

工作经验学员就获豁免学生雇用期
作出的法定声明内容样本
Specimen Content of statutory declaration made by a
work experience student for a period of exempt student employment

本人明白「工作经验学员」及「获豁免学生雇用」分别在香港法例第608章《最低工资条例》第2条和第3条的定义。

本人以工作经验学员身份与雇主 [雇主名称，例子：ABC贸易有限公司] 订立雇佣合约，雇佣合约由 [年份及日期，例子：2023年6月1日] 开始生效。

本人 [工作经验学员姓名，例子：陈大文] 现居于 [地址，例子：九龍xx厦xx室]，谨以至诚郑重声明：

本人不曾订立任何于 [例子：2023年（须与上述雇佣合约期开始日为同一公曆年）] 开始的雇佣合约，而该合约期内的任何期间被视为获豁免学生雇用期；及

本人在作出本法定声明当日至上述雇佣合约开始日为止（包括首尾兩日）的期间内，将不会订立任何其他于 [例子：2023年（须与上述雇佣合约期开始日为同一公曆年）] 开始的雇佣合约，而该合约期内的任何期间被视为获豁免学生雇用期。

I fully understand the meanings of “work experience student” and “exempt student employment” provided in section 2 and section 3 of the Minimum Wage Ordinance (Cap. 608) of the Laws of Hong Kong respectively.

I have entered into a contract of employment with [Name of employer, Example: ABC Trading Co. Ltd.] as the employer and I as a work experience student which contract is to commence on [Date, Example: 1 June 2023],

and I, [Name of the work experience student, Example: CHAN Tai Man], of [Address, Example: Room xx, xx Building, Kowloon], solemnly and sincerely declare that:

I have **not** entered into any contract of employment commencing in [Same year as the date mentioned above, Example: the year of 2023] in which any period has been treated as a period of exempt student employment; and

between the date of this declaration and the commencement date of this employment contract (both dates inclusive), I **will not** enter into any other contract of employment commencing from [Same year as the date mentioned above, Example: the year of 2023] in which any period is to be treated as a period of exempt student employment.

备注

- 工作经验学员可透过现有途径办理宣誓。《宣誓及声明条例》（第11章）就法定声明作出规定，根据该条例第12条，太平绅士、公证人、监誓员或其他获法律授权监誓的人，均可监理和接受任何人士（包括工作经验学员）按该条例第 14 条订定的方式在其面前作出的声明。《宣誓及声明条例》的原文已上载于律政司的「电子版香港法例」，网址是 www.elegislation.gov.hk。
- 工作经验学员如没有与雇主协议将某段期间视为获豁免学生雇用期，法定最低工资的豁免安排便不适用，而该工作经验学员亦无需作出上述的法定声明。

注意：资料使用者须遵守《个人资料（私隐）条例》（第486章）有关保障个人资料原则的规定。

Note

- A work experience student may make a statutory declaration through existing available channels. The Oaths and Declarations Ordinance (Cap. 11) makes provisions for statutory declaration. According to section 12 of the Oaths and Declarations Ordinance, a justice, notary, commissioner or other person authorized by law to administer an oath may take and receive the declaration of any person (including a work experience student) made before him in the manner provided by section 14. The full text of the Ordinance has been uploaded to the Hong Kong e-Legislation of the Department of Justice website at www.elegislation.gov.hk.
- If a work experience student has not agreed with the employer to treat a certain period as a period of exempt student employment, the exemption from Statutory Minimum Wage does not apply and it is not necessary for the work experience student to make the above statutory declaration.

Note: Data users should comply with the requirements of the Personal Data (Privacy) Ordinance (Cap. 486) concerning data protection principles.