

修订《雇佣条例》「连续性合约」的规定

Revise the “Continuous Contract” Requirement under the Employment Ordinance

于 2026 年 1 月 18 日起适用 Effective from 18 January 2026

《2025 年雇佣(修订)条例》修订「连续性合约」的规定。在新规定下，雇员如符合以下条件，他便属根据「连续性合约」受雇：

The Employment (Amendment) Ordinance 2025 has amended the “continuous contract” requirement. Under the new requirement, an employee is regarded as being employed under a “continuous contract” if the following criteria are met:

1. 雇员连续受雇于同一雇主四星期或以上；及
the employee has been employed continuously by the same employer for four weeks or more; and
2. 雇员的工时符合以下其中一项条件：
the employee has met one of the working hours requirements:
 - (i) 他每星期最少工作 17 小时；或
he has worked for at least 17 hours in each week; or
 - (ii) (当他在某一星期工作少于 17 小时)他在该星期及其紧接过去三星期组成的四星期期间^注工作不少于 68 小时。(where he has worked less than 17 hours in any week) he has worked for 68 hours or more in a four-week period^{Note} comprising that week and the three weeks next preceding that week.

(注) 雇员在此四星期期间受雇于有关雇主。

(Note) The employee has been employed by the employer concerned during this four-week period.

常见问题 **Frequently Asked Questions**

1. 修订「连续性合约」对雇员享有各项法定权益的资格有什么改变？

Will the amendments of the “continuous contract” affect the employees’ eligibility of employment rights?

修订后《雇佣条例》的其他条文会继续应用，雇员现时享有各项法定权益的资格维持不变，例如，雇员须在紧接法定假日之前已按「连续性合约」受雇满三个月，才可享有假日薪酬，而雇员受雇每满 12 个月则可享有有薪年假。换言之，雇员符合修订后的「连续性合约」规定，如同时符合有关雇佣权益的其他条件，便可享有该项权益。

After the amendments, other provisions of the Employment Ordinance (EO) will continue to operate as they currently do, and existing eligibility criteria for various statutory benefits will remain unchanged. For instance, employees are required to be employed under a “continuous contract” for not less than three months immediately preceding a statutory holiday in order to be entitled to the holiday pay, and every period of 12 months for annual leave with pay. In other words, an employee who meets the revised “continuous contract” requirement will be entitled to a particular benefit if he also meets the relevant conditions for that benefit.

2. 新规定何时开始适用？是否具有追溯力？

When will the new requirement take effect? Will this apply retrospectively?

「连续性合约」的新规定于 2026 年 1 月 18 日起适用。由于是次修订没有追溯力，在此日期前的雇佣期，雇员仍须连续受雇于同一雇主四星期或以上，每星期最少工作 18 小时才符合「连续性合约」规定。

The new “continuous contract” requirement will become applicable starting from 18 January 2026. As the amendments are not retrospective, for an employment period before this date, an employee has still to be employed continuously by the same employer for four weeks or more and has worked at least 18 hours each week to meet the “continuous contract” requirement.

3. 雇员的雇佣期横跨新规定适用前后，应如何确定其雇佣合约是否属「连续性合约」？

How to ascertain whether an employee is being employed under a “continuous contract”, if his employment period straddles the new requirement's effective date?

为确定雇员是否根据「连续性合约」受雇，该雇员须连续受雇于同一雇主四星期或以上，而符合有关的工时规定。假若其雇佣期横跨新规定适用前后，相关的工时门槛如下：

To ascertain whether an employee is being employed under a “continuous contract”, he has to be employed continuously by the same employer for four weeks or more and has met the working hours requirement. For an employment period straddling the effective date, the respective working hours thresholds are set out below:

雇佣期 Employment period	「连续性合约」规定的工时门槛 Working hours threshold of “continuous contract” requirement
新规定适用前： 2026 年 1 月 18 日前 Before the new requirement is applicable: Before 18 January 2026	每星期仍须最少工作 18 小时。 Still has to work for at least 18 hours in each week.
新规定适用后： 2026 年 1 月 18 日或以 后 After the new requirement is applicable: On or after 18 January 2026	工时须符合以下其中一项条件： 1. 雇员每星期最少工作 17 小时；或 2. (当雇员在某一星期工作少于 17 小时)他在该星 期及其紧接过去三星期组成的四星期期间 ^注 工作不少于 68 小时。 Working hours fulfil one of the following requirements: 1. An employee has worked for at least 17 hours in each week; or 2. (Where an employee has worked less than 17 hours in any week) he has worked for 68 hours or more in a four-week period ^{Note} comprising that week and the three weeks next preceding that week.

(注) 雇员在此四星期期间受雇于有关雇主。

(Note)The employee has been employed by the employer concerned during this four-week period.

中文

本简介旨在以浅白的文字简述《2025 年雇佣（修订）条例》的重点。有关对《雇佣条例》的一切诠释，皆以法例原文为依归。详情可参阅劳工处网站 www.labour.gov.hk。



English



This brief note sets out in simple terms the main provisions relating to the Employment (Amendment) Ordinance 2025. The Employment Ordinance remains the sole authority for the provisions of the law explained. More information on this subject is available at the Labour Department website at www.labour.gov.hk.

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