《工厂及工业经营条例》(第59章)第6BA条简介(强制性基本安全训练)(2001年版) 更正对照表

(2023年11月22日)

项目	页	现行版本	修订		
1	2-3	罚则 东主 • 东主如雇用没有获发给有效	罚则 东主 • 东主如雇用没有获发给有效		
		证明书的人士,即属犯罪,最高可处罚款50,000元。	证明书的人士,即属犯罪, 一经定罪,可处第 6 级罚款 (现为 100,000 元)。		
		• 东主如没有按处长指明的形式设立及备存纪录册,即属犯罪,最高可处罚款 10,000元。	• 东主如没有按处长指明的形式设立及备存纪录册,即属犯罪,一经定罪,可处第 4级罚款(现为 25,000 元)。		
		• 东主如安排或准许任何声明 在纪录册内作出之日后 18 个月届满前,将该声明从纪 录册中删除,即属犯罪,最 高可处罚款 10,000 元。	 东主如安排或准许任何声明在纪录册内作出之日后 18 个月届满前,将该声明从纪录册中删除,即属犯罪,一经定罪,可处第 4 级罚款(现为25,000 元)。 		
2	7	紀錄册 REGISTER 第 II 部 PART II	紀錄册 REGISTER 第 II 部 PART II		
		注意: (iii) 東主不遵守該條例第 6BA(8)(a) 條 爲 施 行 第 (7)(c)條而設立及備存的紀錄冊,即屬犯該條例第 6BA(16)條所訂罪行,一經定罪可處第3级罰款。	6BA(8)(a)條爲施行第(7)(c) 條而設立及備存的紀錄 冊,即屬犯該條例第 6BA(16)條所訂罪行,一經		
		Note:	Note:		
		(iii) A proprietor who fails to establish and maintain a	(iii) A proprietor who fails to establish and maintain a		

页	现行版本	修订
	register for the purposes of section 6BA(7)(c) in accordance with section 6BA(8)(a) of the Factories and Industrial Undertakings Ordinance commits an offence under section 6BA(16) and is liable on conviction to a fine at level 3.	accordance with section 6BA(8)(a) of the Factories and Industrial Undertakings Ordinance commits an offence under section 6BA(16) and is liable on
	FIUO-6BA-REGISTER-2	FIUO-6BA-REGISTER-2 (2023)
		section 6BA(7)(c) in accordance with section 6BA(8)(a) of the Factories and Industrial Undertakings Ordinance commits an offence under section 6BA(16) and is liable on conviction to a fine at level 3.

相关的公用表格已更新(见附件),可于香港政府一站通网站 $\frac{https://www.gov.hk/sc/residents/forms/}{\text{下载}} \circ$



公用表格

[第6BA條] [section 6BA]

《工廠及工業經營條例》(第59章) FACTORIES AND INDUSTRIAL UNDERTAKINGS ORDINANCE (CAP. 59)

紀錄冊 REGISTER

受僱於有關工業經營的有關人士於該工業經營工作時未能在 第6BA(7)(b)(i)條所指的要求下出示有關證明書的紀錄冊 REGISTER OF RELEVANT PERSON EMPLOYED AT RELEVANT INDUSTRIAL UNDERTAKING WHO IS UNABLE TO PRODUCE RELEVANT CERTIFICATE ON DEMAND UNDER SECTION 6BA(7)(b)(i) WHILE AT WORK AT THE UNDERTAKING

> 本紀錄冊乃由勞工處處長就《工廠及工業經營條例》(第59章) 第6BA條的需要而指明 Register specified by the Commissioner for Labour for the purposes of section 6BA of the Factories and Industrial Undertakings Ordinance (Cap. 59)

第 I 部 PART I

有關工業經營的資料 PARTICULARS OF RELEVANT INDUSTRIAL UNDERTAKING

有關工業經營的名稱: Name of Relevant Industrial Undertaking: _.		
工業經營的地址: Address of Relevant Industrial Undertaking :		
	獲授權簽署人 Authorized Signatory:	
	姓名 Name:	
(公司蓋印) (Company Chop)	職位 Post Title:	
	日期 Date:	

第Ⅱ部 PART II

有關工業經營的有關人士受僱於該工業經營工作時未能在 第6BA(7)(b)(i)條所指的要求下出示有關證明書的聲明

STATEMENT OF RELEVANT PERSON EMPLOYED AT RELEVANT INDUSTRIAL UNDERTAKING WHO IS UNABLE TO PRODUCE RELEVANT CERTIFICATE ON DEMAND UNDER SECTION 6BA(7)(b)(i) WHILE AT WORK AT THE UNDERTAKING

聲明 Statement

- 1. 本人,即下述有關人士,謹以至誠聲明,本人已獲發給有關證明書而該證明書的有效期仍未屆滿。本人並在下列的日子,未能在東主或獲其授權的代理人要求下出示該證明書。本人並沒有在緊接該東主或其代理人提出要求當日之前一天在此紀錄 冊內作出同樣聲明。
- I, solemnly and sincerely declare that I have been issued with a relevant certificate and the certificate has not expired. I am unable to produce the certificate upon demand by the proprietor or the authorized agent of the proprietor on the date as listed below. I have not made a like statement in this register on the day immediately preceding the day on which the demand is made.
- 本人現聲明:本人所知所信,上述聲明是詳盡及正確的,並確信其真實無錯。
- I hereby declare that the above statement is complete and correct to the best of my knowledge and belief.

項目 Item No.	工作時未能出示 有關證明書的日期 Date of Not Producing Relevant Certificate While at Work	有關人士姓名 Name of Relevant Person	身分證號碼或 護照號碼 HK Identity Card or Passport No.	聲明人簽署 Signature of Declarant	作出聲明的日期 Date of Making the Statement

"有關人士"、"有關工業經營"及 "有關證明書"各自其有《工廠及工業經營條例》(第59章)第6BA條分別給予該等詞語的涵義。 注意:

- (ii) 東主不得安排或達許於第6BA(7)(c)條提述的任何聲明在該等紀錄冊內作出之日後18個月屆滿前,將該聲明從紀錄冊中刪除。 (iii) 東主不遵守該條例第6BA(8)(a)條為施行第(7)(c)條而設立及備存的紀錄冊,即屬犯該條例第6BA(16)條所訂罪行,一經定罪可處第4級罰款。
- (iv) 如任何受僱於有關工業經營的有關人士作出該條例第6BA(7)(c)條所提述的聲明,而在作出該聲明時並非已遷發給有效期未屆滿的有關證明書,即屬犯 該條例第6BA(14)條所訂罪行,一經定罪可處第3級罰款。
- 東主須備存紀錄冊於工作地點所屬的地方

Note: A "relevant certificate", "relevant industrial undertaking" and "relevant person" have the meaning respectively assigned to them under section 6BA of the Factories and Industrial Undertakings Ordinance (Cap. 59).

- (ii) A proprietor shall not cause or permit any statement referred to in section 6BA(7)(c) made in any such register to be removed therefrom at any time before the expiration of 18 months from the date on which the statement was made in the register.
- A proprietor who fails to establish and maintain a register for the purposes of section 6BA(7)(c) in accordance with section 6BA(8)(a) of the Factories and Industrial Undertakings Ordinance commits an offence under section 6BA(16) and is liable on conviction to a fine at level 4.
- A relevant person employed at a relevant industrial undertaking who makes a statement referred to in section 6BA(7)(c) and is not a person who has been issued a relevant certificate which has not expired at the time of making that statement, commits an offence under section 6BA(14) and is liable on conviction to a fine at
- A proprietor shall maintain the register within the precincts of the workplace.

二零零一年五月一日起,从事建筑工程或货柜处理作业的雇员,必须修读获劳工处处长(下称处长)承认的安全训练课程,并持有有效证明书(通常称为「平安咭」)。而建筑工程和货柜处理作业的东主只可雇用持有有效证明书的人士从事建筑工程或货柜处理作业。受雇人士于工业经营工作时必须携带该证明书,并在东主或劳工处的职业安全主任要求下,出示该证明书。

本简介概述该条文的各项主要规定,内容以简单文字解释,而有关这些规定的详细内容,仍以该条文本身为准。

东主的责任

任何建筑工程或货柜处理作业的东主-

- 只可雇用持有有效证明书的人士从事建筑工程或货柜处理作业。
- ◆ 须为未能应要求出示所持证明书的人士按处长指明的形式设立及 备存纪录册(指明的形式载于本简介第6及7页)。

受雇人士的责任

任何受雇从事建筑工程或货柜处理作业的人-

◆ 须于工业经营工作时携带有关证明书。

- ◆ 须在东主、东主授权的代理人或劳工处职业安全主任的要求下出 示该证明书。
- ◆ 当未能在东主或其代理人的要求下出示所持证明书时,须在东主 备存的纪录册(指明的形式载于本简介第7页)内作出声明。
- ◆ 当未能在职业安全主任要求下出示所持证明书时,须于该主任指明的地点及限期内出示该证明书。

证明书

有效期

修读认可安全训练课程而获发给的证明书有效期为一年至三年。

遗失或污损等

若遗失证明书,或证明书被污损、销毁,则有关人士须尽快向处长提出要求补发证明书的申请。

罚则

东主

◆ 东主如雇用没有获发给有效证明书的人士,即属犯罪,最高可处罚款50,000元。

- ◆ 东主如没有按处长指明的形式设立及备存纪录册,即属犯罪,最 高可处罚款10,000元。
- ◆ 东主如安排或准许任何声明在纪录册内作出之日后18个月届满前,将该声明从纪录册中删除,即属犯罪,最高可处罚款 10,000元。

受雇人士

- ◆ 任何受雇人士如在东主备存的纪录册内作出声明,而在作出该 声明时并非已获发给有效期未届满的证明书,即属犯罪,最高 可处罚款10,000元。
- ◆ 任何受雇人士如无合理辩解而未能在职业安全主任要求下于指明的地点及限期内出示证明书,即属犯罪,最高可处罚款 10,000元。

认可安全训练课程

截至二零零一年六月为止,下列的安全训练课程已获处长承认。任何人如有意修读这些课程,可直接联络课程主办机构。课程主办机构会向学员收取学费。

3

(i) 建筑工程:

课程主办机构	认可课程	电话
建造业训练局	建造业强制性基本安全训练2	903 0609
香港建造业总工会	建造业强制性基本安全训练2	332 6866
建筑地盘职工总会	建造业强制性基本安全训练2	770 8668
港九电器工程电业器材	建造业强制性基本安全训练2	393 9955
职工会		
香港理工大学	建造业强制性基本安全训练2	766 7579
香港工人健康中心	建造业强制性基本安全训练2	725 399 6

(ii) 货柜处理作业:

香港理工大学	货柜业强制性基本安全训练2	766 7579
职业安全健康局	货柜业强制性基本安全训练2	311 3322
海员训练中心(职业训练局)货	8 3833	
海港运输业总工会	货柜业强制性基本安全训练2	780 0381
建造业机械技术训练中心	货柜业强制性基本安全训练2	477 2333

有关认可课程的最新资料,可浏览本处网页或致电本处查询。

4

任何机构如有意就该条文举办安全训练课程,可向处长申请。申请应送交职业安全及健康训练中心,地址为新界荃湾众安街68号荃湾城市中心第I期13楼(查询电话: 2940 7057)。

资料查询

如你对本简介有任何疑问,或欲查询其他职业安全及健康事宜,请与职业安全及健康部联络:

电话 : 2559 2297(办公时间以外自动录音)

传真 : 2915 1410

电子邮件:enquiry@labour.gov.hk

你亦可透过互联网,找到劳工处所提供的各项服务及主要劳工法例的资料。本处的网址是:http://www.labour.gov.hk/

[第6BA条] [section 6BA]

《工厂及工业经营条例》(第59章) FACTORIES AND INDUSTRIAL UNDERTAKINGS ORDINANCE (CAP. 59)

纪录册 REGISTER

受雇于有关工业经营的有关人士于该工业经营工作时未能在 第6BA(7)(b)(i)条所指的要求下出示有关证明书的纪录册 REGISTER OF RELEVANT PERSON EMPLOYED AT RELEVANT INDUSTRIAL UNDERTAKING WHO IS UNABLE TO PRODUCE RELEVANT CERTIFICATE ON DEMAND UNDER SECTION 6BA(7)(b)(i) WHILE AT WORK AT THE UNDERTAKING

本纪录册乃由劳工处处长就《工厂及工业经营条例》(第59章) 第6BA条的需要而指明

Register specified by the Commissioner for Labour for the purposes of section 6BA of the Factories and Industrial Undertakings Ordinance (Cap. 59)

第 I 部 PART I

有关工业经营的资料 PARTICULARS OF RELEVANT INDUSTRIAL UNDERTAKING

有天工业经宫的名称: Name of Relevant Industrial Underta	ing:
工业经营的地址: Address of Relevant Industrial Undertaking:	
	获授权签署人 Authorized Signatory:
	姓名 Name :
(公司盖印) (Company Chop)	职位 Post Title:
1 7 1/	日期 Date:
FIUO-6BA-REGISTER-1	

6



第 II 部 PART II

有关工业经营的有关人士受雇于该工业经营工作时未能在 第 6BA(7)(b)(i)条所指的要求下出示有关证明书的声明

STATEMENT OF RELEVANT PERSON EMPLOYED AT RELEVANT UNABLE TO PRODUCE RELEVANT CERTIFICATE ON D 谓谓《 SECTION 6BA(7)(b)(i) WHILE AT WORK AT THE UNDERTAK

声明

Statement

- 1. 本人,即下述有关人士,谨以至诚声明,本人已获发给有关证明书而该证明书的有效期仍未届满。本人并在下列的日子,未能在东主或获其授权的代理人要求下出示该证明书。本人并没有在紧接该东主或其代理人提出要求当日之前一天在此纪录册内作出同样声明。
- I, solemnly and sincerely declare that I have been issued with a relevant certificate and the certificate has not
 expired. I am unable to produce the certificate upon demand by the proprietor or the authorized agent of the
 proprietor on the date as listed below. I have not made a like statement in this register on the day immediatly
 preceding the day on which the demand is made.
- 2. 本人现声明:本人所知所信,上述声明是详尽及正确的,并确信其真实无错。
- 2. I hereby declare that the above statement is complete and correct to the best of my knowledge and belief.

项目 Item No.	工作时未能出示 有关证明书的日期 Date of Not Producing Relevant Certificate While at Work	有关人士姓名 Name of Relevant Person	身分证号码或 护照号码 HK Identity Card or Passport No.	声明人签署 Signature of Declarant	作出声明的日期 Date of Making the Statement

- 注意: (i) "有关人士"、"有关工业经营"及"有关证明书"各自其有《工厂及工业经营条例》(第59章) 第6BA条分别给予该等词语的涵义。
 - (ii) 东主不得安排或准许于第 6BA(7)(c)条提述的任何声明在该等纪录册内作出之日后 18 个月届满前,将该声明从纪录册中 MR
 - (iii) 东主不遵守该条例第 6BA(8)(a)条为施行第(7)(c)条而设立及备存的纪录册,即属犯该条例第 6BA(16)条所订罪行,一经定罪可处第 3 级罚款。
 - (iv) 如任何受雇于有关工业经营的有关人士作出该条例第6BA(7)(c)条所提述的声明,而在作出该声明时并非已获发给有效期未届满的有关证明书。即属犯该条例第6BA(14)条所订罪行,一经定罪可处第3级罚款。
 - (v) 东主须备存纪录册于工作地点所属的地方。
- Note: (i) A "relevant certificate", "relevant industrial undertaking" and "relevant person" have the meaning respectively assigned to them under section 6BA of the Factories and Industrial Undertaking Ordinance (Cap.59).
 - (ii) A proprietor shall not cause or permit any statement referred to in section 6BA(7)(c) made in any such register to be removed therefrom at any time before the expiration of 18 months from the date on which the statement was made in register.
 - (iii) A proprietor who fails to establish and maintain a register for the purposes of section 6BA(7)(c) in accordance with section 6BA(8)(a) of the Factories and Industrial Undertakings Ordinance commits an offence under section 6BA(16) and is liable on conviction to a fine at level 3.
 - (iv) A relevant person employed at a relevant industrial undertaking who makes a statement referred to in section 6BA(7)(c) and is not a person who has been issued a relevant certificate which has not expired at the time of making that statement, commits an offence under section 6BA(14) and is liable on conviction to a fine at level 3.
 - (v) A proprietor shall maintain the register within the precincts of the workplace.

FIUO-6BA-REGISTER-2

7

《工厂及工业经营条例》(第59章)第6BA条简介

(强制性基本安全训练)











