

《青年及兒童海上工作僱傭條例》 (第 58 章)

Employment of Young Persons and Children at Sea Ordinance (Cap. 58)

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(《法例發布條例》(第 614 章) 第 5 條)
(Legislation Publication Ordinance (Cap. 614), section 5)

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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。

附註 ——

有關《立法會決議》(2007 年第 130 號法律公告) 所作之修訂的保留及過渡性條文，見載於該決議第 (12) 段。

Provisions / Amendments not yet in operation —

Please see Hong Kong e-Legislation (<https://www.elegislation.gov.hk>) for information of provisions and amendments not yet in operation.

Remarks —

For the saving and transitional provisions relating to the amendments made by the Resolution of the Legislative Council (L.N. 130 of 2007), see paragraph (12) of that Resolution.

制定史

本為 1932 年第 13 號 (第 58 章, 1950 年版) —— 1950 年第 22 號, 1965 年第 9 號, 1979 年第 55 號, 1979 年編正版, 1993 年第 (C)6 號法律公告 (中文真確本), 2000 年第 54 號, 2003 年第 3 號, 2007 年第 130 號法律公告, 2019 年第 4 號編輯修訂紀錄

Enactment History

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《青年及兒童海上工作僱傭條例》

(第 58 章)

目錄

條次		頁次
1.	簡稱	1
2.	對 15 歲以下兒童在船隻上工作的僱傭限制	1
3.	16 歲以下船員登記冊	1
4.	適用範圍	3
5.	罪行及刑罰	3

Employment of Young Persons and Children at Sea Ordinance

(Cap. 58)

Contents

Section	Page
1. Short title	2
2. Restriction on employment on vessels of children under 15	2
3. Registers of members or crews who are under 16	2
4. Application	4
5. Offences and penalties	4

本條例旨在就青年及兒童在海上工作的僱傭事宜作出規管。

To regulate the employment of young persons and children at sea.

[1933 年 1 月 1 日]

(編輯修訂——2019 年第 4 號編輯修訂紀錄)

[1 January 1933]

(Format changes—E.R. 4 of 2019)

1. 簡稱

本條例可引稱為《青年及兒童海上工作僱傭條例》。

1. Short title

This Ordinance may be cited as the Employment of Young Persons and Children at Sea Ordinance.

2. 對 15 歲以下兒童在船隻上工作的僱傭限制

15 歲以下的兒童不得受僱用或獲安排或獲准作為任何船隻的船員，同一家庭的成員以上述方式受僱者則不在此限：(由 1979 年第 55 號第 2 條修訂)

但如有任何兒童是海上航海學校或訓練船的學生，而教育局常任秘書長已批准該項僱傭或工作，並盡可能作出監管，則本條不得解釋作對該兒童的僱傭或工作有所影響。

(由 1965 年第 9 號第 2 條代替。由 2003 年第 3 號第 41 條修訂；
由 2007 年第 130 號法律公告修訂)

2. Restriction on employment on vessels of children under 15

No child under 15 years of age shall be employed or be caused or permitted to work as a member of the crew of any vessel, other than a vessel upon which only members of the same family are so employed: (Amended 55 of 1979 s. 2)

Provided that nothing in this section shall be construed to affect the employment or work of any such child who is a pupil on any school ship or training ship if such employment or work is approved and, so far as may be, supervised by the Permanent Secretary for Education.

(Replaced 9 of 1965 s. 2. Amended 3 of 2003 s. 41; L.N. 130 of 2007)

3. 16 歲以下船員登記冊

已在香港註冊或獲發給牌照的每艘船隻的船長，均須按海事處處長提供或批准的格式，備存一份登記冊，以登記所有受僱在其船隻上的 16 歲以下人士，或備存一份依照協議條款列出的這些人士的名單，並記載他們的出生日期。

3. Registers of members or crews who are under 16

The master of every vessel registered or licensed in Hong Kong shall keep a register, in a form supplied or approved by the Director of Marine, of all persons under the age of 16 years employed by him on board his vessel, or a list of them in the articles of agreement, and the dates of their births.

(Amended 54 of 2000 s. 3)

4. 適用範圍

就本條例而言，**船隻** (vessel) 一詞包括所有從事海上航行的各種性質的船舶及船艇，不論是公有或私有的，但軍用船舶除外。

5. 罪行及刑罰

- (1) 任何人違反第2條任何規定，即屬犯罪，可處第3級罰款。
- (2) 任何人違反第3條任何規定，即屬犯罪，可處第1級罰款。
(由 1979 年第 55 號第 2 條代替。編輯修訂——2019 年第 4 號
編輯修訂紀錄)

4. Application

For the purposes of this Ordinance, the term **vessel** (船隻) includes all ships and boats of any nature whatsoever, engaged in maritime navigation whether publicly or privately owned, except ships of war.

(Amended E.R. 4 of 2019)

5. Offences and penalties

- (1) Any person who contravenes any of the provisions of section 2 commits an offence and is liable to a fine at level 3.
- (2) Any person who contravenes any of the provisions of section 3 commits an offence and is liable to a fine at level 1.

(Replaced 55 of 1979 s. 2. Amended E.R. 4 of 2019)