

Compulsory Quarantine of Certain Persons Arriving at Hong Kong Regulation

(Cap. 599 sub. leg. C)

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Compulsory Quarantine of Certain Persons Arriving at Hong Kong Regulation

(Made by the Chief Executive in Council under section 8 of the Prevention
and Control of Disease Ordinance (Cap. 599))

[8 February 2020]

1. Commencement

This Regulation comes into operation on 8 February 2020.

2. Interpretation

In this Regulation—

assigned place of quarantine (指派檢疫地點) means a place mentioned in section 6(a);

authorized officer (獲授權人員) means an authorized officer appointed under section 11;

Category 1 specified place in China (第1類指明中國地區) means a place specified under section 12(1)(a); (*L.N. 116 of 2020*)

Category 2 specified place in China (第2類指明中國地區) means a place specified under section 12(1)(b); (*L.N. 116 of 2020*)

Mainland (內地) means the part of China other than Hong Kong, Macao and Taiwan;

place of quarantine (檢疫地點) means—

- (a) an assigned place of quarantine; or
- (b) a place mentioned in section 6(b);

quarantine order (檢疫令) means an order made under section 3(1);

quarantine period (檢疫期) means a period specified under section 11A(1); (*L.N. 48 of 2020; L.N. 116 of 2020; L.N. 259 of 2020*)

Secretary (局長) means the Secretary for Health; (*L.N. 259 of 2020; L.N. 144 of 2022*)

specified disease (指明疾病) means the coronavirus disease 2019 (COVID-19), which is specified in item 8A of Schedule 1 to the Ordinance. (*L.N. 48 of 2020*)

(*L.N. 116 of 2020*)

3. **Compulsory quarantine of certain persons arriving at Hong Kong**

- (1) An authorized officer must, by written order, place a person who arrives at Hong Kong from a place in China other than Hong Kong under quarantine for a quarantine period specified for the category of persons within which the person falls that begins on the day of arrival if the person has stayed during the relevant period in any place that, at the time of the person's arrival, is a— (*L.N. 116 of 2020; L.N. 259 of 2020*)
 - (a) Category 1 specified place in China or Category 2 specified place in China; or
 - (b) Category 1 specified foreign place or Category 2 specified foreign place as defined by section 2 of Cap. 599E. (*L.N. 116 of 2020*)
- (2) A quarantine order must specify the terms of quarantine.
- (3) An authorized officer may vary the terms of quarantine specified in a quarantine order.
- (4) The quarantine requirement under this section does not apply to a person—
 - (a) (*Repealed L.N. 116 of 2020*)

- (b) who, while in Hong Kong after the person's arrival, does not pass through immigration control; (*L.N. 116 of 2020*)
- (ba) who—
 - (i) has stayed during the relevant period in any place that, at the time of the person's arrival, is a—
 - (A) Category 2 specified place in China; or
 - (B) Category 2 specified foreign place as defined by section 2 of Cap. 599E;
 - (ii) has not stayed during the relevant period in any place that, at the time of the person's arrival, is a—
 - (A) Category 1 specified place in China; or
 - (B) Category 1 specified foreign place as defined by section 2 of Cap. 599E; (*L.N. 198 of 2020*)
 - (iii) satisfies an authorized officer that the person meets the conditions specified under section 12(2) of Cap. 599E or section 12(2) (as may be appropriate) for the last place mentioned in subparagraph (i)(A) or (B) in which the person has stayed before the person's arrival (*last stayed place*); and (*L.N. 116 of 2020; L.N. 198 of 2020*)
 - (iv) if a category of persons is specified under section 12A(1) of Cap. 599E or section 12A(1) (as may be appropriate) for the last stayed place—falls within such category of persons; (*L.N. 198 of 2020*)
- (c) who is designated under section 4(1); or
- (d) who falls within a category of persons designated under section 4(1). (*L.N. 28 of 2020*)
- (5) For the purposes of subsections (1) and (4)(ba), if a person travels from Macao to Hong Kong, or from Hong Kong

to Macao, via the Hong Kong-Zhuhai-Macao Bridge, the person's passing through the Zhuhai section of the Bridge during the journey is not regarded as a stay in Zhuhai. (*L.N. 116 of 2020*)

(6) (*Repealed L.N. 28 of 2020*)

(7) Subsection (8) applies to a person if—

(a) the person boarded, in a place, a conveyance that stopped in any other place (*place of stopover*) after the person's boarding; and

(b) the person's journey on that conveyance ended subsequently outside that place of stopover. (*L.N. 116 of 2020*)

(8) For the purposes of subsections (1) and (4)(ba), if the person did not leave the conveyance in a place of stopover, the person is not regarded as having stayed in that place of stopover. (*L.N. 116 of 2020*)

(9) In this section—

Cap. 599E (《第599E章》) means the Compulsory Quarantine of Persons Arriving at Hong Kong from Foreign Places Regulation (Cap. 599 sub. leg. E);

conveyance (交通工具) means any train that operates in China, aircraft or ship;

relevant period (有關期間), in relation to a place in which a person who arrives at Hong Kong has stayed before the arrival, means the day of arrival and a period specified under section 11A(3) for that place that precedes the day of arrival. (*L.N. 259 of 2020*)

4. Chief Secretary may exempt certain persons

(1) The Chief Secretary for Administration (**Chief Secretary**) may designate any person or category of persons for the purposes

of section 3(4)(c) or (d) if the Chief Secretary is satisfied that— (*L.N. 48 of 2020*)

- (a) the person's or persons' entry into Hong Kong—
 - (i) is necessary for the supply of goods or services required for the normal operation of Hong Kong or the daily needs of the people of Hong Kong;
 - (ii) is necessary for governmental operation;
 - (iii) is necessary for the protection of the safety or health of the people of Hong Kong or the handling of the public health emergency within the meaning of section 8(5) of the Ordinance concerning the specified disease; (*L.N. 116 of 2020*)
 - (iv) is necessary for the person's or persons' receiving nursery, kindergarten, primary or secondary education at any school registered under the Education Ordinance (Cap. 279) in Hong Kong or for the provision of such education;
 - (v) is necessary for the safe travelling of any person for the purposes mentioned in subparagraph (iv); or
 - (vi) because of the exceptional circumstances of the case, otherwise serves the public interest of Hong Kong; or
 - (b) the person's or persons' travelling is necessary for purposes relating to manufacturing operations, business activities or the provision of professional services in the interest of Hong Kong's economic development. (*L.N. 48 of 2020*)
- (2) The Chief Secretary may, if the Chief Secretary considers necessary, attach conditions to a designation.

- (3) The Chief Secretary may cancel or vary a designation or a condition attached to a designation.
- (4) A designation, attachment of conditions, cancellation or variation under this section must be made in writing.
- (5) A designation does not derogate from any power of a health officer under the Prevention and Control of Disease Regulation (Cap. 599 sub. leg. A) concerning quarantine and isolation of persons.

5. Giving false or misleading information about status is offence

- (1) A person who is not designated under section 4(1) must not represent to any public officer that the person is so designated.
- (2) A person who does not fall within a category of persons designated under section 4(1) must not knowingly or recklessly give any information that is false or misleading in a material particular to any public officer with a view to making the officer believe that the person falls within that category of persons.
- (3) A person who contravenes subsection (1) or (2) commits an offence and is liable on conviction to a fine at level 4 and to imprisonment for 6 months.

6. Place of quarantine

A person placed under quarantine under section 3 must, during the quarantine period, be quarantined—

- (a) in a place assigned by an authorized officer; or
- (b) if an authorized officer considers it prudent and appropriate in the circumstances of the case—in a place nominated by the person when the quarantine order is made against the person.

7. Power to restrain persons for quarantine etc.

If a person placed under quarantine under section 3 is to be quarantined in an assigned place of quarantine (*the place*), an authorized officer may, for effecting the quarantine—

- (a) restrain the person and convey the person to the place; and
- (b) detain the person in the place.

8. Restrictions during quarantine

- (1) A person must not leave the place of quarantine in which the person is placed under quarantine under section 3 without permission given by an authorized officer.
- (2) A person must not, without permission given under subsection (3), knowingly enter an assigned place of quarantine in which another person is placed under quarantine under the Ordinance unless—
 - (a) the person is an authorized officer or a health officer; or
 - (b) the person is to be placed under quarantine under section 3 in the place.
- (3) An authorized officer may give written permission for the purposes of subsection (2) to any person or persons of any category specified in the permission to enter an assigned place of quarantine subject to the exceptions, conditions or restrictions specified in the permission.
- (4) A person against whom a quarantine order is made must not contravene the terms of quarantine specified in the order.
- (5) A person who, without reasonable excuse, contravenes subsection (1), (2) or (4) commits an offence and is liable on conviction to a fine at level 4 and to imprisonment for 6 months.

9. Giving false or misleading information to authorized officer is

offence

A person who knowingly or recklessly gives any information that is false or misleading in a material particular to an authorized officer in connection with the performance of the officer's function under this Regulation commits an offence and is liable on conviction to a fine at level 4 and to imprisonment for 6 months.

10. Cancellation of quarantine order

(1A) If—

- (a) an authorized officer makes a quarantine order against a person arriving from the Mainland or Macao;
- (b) the person produces to the officer a certificate issued by a public authority in the Mainland or Macao (as may be appropriate) specified by the Director certifying that the person completed, on the day of the person's arrival at Hong Kong or the day before, a quarantine administered by the authority of a period that is not shorter than the quarantine period under the quarantine order; and *(L.N. 259 of 2020)*
- (c) the person makes a declaration in a form specified by the Director to the officer that the person has not been exposed, in the way specified in the form, to any risk of contracting the specified disease after the completion of the quarantine,

the quarantine order may be cancelled by a health officer if the health officer is satisfied, on the basis of the result of a medical laboratory test conducted after the person's arrival, that the person is tested negative for the specified disease. *(L.N. 48 of 2020)*

- (1) This subsection applies to a person placed under quarantine under section 3 if, during the quarantine period— *(L.N. 48 of 2020)*

- (a) the person is designated under section 4(1);
 - (b) a category of persons within which the person falls is designated under section 4(1); or
 - (c) the person establishes that when the quarantine order was made, the person—
 - (i) was a person designated under section 4(1); or
 - (ii) fell within a category of persons designated under section 4(1).
- (2) An authorized officer must, as soon as practicable after becoming aware that subsection (1) applies to the person, cancel the quarantine order made against the person. (*L.N. 48 of 2020*)

11. Authorized officers

- (1) The Director may appoint any public officer as an authorized officer for the purposes of this Regulation.
- (2) No personal liability is incurred by an authorized officer or a person acting under the officer's direction in respect of anything done or omitted to be done by the officer or person in good faith in the performance or purported performance of a function under this Regulation.

11A. Secretary may specify quarantine period etc.

- (1) For the purposes of section 3(1), the Secretary may, by notice published in the Gazette*, specify a period for persons who arrive at Hong Kong from a place in China other than Hong Kong (*relevant persons*).
- (2) For the purposes of subsection (1), the Secretary may specify different periods for different categories of relevant persons.
- (3) For the purposes of the definition of *relevant period* in section 3(9), the Secretary may, by notice published in the

Gazette*, specify a period for a place in which any of the relevant persons has stayed before the arrival.

- (4) For the purposes of subsection (3), the Secretary may specify different periods for different places.
- (5) A period specified under subsection (1) or (3) must not exceed 28 days.
- (6) A notice published under subsection (1) or (3) is not subsidiary legislation.
- (7) Before exercising the power conferred by subsection (1) or (3), the Secretary must have regard to—
 - (a) the extent and pattern (whether general or specific) of the spread of the specified disease in the place—
 - (i) from which the relevant persons arrive; or
 - (ii) in which any of the relevant persons has stayed before the arrival; and
 - (b) the public health risk posed to Hong Kong by the relevant persons.

(L.N. 259 of 2020)

Editorial Note:

*See G.N. (E.) 857 of 2022.

12. Secretary may specify places in China and conditions

(L.N. 259 of 2020)

- (1) For the purposes of section 3, the Secretary may, by notice published in the Gazette*— *(L.N. 259 of 2020)*
 - (a) specify any place in China other than Hong Kong as a Category 1 specified place in China; and

- (b) specify any place in China other than Hong Kong that is not a Category 1 specified place in China as a Category 2 specified place in China.
- (2) For the purposes of section 3(4)(ba)(iii), the Secretary must, by notice published in the Gazette*, specify conditions for a Category 2 specified place in China.
- (2A) For the purposes of subsection (2), the Secretary may specify different conditions for different categories of persons specified under section 12A(1) for a Category 2 specified place in China. (*L.N. 198 of 2020*)
- (3) A notice published under subsection (1) or (2) is not subsidiary legislation.
- (4) Before exercising the power conferred by subsection (1) or (2) in relation to a place, the Secretary must have regard to—
 - (a) the extent and pattern (whether general or specific) of the spread of the specified disease in that place; and (*L.N. 259 of 2020*)
 - (b) the public health risk posed to Hong Kong by persons arriving from that place or who have stayed in that place.

(L.N. 116 of 2020)

* Editorial Note:

Notice	Category 2 specified place in China	Specified conditions for Category 2 specified place in China	With effect from
G.N. (E.) 27 of 2023	The Mainland, Macao and Taiwan	See Annex to the Notice	6 February 2023
Remarks: G.N. (E.) 8 of 2023 has been suspended from 6 February 2023.			

12A. Secretary may specify categories of persons

(L.N. 259 of 2020)

- (1) For the purposes of section 3(4)(ba)(iv), the Secretary may, by notice published in the Gazette*, specify any category of persons for a Category 2 specified place in China if the Secretary is satisfied that— *(L.N. 259 of 2020)*
 - (a) the persons have a substantial connection with Hong Kong;
 - (b) the persons' travelling is necessary for purposes that are in the interest of Hong Kong's economic development; or
 - (c) the persons' travelling otherwise serves the public interest of Hong Kong.
- (2) A notice published under subsection (1) is not subsidiary legislation.

(L.N. 198 of 2020)

* Editorial Note:

Notice	Specified category of persons for Category 2 specified place in China	With effect from
G.N. (E.) 651 of 2021	See Annex to the Notice	15 September 2021
Remarks: G.N. (E.) 478 of 2021 has been suspended from 15 September 2021.		

13. Expiry

This Regulation expires at midnight on 31 March 2023.

(L.N. 116 of 2020; L.N. 137 of 2020; L.N. 144 of 2020; L.N. 158 of 2020; L.N. 198 of 2020; L.N. 244 of 2020; L.N. 24 of 2021; L.N. 139 of 2021; L.N. 36 of 2022; L.N. 168 of 2022)