

G.N. (E.) 13 of 2022

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]:—

any person who had been present on the cruise ship “Spectrum of the Seas” in any capacity (including but not limited to full-time, part-time and relief staff and passengers) at any time during the period from 1:30 p.m. on 2 January to 4 January 2022 for more than two hours;

Requirements and Procedure for the Test

(II) require every person who falls within the above category to undergo a polymerase chain reaction-based nucleic acid test for the coronavirus disease 2019 (*the Specified Test*) in compliance with the requirements and procedure set out below ^[Note 2]:—

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

- (i) attend one of the mobile specimen collection stations ^[Note 3] set up by the Government on 5 January and 7 January 2022 respectively;
- (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 two SMS (mobile phone text message) notifications containing the results 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 4] set up by the Government on 5 January and 7 January 2022 respectively during its opening hours;
- (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 results 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 a self-arranged test:—

- (i) arrange for the carrying out of the Specified Tests at a laboratory which is included in the 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 5 January and 7 January 2022 respectively, 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 results 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 above category to (a) take appropriate personal disease prevention measures as far as reasonably practicable, including wearing a mask and maintaining hand hygiene; (b) unless for the purpose of undergoing the Specified Test, must stay on the cruise ship “Spectrum of the Seas” or in a place specified by a health officer and may not leave before having undergone the Specified Test on 5 January 2022 as required in Part (II) and upon agreement of a health officer; and (c) unless for the purpose of undergoing the Specified Test, stay at his/her place of residence and avoid going out until the test result is ascertained as far as possible before having undergone the Specified Test on 7 January 2022 as required in Part (II);

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

- (IV) specify in relation to the category of persons in Part (I) above the two respective 30-day periods from 6 January to 4 February 2022 and from 8 January to 6 February 2022, or the 30-day period from the day following the Extended Testing Period due to Inclement Weather ^[Note 6] as the period during which a Compulsory Testing Order may be issued under the Regulation upon non-compliance with this Notice;

Appointment of Prescribed Officers

- (V) 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 7].

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 during the quarantine period.

Note 2:—

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 120 post offices, 47 general out-patient clinics of the Hospital Authority or vending machines set up at 20 MTR stations ^[Note 5];
 - (ii) collect deep throat saliva samples in the specimen bottles as per the guidelines provided together with the specimen bottle;
 - (iii) return, on 5 January and 7 January 2022 respectively, the specimen bottles with the samples to one of the designated collection points ^[Note 5]; and
 - (iv) keep the SMS (mobile phone text message) notifications containing the results 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 5 January and 7 January 2022 respectively, 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 results 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 the 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 5 January and 7 January 2022 respectively, 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 results 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 3:—

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 4:—

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

Note 5:—

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 6:—

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 during the period for undergoing the Specified Test, the period for undergoing the Specified Test will be extended for 1 day (*the Extended Testing Period due to Inclement Weather*).

Note 7:—

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