

《工廠及工業經營（保護眼睛）規例》

（第 59 章，附屬法例 S）

Factories and Industrial Undertakings (Protection of Eyes) Regulations

(Cap. 59 sub. leg. S)

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尚未實施的條文 / 修訂 ——

尚未實施的條文及修訂的資料，可於「電子版香港法例」(<https://www.elegislation.gov.hk>) 閱覽。

Provisions / Amendments not yet in operation —

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E-1

第 59S 章

E-2

Cap. 59S

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《工廠及工業經營 (保護眼睛) 規例》

(第 59 章, 附屬法例 S)

目錄

條次		頁次
	第 1 部	
	導言	
1.	引稱	1-1
2.	釋義	1-1
3.	適用範圍及豁免	1-3
4.	規格	1-3
	第 2 部	
	保護眼睛的一般條文	
5.	對受僱於指明工序工作的人的保護	2-1
6.	對會受指明工序危害但並非受僱於指明工序中工作的人的保護	2-1
7.	東主就防護設備而負有的責任	2-3
8.	僱員就防護設備而負有的職責	2-3
9.	罪行	2-3
附表	指明工序	S-1

Factories and Industrial Undertakings (Protection of Eyes) Regulations

(Cap. 59 sub. leg. S)

Contents

Regulation	Page
Part 1	
Preliminary	
1. Citation	1-2
2. Interpretation	1-2
3. Application and exemption	1-4
4. Specifications	1-4
Part 2	
General Provisions for Protection of Eyes	
5. Protection of persons employed in specified process	2-2
6. Protection of persons at risk from but not employed in a specified process	2-2
7. Duties of proprietor in respect of protective equipment	2-4
8. Duties of employees in respect of protective equipment	2-4
9. Offences	2-4
Schedule Specified Processes	S-2

《工廠及工業經營（保護眼睛）規例》

（第 59 章第 7 條）

[1977 年 5 月 20 日]

（格式變更——2015 年第 3 號編輯修訂紀錄）

第 1 部

導言

1. 引稱

本規例可引稱為《工廠及工業經營（保護眼睛）規例》。

2. 釋義

在本規例中，除文意另有所指外——

固定護盾 (fixed shield) 指可獨立站立的護屏，或附於或製造供附於機械、工業裝置或其他設備或建築物或構築物的護屏；

指明工序 (specified process) 指本規例附表所指明的任何工序；

認可護眼用具 (approved eye protectors)、**認可護盾** (approved shield) 及 **認可固定護盾** (approved fixed shield) 分別指某些護眼用具、護盾及固定護盾，其製造是符合當其時為施行本規例而根據第 4 條宣布為認可規格的規定者；

護盾 (shield) 指頭盔或手提護盾，兩者均屬製造供人配戴或持着的設備；

Factories and Industrial Undertakings (Protection of Eyes) Regulations

(Cap. 59, section 7)

[20 May 1977]

(Format changes—E.R. 3 of 2015)

Part 1

Preliminary

1. Citation

These regulations may be cited as the Factories and Industrial Undertakings (Protection of Eyes) Regulations.

2. Interpretation

In these regulations, unless the context otherwise requires—

approved eye protectors (認可護眼用具), **approved shield** (認可護盾) and **approved fixed shield** (認可固定護盾) mean respectively eye protectors, a shield and a fixed shield made in conformity with specifications for the time being declared under regulation 4 to be approved specifications for the purposes of these regulations;

eye protectors (護眼用具) means any of the following (being equipment made to be worn by a person), that is to say, goggles, visors, spectacles and face screens;

fixed shield (固定護盾) means a screen which is free-standing or which is, or is made to be, attached to machinery, plant or other equipment or to a building or structure;

護眼用具 (eye protectors) 指以下各項製造供人配戴的設備，即眼罩、面盔、眼鏡及面罩。

3. 適用範圍及豁免

- (1) 本規例適用於進行任何指明工序的工業經營。
- (2) 處長如信納本規例的所有或任何規定，對保護受僱於本規例所適用的任何工業經營的人而言是不必要的，或不是合理切實可行的，則處長可藉其親自簽署的證明書，豁免該工業經營受該等規定的規限；而根據本款給予的任何豁免，均須受處長在證明書內所指明的條款及條件規限，而豁免亦可隨時撤銷。

4. 規格

- (1) 根據本規例設置以供本規例所適用的工業經營內的人使用的護眼用具、護盾或固定護盾，其製造須符合處長為施行本規例而藉憲報公告宣布為認可規格的規定。
- (2) 處長可藉憲報公告撤銷、取代或修訂第 (1) 款所指的任何公告或其內任何規格。

shield (護盾) means a helmet or hand shield, being equipment made to be worn or held by a person;

specified process (指明工序) means any process specified in the Schedule to these regulations.

3. Application and exemption

- (1) These regulations shall apply to any industrial undertaking where any specified process is carried on.
- (2) The Commissioner may, by certificate under his hand, exempt any industrial undertaking to which these regulations apply from all or any of the requirements of these regulations if he is satisfied that, in the case of that undertaking, the requirements in respect of which the exemption is granted are not necessary for the protection of persons employed in that undertaking or are not reasonably practicable; and any exemption granted under this paragraph shall be subject to such terms and conditions as the Commissioner may specify therein, and may be revoked at any time.

4. Specifications

- (1) Eye protectors, shields or fixed shields provided under these regulations for the use of persons in any industrial undertaking to which these regulations apply shall be made in conformity with such specifications as the Commissioner may, by notice in the Gazette, declare to be approved specifications for the purposes of these regulations.
- (2) The Commissioner may, by notice in the Gazette, revoke, replace or amend any notice under paragraph (1) or any specification therein.

第 2 部

保護眼睛的一般條文

5. 對受僱於指明工序工作的人的保護

本規例所適用的任何工業經營的東主，須為受僱於該工業經營內進行的指明工序中工作的每個人，按保護其眼睛所需而設置下列用具，以供其使用——

- (a) 認可護眼用具；
- (b) 認可護盾；或
- (c) 認可固定護盾，

設置該等用具須顧及該人受僱進行的指明工序以及進行該工序對該人的眼睛造成傷害的危險。

6. 對會受指明工序危害但並非受僱於指明工序中工作的人的保護

凡有任何指明工序在某工業經營中進行，而有受僱於該指明工序中工作以外的人，受僱於一處會因該工序的進行而使其眼睛有可合理預見的受傷害危險的地方，則該工業經營的東主，須按保護該人的眼睛所需而設置下列用具，以供其使用——

- (a) 認可護眼用具；
- (b) 認可護盾；或
- (c) 認可固定護盾，

提供該等用具須顧及如此進行的指明工序以及進行該工序對該人的眼睛造成傷害的危險。

Part 2

General Provisions for Protection of Eyes

5. Protection of persons employed in specified process

The proprietor of any industrial undertaking to which these regulations apply shall provide for the use of every person employed in any specified process carried on in that undertaking—

- (a) approved eye protectors;
- (b) an approved shield; or
- (c) an approved fixed shield,

as the case may require for the protection of his eyes, having regard to the specified process in which that person is employed and the risk of injury to his eyes from the carrying on of that process.

6. Protection of persons at risk from but not employed in a specified process

Where any specified process is being carried on in an industrial undertaking and any person other than those employed in that process is employed in a place where there is a reasonably foreseeable risk of injury to his eyes from the carrying on of the process, the proprietor of the industrial undertaking shall provide for the use of that person—

- (a) approved eye protectors;
- (b) an approved shield; or
- (c) an approved fixed shield,

as the case may require for the protection of his eyes, having regard to the specified process being so carried on and the risk of injury to his eyes from the carrying on of that process.

7. 東主就防護設備而負有的責任

本規例所適用的工業經營的東主，須——

- (a) 使其根據本規例設置的所有護眼用具、護盾及固定護盾保持狀況良好，並須——
 - (i) 為該目的而按合理所需，適當貯存該等用具；
 - (ii) 在該等用具必須保持透明的情況下，使其保持清潔；及
- (b) 採取所有合理步驟，以確保獲他如此提供護眼用具或護盾或固定護盾（視屬何情況而定）以供其使用的每個人，均充分及適當地使用該用具。（1989 年第 71 號第 13 條）

8. 僱員就防護設備而負有的職責

凡本規例所適用的工業經營的東主根據本規例設置護眼用具或護盾或固定護盾（視屬何情況而定）供任何人使用，則該人須——

- (a) 充分及適當地使用該用具；及
- (b) 遇該用具遺失或損毀或損壞或有任何欠妥之處時，隨即報告東主。

9. 罪行

- (1) 本規例所適用的任何工業經營的東主，違反第 5、6 或 7 條的任何條文，即屬犯罪，一經定罪，可處第 5 級罰款。（1994 年第 41 號法律公告）

7. Duties of proprietor in respect of protective equipment

The proprietor of an industrial undertaking to which these regulations apply shall—

- (a) maintain in good condition all eye protectors, shields and fixed shields provided by him for use under these regulations and shall—
 - (i) so far as may be reasonably necessary for that purpose, provide proper storage for them;
 - (ii) if it is necessary that they should be transparent, keep them clean; and
- (b) take all reasonable steps to ensure that every person for whose use he so provides eye protectors or a shield or a fixed shield, as the case may be, makes full and proper use of the same. (71 of 1989 s. 13)

8. Duties of employees in respect of protective equipment

Where the proprietor of an industrial undertaking to which these regulations apply provides eye protectors or a shield or a fixed shield, as the case may be, for the use of any person under these regulations, that person shall—

- (a) make full and proper use thereof; and
- (b) report forthwith to the proprietor the loss or destruction thereof or any damage thereto or defect herein.

9. Offences

- (1) Any proprietor of an industrial undertaking to which these regulations apply who contravenes any of the provisions of regulation 5, 6 or 7 shall be guilty of an offence and liable on conviction to a fine at level 5. (L.N. 41 of 1994)

- (2) 任何人違反第 8 條的任何條文，即屬犯罪，一經定罪，可處第 3 級罰款。
(1981 年第 328 號法律公告；2021 年第 4 號編輯修訂紀錄)
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- (2) Any person who contravenes any of the provisions of regulation 8 shall be guilty of an offence and liable on conviction to a fine at level 3.
(L.N. 328 of 1981; E.R. 4 of 2021)
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S-1
第 59S 章

附表

Schedule

S-2
Cap. 59S

附表

[第 2 條]

指明工序

1. 手持金屬或金屬物品在藉機械動力推動的旋轉輪子、砂帶或輪盤上進行乾磨。
2. 非鐵金屬或生鐵或非鐵金屬物品或生鐵物品的乾式切削（外或內），不包括使用護眼用具或護屏會嚴重干擾工作的精密切削，亦不包括用手持工具進行的切削。
3. 以電力、氧炔或同類工序進行的金屬焊接或切割。
4. 砂輪的修正或整修。
5. 用手持槍彈推動工具進行的任何工作，包括將實彈裝進及退出該工具，及在該工具裝上實彈時為維修、修理或檢驗而對該工具的處理。
6. 處理盛於無蓋器皿的液態或固態酸、鹼、危險腐蝕性物料及其他對眼睛同樣有害的物質，或使用上述物料及物質。

Schedule

[reg. 2]

Specified Processes

1. Dry grinding of metals or articles of metal applied by hand to a revolving wheel, band or disc driven by mechanical power.
2. Turning (external or internal) of non-ferrous metals, or of cast iron, or of articles of such metals or such iron, where the work is done dry, other than precision turning where the use of eye protectors or a screen would seriously interfere with the work, or turning by means of hand tools.
3. Welding or cutting of metals by means of an electrical, oxy-acetylene or similar process.
4. Truing or dressing of an abrasive wheel.
5. Any work carried out with a hand-held cartridge-operated tool, including the operation of loading and unloading live cartridges into such a tool, and the handling of such a tool for the purpose of maintenance, repair or examination when the tool is loaded with a live cartridge.
6. The handling in open vessels or manipulation of acids, alkalis, dangerous corrosive materials, whether liquid or solid, and other substances which are similarly injurious to the eyes.

S-3

第 59S 章

附表

7. 使用壓縮空氣以清除碎屑、塵埃、污垢或其他微粒。
8. 任何涉及使用激光儀器的工序。
9. 以壓鑄機生產金屬鑄件。
10. 於化鐵爐或熔爐的槽口工作，或看管化鐵爐或熔爐，而可合理預見眼睛會因金屬熔液而有受傷害的危險。
11. 金屬熔液的澆注或撇渣。
12. 從事玻璃製造、玻璃加工及處理碎玻璃工作，而在上述任何工作中，均可合理預見從事該項工作的人的眼睛會因拋出的微粒或碎片而有受傷害的危險。
13. 檢查載有充氣液體的玻璃樽。
14. 用手持工具或其他輕便型工具進行的下述工序——
 - (a) 涉及清除金屬的金屬鑄件清理工作。
 - (b) 鍋爐或其他工業裝置或船舶的冷鉚釘或螺栓的切除或切掉(不包括將其鑽回或擊回原位)工作。(2014 年第 150 號法律公告)
 - (c) 鍋爐或船舶鋼板的鏟修、剝鱗或刮擦工作。(2014 年第 150 號法律公告)
 - (d) 混凝土、灰泥、熔渣或石頭(不論天然或人造)的破碎、切割、整修、雕刻或鑽孔工作。

Schedule

S-4

Cap. 59S

7. The use of compressed air for removing swarf, dust, dirt or other particles.
8. Any process involving the use of an instrument which produces light amplification by the stimulated emission of radiation. (L.N. 126 of 1995)
9. The production of metal castings at pressure die casting machines.
10. Working at a spout of, or attending to, a cupola or furnace where there is a reasonably foreseeable risk of injury to the eyes from molten metal.
11. Pouring or skimming molten metal.
12. Work in the manufacture of glass and in the processing of glass and the handling of cullet where in any of the foregoing cases there is a reasonably foreseeable risk of injury to the eyes of any person engaged in the work from particles or fragments thrown off.
13. Inspection of glass bottles which contain aerated liquids.
14. The following processes when carried on by means of hand tools or other portable tools—
 - (a) Fetting of metal castings involving the removal of metal.
 - (b) Cutting out or cutting off (not including drilling or punching back) of cold rivets or bolts from boilers or other plant or from ships.
 - (c) Chipping or scaling or scurfing of boilers or ships' plates.
 - (d) Breaking, cutting, dressing, carving or drilling of concrete, plaster, slag or stone (whether natural or artificial).