

PREVENTION AND CONTROL OF DISEASE (REGULATION OF CROSS-BOUNDARY CONVEYANCES AND TRAVELLERS) REGULATION

I hereby exercise the power conferred by section 5 of the Prevention and Control of Disease (Regulation of Cross-boundary Conveyances and Travellers) Regulation (Chapter 599, sub. leg. H) (*the Regulation*) to, for the purposes of sections 3(1) and 4(1) of the Regulation and for the purposes of the definition of *specified period* in section 2(1) of the Regulation, specify 7 days as the specified period in relation to all *specified places* in which a person who falls within paragraph (a) of the definition of *relevant traveller* has stayed, and specify:—

(A) in respect of a person ^[Note 1] who boarded a civil aviation aircraft that arrives at, or is about to arrive at Hong Kong (*specified aircraft*), who on the scheduled day of departure of the specified aircraft or during the 7 days before that day (*the 7-day Period*), has stayed in any place outside China (*the relevant overseas traveller*), the following conditions:—

(I) for the relevant overseas traveller who:—

- (i) is aged below 12 on the scheduled day of departure of the specified aircraft, and not
- (ii) a relevant overseas traveller who boarded a specified aircraft on or after the 14th day upon completion of a coronavirus disease 2019 (*COVID-19*) vaccination course ^[Note 2] by the time of the scheduled time of departure of the specified aircraft (*the relevant vaccinated overseas traveller*);

that is, *the relevant minor overseas traveller*:—

(1) the relevant minor overseas traveller provides documentary proof:—

- (a) of test conducted as set out at Annex 1 (except those aged below 3 on the scheduled day of departure of the specified aircraft at Hong Kong); and
 - (b) of the valid QR code as generated by the completion of the Department of Health's online Health & Quarantine Information Declaration Form (*the eHealth Declaration QR code*) ^[Note 3]; and
- (2) the operator of the specified aircraft submits to the Department of Health before the specified aircraft arrives at Hong Kong a document in a form specified by the Department of Health confirming that each relevant minor overseas traveller has, before being checked-in for the flight to Hong Kong on that aircraft, produced for boarding on the aircraft the documentary proof to show that the conditions set out in paragraph (1) of part (A)(I) above are met;

(II) for the relevant overseas traveller who (a) is unfit for undergoing a COVID-19 vaccination course due to health reasons with relevant proof from a medical practitioner (*the relevant overseas traveller with health reasons*); or (b) has received one dose of COVID-19 vaccine which is included on the list of vaccines recognised for specified purposes as published on the Government's COVID-19 thematic website, and after receiving the said dose of vaccine, was certified by a medical practitioner that he/she is unfit to receive the second dose of COVID-19 vaccine because of health reasons, and boarded a specified aircraft on or after the 14th day after receiving the said first dose of vaccine (*the relevant overseas traveller with contraindication*):—

(1) the relevant overseas traveller with health reasons or the relevant overseas traveller with contraindication provides documentary proof:—

- (a) of test conducted as set out at Annex 1 (except those aged below 3 on the scheduled day of departure of the specified aircraft); and
- (b) (in the case of the relevant overseas traveller with contraindication) of vaccination as set out at Annex 2; and
- (c) in Chinese or English of certification issued by a medical practitioner, proving that he/she is unfit to receive any or the second dose of COVID-19 vaccine (whichever is applicable) because of health reasons; and
- (d) of the valid eHealth Declaration QR code ^[Note 3]; and

- (2) the operator of the specified aircraft submits to the Department of Health before the specified aircraft arrives at Hong Kong a document in a form specified by the Department of Health confirming that each relevant overseas traveller with health reasons and each relevant overseas traveller with contraindication has, before being checked-in for the flight to Hong Kong on that aircraft, produced for boarding on the aircraft the documentary proof to show that the conditions set out in paragraph (1) of part (A)(II) above are met;

(III) for the relevant traveller who is a Hong Kong resident:—

- (1) the relevant overseas traveller provides documentary proof:—
 - (a) of test conducted as set out at Annex 1 (except those aged below 3 on the scheduled day of departure of the specified aircraft); and
 - (b) of the valid eHealth Declaration QR code ^[Note 3]; and
- (2) the operator of the specified aircraft submits to the Department of Health before the specified aircraft arrives at Hong Kong a document in a form specified by the Department of Health confirming that each relevant overseas traveller has, before being checked-in for the flight to Hong Kong on that aircraft, produced for boarding on the aircraft the documentary proof to show that the conditions set out in paragraph (1) of part (A)(III) above are met;

(IV) in any other case:—

- (1) the relevant overseas traveller is a relevant vaccinated overseas traveller; and
- (2) the relevant overseas traveller provides documentary proof:—
 - (a) of test conducted as set out at Annex 1 (except those aged below 3 on the scheduled day of departure of the specified aircraft); and
 - (b) of vaccination as set out at Annex 2; and
 - (c) of the valid eHealth Declaration QR code ^[Note 3]; and
- (3) the operator of the specified aircraft submits to the Department of Health before the specified aircraft arrives at Hong Kong a document in a form specified by the Department of Health confirming that each relevant overseas traveller has, before being checked-in for the flight to Hong Kong on that aircraft, produced for boarding on the aircraft the documentary proof to show that the conditions set out in paragraphs (1) and (2) of part (A)(IV) above are met;

(B) in respect of a person ^[Note 1] who, during the 7-day period, has stayed in Taiwan but has not stayed in any place outside China (*the relevant Taiwan traveller*), the following conditions:—

- (1) the relevant Taiwan traveller provides documentary proof:—
 - (a) of test conducted as set out at Annex 1 (except those aged below 3 on the scheduled day of departure of the specified aircraft); and
 - (b) of the valid eHealth Declaration QR code ^[Note 3]; and
- (2) the operator of the specified aircraft submits to the Department of Health before the specified aircraft arrives at Hong Kong a document in a form specified by the Department of Health confirming that each relevant Taiwan traveller has, before being checked-in for the flight to Hong Kong on that aircraft, produced for boarding on the aircraft the documentary proof to show that the conditions set out in paragraph (1) of part (B) above are met;

(C) in respect of a person ^[Note 1] who, during the 7-day Period, has only stayed in China (except Taiwan) but has not stayed in Taiwan or any place outside China (*the relevant Mainland or Macao traveller*), the following conditions:—

- (1) the relevant Mainland or Macao traveller provides documentary proof:—
 - (a) of the valid eHealth Declaration QR code ^[Note 3]; and
- (2) the operator of the specified aircraft submits to the Department of Health before the specified aircraft arrives at Hong Kong a document in a form specified by the Department of Health confirming that each relevant Mainland or Macao traveller has,

before being checked-in for the flight to Hong Kong on that aircraft, produced for boarding on the aircraft the documentary proof to show that the conditions set out in paragraph (1) of part (C) above are met.

G.N. (E.) 800 of 2022 will be suspended upon the commencement of the above specifications at 6.00 a.m. on 26 September 2022.

Note 1:—

The person in parts (A), (B) and (C) above does not include:—

- (1) a person who is in transfer/transit in Hong Kong;
- (2) a person who is designated or falls within a category of persons designated under section 4(1) of the Compulsory Quarantine of Certain Persons Arriving at Hong Kong Regulation (Chapter 599, sub. leg. C) or Compulsory Quarantine of Persons Arriving at Hong Kong from Foreign Places Regulation (Chapter 599, sub. leg. E); and
- (3) a person who is a Hong Kong resident, and who has:—
 - (a) commenced his or her journey in Hong Kong; and
 - (b) been deemed as an inadmissible person by the authorities of the place of his or her destination.

The terms “commencement of journey” and “inadmissible person” in (b) above have the meaning given by Annex 9 to the Convention on International Civil Aviation and the phrase “commenced his or her journey” in (a) above will be construed accordingly.

The person in parts (A), (B) and (C) above, who is a Hong Kong resident, and who:—

- (1) has encountered serious accident or disaster, or whose personal safety is or will be at risk in a place outside Hong Kong; and
- (2) has obtained approval and been issued with an authorisation by the Immigration Department before boarding the specified aircraft,

can be exempted from parts of or all of the conditions specified in parts (A), (B) or (C) above in accordance with the authorisation document issued by the Immigration Department.

Note 2:—

For both the Sinovac COVID-19 vaccine (*CoronaVac vaccine*) and Fosun Pharma/BioNTech COVID-19 vaccine (*Comirnaty vaccine*), completing the vaccination course involves receiving two doses in general, except for persons previously infected with COVID-19, who are to receive one dose of vaccine. For persons aged between 12 and 17 on the scheduled day of departure of the specified aircraft, they may be deemed to have completed the COVID-19 vaccination course on receiving one dose of the Comirnaty vaccine.

For individuals who received COVID-19 vaccines in places outside of Hong Kong and have received the recommended dose(s) as stipulated in the “List of COVID-19 Vaccines Recognised for Specified Purposes” as published on the Government’s COVID-19 thematic website (“*listed vaccines*”); or for those who received a combination of doses of the listed vaccines, receiving a combined number of doses of the listed vaccines equivalent to the recommended number of dose(s) of one of the listed vaccines received, whichever is the higher number of recommended number of dose(s) (except for those who have received at least one dose of a listed vaccine of which the recommended number of dosage is “1”), they will also be regarded to have completed the vaccination course of the relevant COVID-19 vaccine, subject to the vaccine used being a listed vaccine.

The 14th day after a person has completed a COVID-19 vaccination course is counted by taking the next day after the person received all of the recommended dose(s) of COVID-19 vaccine as the 1st day. For example, for a person who has not been infected with COVID-19 previously and received the last recommended dose of COVID-19 vaccine on 1 April 2022, the “1st day” would be 2 April 2022 and the “14th day” would be 15 April 2022.

Note 3:—

The Department of Health's online Health & Quarantine Information Declaration Form at <https://www.chp.gov.hk/hdf/>. A valid eHealth Declaration QR code means the name shown on the QR code must match the name of the relevant traveller in his/her valid travel document and the validity period of the QR code has not expired.

24 September 2022

Secretary for Health

Annex 1

REQUIREMENTS OF DOCUMENTARY PROOF OF TEST CONDUCTED

The relevant traveller should provide the following documentary proof of test conducted:—

(A) For a rapid antigen test for coronavirus disease 2019 (**COVID-19**):—

- (1) declare via the Department of Health's online Health & Quarantine Information Declaration Form that:—
 - (a) the relevant traveller underwent a test for COVID-19 the sample for which was taken from the relevant traveller within 24 hours before the scheduled time of departure of the specified aircraft;
 - (b) the test conducted on the sample is a rapid antigen test for COVID-19; and
 - (c) the result of the test is the relevant traveller was tested negative for COVID-19.

Annex 2

REQUIREMENTS OF DOCUMENTARY PROOF OF VACCINATION

The relevant traveller should provide the following documentary proof of vaccination:—

- (1) the vaccination record or certification in Chinese or English issued by Hong Kong or by relevant authorities or recognised institutions of the places where the vaccines were administered, bearing the name of the relevant vaccinated traveller matching that in his/her valid travel document ^[Note] to show that:—
 - (a) the relevant vaccinated traveller received dose(s) of coronavirus disease 2019 vaccine and the date on which the last dose was administered; and
 - (b) the name of the vaccine administered or the name of the marketing authorisation holder or manufacturer of the vaccine; and
- (2) if the vaccination record mentioned in paragraph (1) above is not in Chinese or English or does not contain all of the information mentioned in paragraphs (1)(a) and (1)(b) above, a written confirmation in Chinese or English issued by relevant authorities or recognised institutions, bearing the name of the relevant vaccinated traveller matching that in his/her valid travel document ^[Note] and setting out all of the information mentioned in paragraphs (1)(a) and (1)(b) above. The said written confirmation should be presented together with the vaccination record mentioned in paragraph (1) above.

Note:—

The name of the relevant traveller born on the vaccination record is considered to match that in the relevant traveller's valid travel document, where:—

- (a) the first name and the family name born on the vaccination record match the first name and the family name born on the relevant traveller's valid travel document;

- (b) one or more of the given name(s), together with the family name, born on the vaccination record match the one or more of the given name(s) and family name born on the relevant traveller's valid travel document;
- (c) the initial(s) of one or more of the given name(s) born on the vaccination record match the first letter of the given name(s) born on the relevant traveller's valid travel document, in the order of the given name(s) born on the relevant traveller's valid travel document, and where one or more of the given name(s) together the family name born on the vaccination record match one or more of the given name and the family name of the relevant traveller's valid travel document;
- (d) the maiden name of the relevant traveller is born on either the vaccination record or the relevant traveller's valid travel document, and the maiden name matches one of the given name(s) born on relevant traveller's valid travel document or the vaccination record, respectively, and where the other given names and family name on the vaccination record and the relevant traveller's valid travel document otherwise match (including as set out in (b) or (c) above);
- (e) a part of the given name and the family name born on the vaccination record match the corresponding parts of the name born on the relevant traveller's valid travel document, and the date of birth or travel document number born on the vaccination record is identical to the date of birth or travel document number born on the relevant traveller's valid travel document; or
- (f) the relevant traveller provides documentary proof of a statutory declaration that the name born on the vaccination record is the name of the relevant traveller.