

《工廠及工業經營（噴砂打磨）特別規例》

（第 59 章，附屬法例 C）

Factories and Industrial Undertakings (Blasting by Abrasives) Special Regulations

(Cap. 59 sub. leg. C)

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尚未實施的條文 / 修訂 —

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制定史

本為 1969 年第 35 號法律公告——1978 年第 158 號法律公告，1981 年第 315 號法律公告，1981 年編正版，1984 年第 238 號法律公告，1994 年第 15 號法律公告，1995 年第 (C)123 號法律公告(中文真確本)，2021 年第 1 號編輯修訂紀錄

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（第 59 章，附屬法例 C）

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《工廠及工業經營(噴砂打磨)特別規例》

(第 59 章第 7(2) 及 (5) 條)

[1969 年 2 月 28 日]

(格式變更——2021 年第 1 號編輯修訂紀錄)

1. 引稱

本規例可引稱為《工廠及工業經營(噴砂打磨)特別規例》。

2. 釋義

在本規例中，**噴砂工序** (blasting process) 指使用噴射砂粒、金屬砂或粗砂或其他物料作為磨料，並以噴出壓縮空氣或水蒸汽或水或利用輪推動磨料的噴射，從而清潔、磨滑、磨粗或除去任何物質或物件(包括花崗巖、石塊或磚塊)的部分表面的工序。

3. 在噴砂工序中使用砂粒或游離硅石作為磨料的限制

- (1) 除第 (2) 款另有規定外，任何人不得在工業經營中使用砂粒或含有游離硅石的其他物料作為噴砂工序中的磨料。(1978 年第 158 號法律公告)
- (2) 如勞工處處長或獲他以書面授權的人員信納，在個別情況中有需要有任何工業經營中使用砂粒或含有游離硅石的其他物料作為噴砂工序(附帶於或附加於金屬鑄件製造的工序除外)中的磨料，則可藉證明書(該證明書他可酌情決定隨時撤銷)准許在該噴砂工序中使用砂粒或含有游離硅石的其他物料，但須受下述條件規限——

Factories and Industrial Undertakings (Blasting by Abrasives) Special Regulations

(Cap. 59, section 7(2) & (5))

[28 February 1969]

(Format changes—E.R. 1 of 2021)

1. Citation

These regulations may be cited as the Factories and Industrial Undertakings (Blasting by Abrasives) Special Regulations.

2. Interpretation

In these regulations **blasting process** (噴砂工序) means the cleaning, smoothing, roughening or removing of part of the surface of any substance or thing including granite, stone or brick by the use as an abrasive of a jet of sand, metal shot or grit or other material propelled by a blast of compressed air or steam or water or by a wheel.

3. Restriction on use of sand or free silica as an abrasive in a blasting process

- (1) Except as provided in paragraph (2), no person shall, in any industrial undertaking, use sand or other material containing free silica as an abrasive in any blasting process. (L.N. 158 of 1978)
- (2) If the Commissioner for Labour, or any officer authorized in writing by him, is satisfied that in any industrial undertaking the use of sand or any other material containing free silica as an abrasive in a blasting process (other than a process

- (a) 須提供及保持有防護頭盔以供每個受僱在該噴砂工序中工作的人使用；該頭盔須屬勞工處處長或獲他以書面授權的人員以書面批准的類型，其設計是用以圍着該人的頭部、面部及頸部，而當受僱進行該噴砂工序時，各人均須配戴供其使用的防護頭盔；及
 - (b) 每個受僱在該噴砂工序中工作的人在受僱進行該工作時，須獲供應來自遠離該工序之處的清潔新鮮空氣，每分鐘不少於 170 升，(1984 年第 238 號法律公告)
- 以及受勞工處處長或獲他以書面授權的人員酌情決定而在證明書上指明的其他條件規限。
- (3) 任何人違反第 (1) 款的規定而使用砂粒或含有游離硅石的其他物料作為噴砂工序中的磨料，即屬犯罪。(1981 年第 315 號法律公告)
 - (4) 任何人犯第 (3) 款所訂罪行——
 - (a) 如本身是東主，一經定罪，可處第 5 級罰款；及 (1994 年第 15 號法律公告)

- incidental or supplemental to the making of metal castings) is necessary in any particular case, he may by certificate in writing (which he may in his discretion revoke at any time) permit the use of the sand or other material containing free silica in that blasting process subject to the following conditions—
- (a) that there shall be provided and maintained for the use of every person who is employed in that blasting process a protective helmet of a type approved in writing by the Commissioner or by any officer authorized in writing by the Commissioner for Labour designed to enclose the head, face and neck of such person and every such person shall wear the helmet provided for his use whilst he is employed in that blasting process; and
 - (b) that every person employed in that blasting process shall, whilst so employed, be supplied with clean fresh air at a rate of not less than 170 litres per minute from a source removed from that blasting process, (L.N. 238 of 1984; L.N. 307 of 1998)
- and such other conditions as the Commissioner for Labour, or any officer authorized in writing by him, may in his discretion specify in the certificate.
- (3) Any person who uses sand or any other material containing free silica as an abrasive in a blasting process in contravention of paragraph (1) shall be guilty of an offence. (L.N. 315 of 1981)
 - (4) A person who is guilty of an offence under paragraph (3) shall—
 - (a) if he is a proprietor, be liable on conviction to a fine at level 5; and (L.N. 15 of 1994)

- (b) 如為東主以外的人，一經定罪，可處第 3 級罰款。
(1981 年第 315 號法律公告；2021 年第 1 號編輯修訂紀錄)

- (b) if he is a person other than a proprietor, be liable on conviction to a fine at level 3. (*L.N. 315 of 1981; E.R. 1 of 2021*)