

**For information
on 28 August 2020**

House Committee of the Legislative Council

“Hong Kong Health Code”

PURPOSE

Guangdong (“GD”), Hong Kong and Macao are closely connected and there are frequent economic and trade activities among the three places. The people flow between the three places in the recent months have been substantially reduced due to the implementation of the compulsory quarantine arrangements¹ imposed on inbound travellers by the governments of the three places since the outbreak of the epidemic. The Hong Kong Special Administrative Region (“SAR”) Government has been working with the governments of GD and the Macao SAR under the joint prevention and control work mechanism on the gradual resumption of the cross-boundary people flow between Hong Kong and GD, and between Hong Kong and Macao in an orderly manner once the epidemic situation stabilises. In respect of the mutual recognition of COVID-19 test result, the three governments intend to mutually recognise the results of tests carried out by designated testing facilities which meet the relevant standards, with the use of the “health codes” of the three places.

2. In this relation, one of the preparatory tasks of the Hong Kong SAR Government is to develop a “Hong Kong Health Code” system to enable recognised testing institutions in Hong Kong to upload valid nucleic acid testing results of persons eligible for exemption from compulsory quarantine. Eligible persons who are in need can download their nucleic testing results through the “Hong Kong Health Code” system for conversion to the health code systems of GD or Macao (i.e. the “Yue Kang Code” or “Macao Health Code”) for health declaration purpose in entering

¹ The compulsory quarantine arrangements of Hong Kong are mandated under the Compulsory Quarantine of Certain Persons Arriving at Hong Kong Regulation (Cap. 599C).

GD or Macao. On the other hand, eligible persons arriving in Hong Kong from GD or Macao can also choose to use the new code conversion function on the “Yue Kang Code” or “Macao Health Code” systems to directly convert their valid nucleic acid testing results for use on the electronic Health Declaration Form platform of Hong Kong for their entry. This “Health Code” mutual recognition arrangement facilitates an orderly restoration of normal travel between the three places for those persons eligible for exemption from compulsory quarantine and resumption of economic activities.

OPERATIONAL ARRANGEMENTS

3. In order to implement the said arrangement in an orderly fashion, our current idea is that eligible and needy persons should obtain a quota for exemption from compulsory quarantine for entry into GD or Macao through an online booking system. Successful applicants who are allotted with quotas can conduct nucleic acid testing in testing institutions recognised by the Department of Health (“DH”).

4. Upon completion of the test, the recognised testing institution will upload the testing result to DH’s “Hong Kong Health Code” system, and notify the applicant on his/her testing result at the same time. The applicant can then download the “Hong Kong Health Code” from the system.

5. After having downloaded the “Hong Kong Health Code”, the applicant can apply to convert the information of the “Hong Kong Health Code” to the GD or Macao Health Code. During the application conversion process, the applicant must express his/her explicit consent to provide his/her relevant personal information and nucleic acid testing result, which will be transferred by the system to the health code system of the GD or Macao authorities, and supplement other information required by the authority of the destination concerned on the GD or Macao Health Code application website, such as the details of the itinerary, in order to convert into GD or Macao Health Code for health declaration purpose in entering GD or Macao. We have consulted the Privacy Commissioner for Personal Data on the said arrangement ensuring that the process fully

complies with the requirements of the Personal Data (Privacy) Ordinance.

6. In summary, the Hong Kong Health Code is prepared for the purpose of facilitating boundary crossing. The Government has no plans to allow members of the public to use the health code system as a means to seek exemption from certain social distancing requirements, or be allowed free access to certain venues at a certain time. The “Hong Kong Health Code” only records personal information required for general immigration control (including name, gender, date of birth, travel document number, and contact number), the name of the testing institution and valid nucleic acid testing result. Such information is static in nature which shall not change, and it does not have any tracking function.

ADVICE SOUGHT

7. Members are invited to note the content of this paper.

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