital Authority as instructed by a medical professional of the Hospital Authority; and

- (ii) keep the SMS (mobile phone text message) notifications containing the result of the tests and the relevant medical certificate, and provide the relevant SMS notifications and relevant medical certificate for checking by a prescribed officer when the prescribed officer requires the person to provide information about his or her undergoing the Specified Tests;

OR

- (c) for self-arranged tests using deep throat saliva samples:—
 - (i) arrange for the carrying out of the Specified Tests at a laboratory which is included in a list of recognised laboratories for the Specified Test published at the coronavirus disease 2019 thematic website on https://www.coronavirus.gov.hk/pdf/List_of_recognised_laboratories_RTPCR.pdf and which can issue SMS (mobile phone text message) notifications in respect of test results;
 - (ii) undergo, on the 2nd, 3rd day, 4th, 7th day, 12th day and 19th day (in respect of suspected Omicron case) or the 3rd day, 7th day, 12th day and 19th day (in respect of confirmed case with other VOC) ^[Notes 2 and 5] counting from the day subsequent to that when the relevant confirmed case last stayed in that building before being admitted to hospital for treatment or leaving Hong Kong, the Specified Tests in accordance with the instructions given by the staff of the laboratory; and
 - (iii) keep the SMS (mobile phone text message) notifications containing the result of the tests and the relevant medical certificate, and provide the relevant SMS notifications and relevant medical certificate for checking by a prescribed officer when the prescribed officer requires the person to provide information about his or her undergoing the Specified Tests.

Note 5:—

If the 2nd, 3rd day, 4th, 7th day, 12th day and 19th day (in respect of suspected Omicron case) or the 3rd day, 7th day, 12th day and 19th day (in respect of confirmed case with other VOC) counting from the day subsequent to that when the relevant case last stayed in that building before being admitted to hospital for treatment or leaving Hong Kong (*the testing date*) has already past on the day on which the Department of Health announced the relevant case, then the persons who fall within the category specified in Part (I) above need not undergo testing on such testing date(s) which has already past.

For example, a relevant confirmed case with other VOC last stayed on 1 October 2021 in the building in which the place of his or her residence is located before being admitted to hospital for treatment or leaving Hong Kong, and the Department of Health announced the relevant confirmed case on 10 October 2021, then the persons who fall within the category specified in Part (I) above need not undergo testing on the testing dates on the 3rd day (i.e. 4 October 2021) and 7th day (i.e. 8 October 2021) which have already past, but would still need to undergo testing on the testing dates on the 12th day (i.e. 13 October 2021) and 19th day (i.e. 20 October 2021).

The relevant testing dates would be that announced by the Department of Health.

Note 6:—

The location, opening hours and target groups (if applicable) of the mobile specimen collection stations are set out in <https://www.coronavirus.gov.hk/eng/early-testing.html>.

Note 7:—

The location and opening hours of the Community Testing Centres are set out in <https://www.communitytest.gov.hk/en/>.

Note 8:—

The location and opening hours of post offices, general out-patient clinics and MTR stations distributing specimen bottles as well as the specimen collection location and time are set out in <https://www.coronavirus.gov.hk/eng/early-testing.html>.

Note 9:—

Under the Regulation, health officers may, without the need of an appointment, perform a function concerning a requirement under a Compulsory Testing Notice.

10 January 2022

Secretary for Food and Health