

《最低工資 (擔任認可評估員的準則) 公告》
(第 608 章, 附屬法例 A)

Minimum Wage (Criteria for Approved Assessors) Notice
(Cap. 608 sub. leg. A)

版本日期
Version date
15.2.2017

經核證文本
Verified Copy

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

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整條 Whole	1—10	15.2.2017

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制定史

本為 2011 年第 1 號法律公告 —— 2017 年第 1 號編輯修訂紀錄

Enactment History

Originally L.N. 1 of 2011 — E.R. 1 of 2017

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Minimum Wage (Criteria for Approved Assessors) Notice

(第 608 章附表 2 第 1 條)

(Cap. 608, section 1 of Schedule 2)

(略去制定語式條文——2017 年第 1 號編輯修訂紀錄)

(Enacting provision omitted—E.R. 1 of 2017)

[2011 年 5 月 1 日] 2010 年第 147 號法律公告

[1 May 2011] L.N.147 of 2010

1. (已失時效而略去——2017 年第 1 號編輯修訂紀錄)
2. 各類別可以成為認可評估員的人
 - (1) 為本條例附表 2 第 1(1) 條中**認可評估員**的定義的 (a) 段的目的，現指明以下類別的人——
 - (a) 符合以下規定的職業治療師——
 - (i) 姓名已列入根據《輔助醫療業條例》(第 359 章) 第 10 條為職業治療師專業備存的註冊名冊內的第 I 部；
 - (ii) 持有根據《輔助醫療業條例》(第 359 章) 第 16 條發出的有效職業治療師執業證明書；
 - (iii) 在緊接有關日期前的 7 年內，取得第 3 條所描述的種類的經驗總計不少於 3 年；及
 - (iv) 已在令處長滿意的情況下，完成經安排培訓；
 - (b) 符合以下規定的屬《物理治療師 (註冊及紀律處分程序) 規例》(第 359 章，附屬法例 J) 第 2 條所界定的名列第 Ia 部的物理治療師或名列第 Ib 部的物理治療師——
 - (i) 持有根據《輔助醫療業條例》(第 359 章) 第 16 條發出的有效物理治療師執業證明書；

1. (Omitted as spent—E.R. 1 of 2017)
2. **Kinds of persons who may become approved assessors**
 - (1) The following kinds of persons are specified for the purposes of paragraph (a) of the definition of **approved assessor** in section 1(1) of Schedule 2 to the Ordinance—
 - (a) an occupational therapist—
 - (i) whose name is entered in Part I of the register kept under section 10 of the Supplementary Medical Professions Ordinance (Cap. 359) for the profession of occupational therapist;
 - (ii) who holds a valid practising certificate as an occupational therapist issued under section 16 of the Supplementary Medical Professions Ordinance (Cap. 359);
 - (iii) who has experience of a type described in section 3 of not less than 3 years in the aggregate gained during the 7 years immediately before the relevant date; and
 - (iv) who has completed the arranged training to the satisfaction of the Commissioner;

- (ii) 在緊接有關日期前的 7 年內，取得第 3 條所描述的種類的經驗總計不少於 3 年；及
- (iii) 已在令處長滿意的情況下，完成經安排培訓；
- (c) 符合以下規定的屬《社會工作者註冊條例》(第 505 章) 第 2(1) 條所界定的註冊社會工作者——
 - (i) 在緊接有關日期前的 7 年內，取得第 3 條所描述的種類的經驗總計不少於 3 年；及
 - (ii) 已在令處長滿意的情況下，完成經安排培訓；
- (d) 符合以下規定的人——
 - (i) 曾在緊接有關日期前的 10 年內，為任何認可人士工作，提供關乎罹患殘疾的人就業的職業康復或其他服務總計不少於 5 年；
 - (ii) 獲任何認可人士推薦成為認可評估員，並曾在緊接有關日期前的 10 年內，為該認可人士工作，以提供第 (i) 節所述的服務；及
 - (iii) 已在令處長滿意的情況下，完成經安排培訓。
- (2) 為施行第 (1)(d) 款，處長可按處長認為合適的方法，認可任何人為認可人士。
- (3) 在本條中——

工作 (work) 指不論是否根據僱傭合約而做亦不論是否有酬金的工作；

有關日期 (relevant date) 就任何人而言，指該人向處長謀求認可擔任認可評估員的日期；

經安排培訓 (arranged training) 指處長為根據本條例附表 2 進行評估而安排的培訓；

認可人士 (recognized person) 指任何根據第 (2) 款獲認可的人。

- (b) a Part Ia physiotherapist or Part Ib physiotherapist as defined by section 2 of the Physiotherapists (Registration and Disciplinary Procedure) Regulation (Cap. 359 sub. leg. J)—
 - (i) who holds a valid practising certificate as a physiotherapist issued under section 16 of the Supplementary Medical Professions Ordinance (Cap. 359);
 - (ii) who has experience of a type described in section 3 of not less than 3 years in the aggregate gained during the 7 years immediately before the relevant date; and
 - (iii) who has completed the arranged training to the satisfaction of the Commissioner;
- (c) a registered social worker as defined by section 2(1) of the Social Workers Registration Ordinance (Cap. 505)—
 - (i) who has experience of a type described in section 3 of not less than 3 years in the aggregate gained during the 7 years immediately before the relevant date; and
 - (ii) who has completed the arranged training to the satisfaction of the Commissioner;
- (d) a person—
 - (i) who has worked for any recognized person in providing vocational rehabilitation or other services in relation to the employment of persons with a disability for not less than 5 years in the aggregate during the 10 years immediately before the relevant date;
 - (ii) who is recommended to be an approved assessor by any recognized person for whom the person

3. 有關工作經驗

- (1) 第 2(1)(a)、(b) 及 (c) 條提述的經驗，是指在以下任何一種或多於一種情況下取得的、提供關乎罹患殘疾的人就業的職業康復或其他服務的經驗——
 - (a) 在姓名已列入根據《輔助醫療業條例》(第 359 章) 第 10 條為職業治療師專業備存的註冊名冊內的第 I、II 或 III 部的情况下以職業治療師身分執業時，並在執業期間持有根據該條例第 16 條發出的有效職業治療師執業證明書；
 - (b) 以《物理治療師 (註冊及紀律處分程序) 規例》(第 359 章，附屬法例 J) 第 2 條所界定的名列第 Ia 部的

- has worked in providing the services mentioned in subparagraph (i) during the 10 years immediately before the relevant date; and
- (iii) who has completed the arranged training to the satisfaction of the Commissioner.
- (2) The Commissioner may, in the manner that the Commissioner thinks fit, recognize any person as a recognized person for the purposes of subsection (1)(d).
 - (3) In this section—

arranged training (經安排培訓) means the training arranged by the Commissioner for the purpose of making assessments under Schedule 2 to the Ordinance;

recognized person (認可人士) means any person recognized under subsection (2);

relevant date (有關日期), in relation to a person, means the date on which the person seeks the Commissioner's approval as an approved assessor;

work (工作) means work, whether or not under a contract of employment and whether or not in a paid capacity.

3. Relevant working experience

- (1) The experience referred to in section 2(1)(a), (b) and (c) is the experience in providing vocational rehabilitation or other services in relation to the employment of persons with a disability gained in any one or more of the following sets of circumstances—
 - (a) while practising as an occupational therapist whose name is entered in Part I, II or III of the register kept under section 10 of the Supplementary Medical Professions Ordinance (Cap. 359) for the profession of occupational therapist and while holding a valid

物理治療師、名列第 Ib 部的物理治療師或名列第 II 部的物理治療師身分執業時，並在執業期間持有根據《輔助醫療業條例》(第 359 章) 第 16 條發出的有效物理治療師執業證明書；

- (c) 以《社會工作者註冊條例》(第 505 章) 第 2(1) 條所界定的註冊社會工作者身分執業時。
- (2) 如某人在某段時間內，同時在多於一種第 (1) 款所描述的情況下取得經驗，在為第 2(1)(a)(iii)、(b)(ii) 或 (c)(i) 條的目的而計算該人的年資時，該段時間只計算一次。

4. 成為認可評估員所需的年資

為本條例附表 2 第 1(1) 條中**認可評估員**的定義的 (b) 段的目的，現指明以下提供關乎罹患殘疾的人就業的職業康復或其他服務的年資——

- (a) 就屬第 2(1)(a)、(b) 或 (c) 條指明的類別的人而言，在緊接第 2(3) 條所界定的有關日期前的 7 年內取得的總計不少於 3 年的年資；

practising certificate as an occupational therapist issued under section 16 of that Ordinance;

- (b) while practising as a Part Ia physiotherapist, Part Ib physiotherapist or Part II physiotherapist as defined by section 2 of the Physiotherapists (Registration and Disciplinary Procedure) Regulation (Cap. 359 sub. leg. J) and while holding a valid practising certificate as a physiotherapist issued under section 16 of the Supplementary Medical Professions Ordinance (Cap. 359);
 - (c) while practising as a registered social worker as defined by section 2(1) of the Social Workers Registration Ordinance (Cap. 505).
- (2) If a person gains experience in more than one set of circumstances described in subsection (1) concurrently in a period of time, that period of time is only to be counted once in calculating the person's length of experience for the purposes of section 2(1)(a)(iii), (b)(ii) or (c)(i).

4. Lengths of experience required for becoming approved assessors

The following lengths of experience in providing vocational rehabilitation or other services in relation to the employment of persons with a disability are specified for the purposes of paragraph (b) of the definition of **approved assessor** in section 1(1) of Schedule 2 to the Ordinance—

- (a) for a person of the kind specified in section 2(1)(a), (b) or (c), not less than 3 years in the aggregate gained during the 7 years immediately before the relevant date as defined by section 2(3);

- (b) 就屬第 2(1)(d) 條指明的類別的人而言，在緊接第 2(3) 條所界定的有關日期前的 10 年內取得的總計不少於 5 年的年資。

- (b) for a person of the kind specified in section 2(1)(d), not less than 5 years in the aggregate gained during the 10 years immediately before the relevant date as defined by section 2(3).