

The Cathay Pacific Loophole Mystery

Dah Ming Chiu, 14 January 2022 (slightly revised 16 January)

It is claimed that Cathay Pacific abused a quarantine exemption policy by allowing aircrew to return on cargo flights. Our CE Carrie Lam promised to look into this loophole and see if there were any violations. The Cathay Pacific chairman, in his address to his staff, said that Cathay Pacific followed government regulations all along. So what actually happened? Here is my guess, and we will see if it is right after the government investigation result comes out.

The government's quarantine exemption regulation was designed in consideration of the critical economic and livelihood needs for cargo transportation in and out of Hong Kong by land, sea and air. Such exemption is inherently a loophole and need careful management. Delivering cargo by itself is neither a sufficient nor a necessary condition for granting exemption.



For an airline, what are the risky virus exposures for a crew member? It seems there are (at least) two kinds: (a) exposure during lay-over time in a place with significant virus outbreak, and (b) exposure serving on a flight with passengers from a country with significant virus outbreak. Note, if a crew member only served on an out-bound passenger flight from Hong Kong, we should not assume he/she is exposed to risk (b), since Hong Kong's outbreak is mostly under control. The crew member's exposure is similar to a waiter serving in a large restaurant, and we do not require such a waiter to be quarantined after each day of work. It is not sufficient to exempt all crews on cargo flights (only) unless we have also sufficiently avoided risk (a). I recall there were some incidents of this kind, though they did not lead to any outbreak. On the other hand, it is not necessary to require cargo flight (only) crews for exemption since a crew serving on a Hong Kong out-bound passenger flight without passenger pickup on the way and returning on a cargo in-bound flight has avoided risk (b), just as a cargo flight (only) crew.

Understandably, the flexibility in crew roster management is very important to an airline's operating cost, ability to minimize risk (a), and crew satisfaction. Given that being a cargo-flight only crew is neither necessary nor sufficient for guaranteeing no risky exposure to virus, I can imagine Cathay Pacific carefully manages its crew rotation for the above considerations, without making it a constraint that a crew coming back on a cargo flight must not have been on a passenger out-bound flight; and this may have been with government's tacit understanding, which is reasonable. Of course the situation is only acceptable if Cathay Pacific can demonstrate that they have carefully excluded any crew exposed to risk (b) coming back on a cargo flight.

In Cathay Pacific Chairman's message, he mentioned that only 16 crew members came back to Hong Kong with virus infection. It would be good to see some analysis of how the infection

occurred – whether it was due to risk (a) or (b). Such analysis can help better tune the government policy.

Again, I emphasize all the above are based on my guesses of what is happening. As indicated, I agree with Hong Kong government's approach to balance different needs in combating the virus, and optimize its policies based on scientific data rather than taking a brute-force zero-tolerance policy irrespective of its cost. If there is room for minimizing cargo transportation cost without increasing pandemic risk, we should always try to do that.