

# 《工廠及工業經營 (職業病呈報) 規例》 (第 59 章，附屬法例 E)

## Factories and Industrial Undertakings (Notification of Occupational Diseases) Regulations (Cap. 59 sub. leg. E)

版本日期  
Version date  
25.3.2021

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(《法例發布條例》(第 614 章) 第 5 條)  
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條文 Provision	頁數 Page number	最後更新日期 Last updated date
主體 Main	1—4	25.3.2021
附表 1 First Schedule	S1-1—S1-4	25.3.2021
附表 2 Second Schedule	S2-1—S2-4	25.3.2021

#### 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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### 制定史

本為 1965 年第 39 號法律公告——1981 年第 317 號法律公告，1981 年編正版，1989 年第 76 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

### Enactment History

Originally L.N. 39 of 1965 — L.N. 317 of 1981, R. Ed. 1981, L.N. 76 of 1989, L.N. (C) 123 of 1995 (Chinese authentic version), E.R. 1 of 2021

## 《工廠及工業經營（職業病呈報）規例》

## （第 59 章，附屬法例 E）

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Factories and Industrial Undertakings (Notification of  
Occupational Diseases) Regulations

## (Cap. 59 sub. leg. E)

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## 《工廠及工業經營（職業病呈報）規例》

## Factories and Industrial Undertakings (Notification of Occupational Diseases) Regulations

(第 59 章第 7 條)

(Cap. 59, section 7)

[1965 年 3 月 12 日]

[12 March 1965]

(格式變更——2021 年第 1 號編輯修訂紀錄)

(Format changes—E.R. 1 of 2021)

### 1. 引稱

本規例可引稱為《工廠及工業經營（職業病呈報）規例》。

### 1. Citation

These regulations may be cited as the Factories and Industrial Undertakings (Notification of Occupational Diseases) Regulations.

### 2. 釋義

在本規例中，除文意另有所指外——

**職業病** (occupational disease) 指附表 1 所指明的疾病；(2021 年第 1 號編輯修訂紀錄)

**醫生** (medical practitioner) 指根據《醫生註冊條例》(第 161 章) 註冊或被當作註冊為醫生的人。(2021 年第 1 號編輯修訂紀錄)

(2021 年第 1 號編輯修訂紀錄)

### 2. Interpretation

In these regulations, unless the context otherwise requires—

**medical practitioner** (醫生) means a person who is registered, or deemed to be registered, as a medical practitioner under the Medical Registration Ordinance (Cap. 161);

**occupational disease** (職業病) means any disease specified in the First Schedule.

### 3. 醫生須呈報職業病例

- (1) 如醫生在檢查任何受僱於或曾受僱於工業經營中的人時，或在檢查任何於死亡時受僱於或曾受僱於工業經營中的死者屍體時，相信該人患上職業病或相信該死者於死亡時身患職業病，則該醫生須隨即將附表 2 所訂明格式的通知書 2 份送交衛生署署長，藉此向衛生署署長呈報。

### 3. Medical practitioners to notify cases of occupational disease

- (1) If, upon an examination of any person who is or has been employed in an industrial undertaking or of the body of any deceased person who was at the time of his death so employed or who had been so employed, a medical practitioner believes that that person is suffering from an occupational disease or was at the time of his death suffering from an occupational disease, he shall forthwith notify the

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第 4 條

- (2) 衛生署署長須將依據第 (1) 款發出的其中 1 份通知書交付處長。
- (3) (a) 醫生在發出通知書後 1 個月內如提出申請，則衛生署署長須就該醫生依據第 (1) 款發出的每份通知書支付 \$2 費用。
- (b) (a) 段不適用於本身是公職人員的醫生。

(1989 年第 76 號法律公告)

#### 4. 罪行及罰則

任何人違反第 3(1) 條，即屬犯罪，一經循簡易程序定罪，可處第 3 級罰款。

(1981 年第 317 號法律公告；2021 年第 1 號編輯修訂紀錄)

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Regulation 4

Director of Health by sending to him 2 copies of a notice in the form prescribed in the Second Schedule.

- (2) The Director of Health shall deliver to the Commissioner 1 copy of the notice given pursuant to paragraph (1).
- (3) (a) A medical practitioner who makes application therefor within 1 month after the giving of the notice shall be paid by the Director of Health a fee of \$2 in respect of each notice given pursuant to paragraph (1).
- (b) Subparagraph (a) does not apply in the case of a medical practitioner who is a public officer.

(L.N. 76 of 1989)

#### 4. Offences and penalties

Any person who contravenes regulation 3(1) shall be guilty of an offence and shall be liable on summary conviction to a fine at level 3.

(L.N. 317 of 1981; E.R. 1 of 2021)

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附表 1

First Schedule

S1-2  
Cap. 59E**附表 1**

[ 第 2 條 ]

**職業病**

1. 由以下物質所引起的中毒：鉛、錳、磷、砷、汞、二硫化碳、苯或其同系物、苯或其同系物的硝基衍生物或酰胺基衍生物、二硝基酚或其同系物、鎘、磷酸三個甲苯酯、脂族碳氧化合物鹵素衍生物或亞硝煙
2. 炭疽病
3. 原發皮膚上皮癌或眼角膜面潰瘍
4. 鉻毒性潰瘍
5. 因塵埃、液體或蒸氣引致的皮膚炎症或潰瘍（包括氯痤瘡，但不包括鉻毒性潰瘍）
6. 熱內障
7. 減壓病
8. 因鐳或其他放射性物質或 X 光而引起的病理表現

**First Schedule**

[reg. 2]

**Occupational Disease**

1. Poisoning by lead, manganese, phosphorus, arsenic, mercury, carbon bisulphide, benzene or a homologue thereof, a nitro-derivative or amido-derivative of benzene or of a homologue of benzene, dinitrophenol or a homologue of dinitrophenol, cadmium, tri-cresyl phosphate, halogen derivatives of hydrocarbons of the aliphatic series or nitrous fumes
2. Anthrax
3. Primary epitheliomatous cancer of the skin or ulceration of the corneal surface of the eye
4. Chrome ulceration
5. Inflammation or ulceration of the skin produced by dust, liquid or vapour (including the condition known as chloracne but excluding chrome ulceration)
6. Heat cataract
7. Decompression sickness
8. Pathological manifestations due to radium or other radioactive substances or X-rays

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第 59E 章

附表 1

- 
9. 矽肺病 (1981 年第 317 號法律公告)
10. 石棉沉着病 (1981 年第 317 號法律公告)  
(2021 年第 1 號編輯修訂紀錄)
- 

First Schedule

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9. Silicosis (*L.N. 317 of 1981*)
10. Asbestosis (*L.N. 317 of 1981*)  
(*E.R. 1 of 2021*)
-

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附表 2

Second Schedule

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## 附表 2

[ 第 3(1) 條 ]

通知書格式

工廠及工業經營（職業病呈報）規例

職業病通知書

致：衛生署署長

現特此通知有下述職業病 —

.....  
已予證實／懷疑存在 \*

可能病因 — .....

感染／復發 \* 日期 — .....

病人／死者 \* 姓名 — .....

性別 — ..... 年齡 — .....

住址 — .....

受僱職位 — .....

僱主的姓名或名稱、地址、行業或工業 — .....

.....  
送往的醫院（如有入院者）— .....

供署方填寫  
病例編號：—  
參考編號：—  
已採取的行動：—

## Second Schedule

[reg. 3(1)]

Form of Notice

Factories and Industrial Undertakings (Notification  
of Occupational Diseases) Regulations

Notice of Occupational Disease

To: Director of Health

Notice is hereby given of the following  
occupational disease—

.....  
confirmed/suspected\*

Possible cause— .....

Date contracted/of recurrence\*— .....

Name of patient/deceased\*— .....

Sex— ..... Age— .....

Home address— .....

.....  
Employed as— .....

Name, address and trade or industry of employer— .....

.....  
Hospital sent to (if any)— .....

For Official Use  
Only  
Case No.:—  
Ref. No.:—  
Action taken:—



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附表 2

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Second Schedule

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呈報醫生的姓名及地址 — .....

Name and address of notifying medical practitioner— .....

日期 —19..... 年 ..... 月 ..... 日

Date— ..... 19 .....

.....  
呈報醫生簽署

.....  
Signature of notifying medical practitioner

\* 刪去不適用者

\* Delete whichever is inapplicable.

(1989 年第 76 號法律公告)

(L.N. 76 of 1989)