

A Guide to the Factories and Industrial Undertakings (Protection of Eyes) Regulations



Corrigendum to A Guide to the Factories and Industrial Undertakings

(Protection of Eyes) Regulations (Year 2009 edition)

(20 December 2023)

Item	Section	Current Version	Amendment
1	6	<p>Offences and Penalties</p> <p>6.1 Any proprietor of an industrial undertaking to which the Regulations apply who contravenes any of the provisions of Regulation 5,6 or 7 is guilty of an offence and liable on conviction to a fine of \$50,000.</p> <p>6.2 Any person who contravenes any of the provisions of Regulation 8 is guilty of an offence and liable on conviction to a fine of \$10,000.</p>	<p>Offences and Penalties</p> <p>6.1 A proprietor of an industrial undertaking who contravenes regulation 5, 6 or 7 commits an offence and is liable on conviction to a fine at level 6 (currently \$100,000).</p> <p>6.2 A person who contravenes regulation 8 commits an offence and is liable on conviction to a fine at level 5 (currently \$50,000).</p>

- End -

This guide is prepared by the
Occupational Safety and Health Branch, Labour Department.

This edition November 2009

This guide is issued free of charge and can be obtained from the offices of the Occupational Safety and Health Branch of the Labour Department. It can also be downloaded from the website of the Labour Department at http://www.labour.gov.hk/eng/public/content2_8a.htm. For enquiries about addresses and telephone numbers of the offices, please visit the website of the Labour Department at <http://www.labour.gov.hk/eng/tele/osh.htm> or call 2559 2297.

This guide may be freely reproduced except for advertising, endorsement or commercial purposes. Please acknowledge the source as 'A Guide to the Factories and Industrial Undertakings (Protection of Eyes) Regulations', published by the Labour Department.

**A Guide to the
Factories and Industrial Undertakings
(Protection of Eyes)
Regulations**

Contents

	Page
1. Introduction	1
2. Interpretation	2
3. Application and Exemption	3
4. Specifications	3
5. General Provisions for Protection of Eyes	
5.1 Protection of persons employed in specified processes	4
5.2 Protection of persons at risk from but not employed in a specified process	5
5.3 Duties of proprietor in respect of protective equipment	5
5.4 Duties of employees in respect of protective equipment	6
6. Offences and Penalties	6
7. Useful Information	
7.1 Enquiries	6
7.2 Complaints	6
Appendix I SPECIFIED PROCESSES	7
Appendix II APPROVED SPECIFICATIONS FOR EYE-PROTECTORS, SHIELDS AND FIXED SHIELDS	9

1. Introduction

Eye injuries are very unpleasant and harmful, and severe injuries to both eyes can result in 100% loss of earning capacity. The Factories and Industrial Undertakings (Protection of Eyes) Regulations provide for the protection of the eyes of persons employed in industrial processes which may constitute risk of injury to eyes from particles or fragments thrown off, harmful rays given off, corrosive substances splashed out, and harmful light given off by molten metals.

This guide outlines the main provisions of the Regulations, which impose detailed requirements for the protection of the eyes of persons employed in any industrial process specified in the Schedule to the Regulations.

This guide should be read in conjunction with “A Guide to the Factories and Industrial Undertakings Ordinance (Sections 6A & 6B) – Know Your General Duties’ which imposes general duties on proprietors and persons employed with regard to the health and safety at work in industrial undertakings.

While every care has been exercised to include important details in this guide, the Factories and Industrial Undertakings (Protection of Eyes) Regulations remain the sole authority for the provisions of the law explained.

2. Interpretation

- 2.1 ‘Approved eye protectors’, ‘approved shield’ and ‘approved fixed shield’ mean respectively eye protectors, a shield and a fixed shield made in conformity with specifications for the time being declared under regulation 4 to be approved specifications for the purposes of the Regulations. **Reg. 2**

The Commissioner for Labour shall declare from time to time, by notice in the Gazette, approved specifications of eye protectors, shields and fixed shields. The approved specifications at time of publishing this guide are contained in Appendix II. Updated approved specifications can be browsed at website <http://www.labour.gov.hk/eng/osh/pe.htm>.

- 2.2 ‘Eye protectors’ means any goggles, visors, spectacles and face screens which are made to be worn by a person.

- 2.3 ‘Fixed shield’ means a screen which is free-standing or which is, or is made to be, attached to machinery, plant or other equipment or to a building or structure.

- 2.4 ‘Shield’ means a helmet or hand shield, being equipment made to be worn or held by a person.

These interpretations explain what eye protectors, fixed shield and shield refer to. These items or equipment can only be deemed to be ‘approved eye protectors’, ‘approved shields’ and ‘approved fixed shields’ after they have met the approved specifications declared by the Commissioner for Labour.

- 2.5 ‘Specified process’ means any process specified in the Schedule to the Regulations.

Specified processes refer to those processes which are liable to constitute risks of eye injuries, such as particles or fragments thrown off, harmful rays given off, corrosive substances splashed out and harmful light given off. The list of specified processes is contained in Appendix I.

3. Application and Exemption

- 3.1 The Regulations apply to any industrial undertaking where any specified process is carried on. **Reg. 3(1)**

'Industrial undertaking' has the same meaning as defined in Section 2(1) of the Factories and Industrial Undertakings Ordinance, Chapter 59.

- 3.2 The Commissioner for Labour may, by certificate under his hand, exempt any industrial undertaking to which the Regulations apply from all or any of the requirements of the Regulations if the Commissioner is satisfied that, in the case of that undertaking, the requirements in respect of which the exemption is granted are not necessary for the protection of persons employed in that undertaking or are not reasonably practicable; and any exemption granted under this paragraph shall be subject to such terms and conditions as the Commissioner may specify therein, and may be revoked at any time. **Reg. 3(2)**

The Commissioner may exempt, in writing, any industrial undertaking from the provisions or part of the provisions of the Regulations if the process presents no risk of eye injuries or protection is not reasonably practicable. The Commissioner may impose terms or conditions of exemption.

4. Specifications

- 4.1 Eye protectors, shields or fixed shields provided under the Regulations for the use of persons in any industrial undertaking to which the Regulations apply must be made in conformity with such specifications as the Commissioner may, by notice in the Gazette, declare to be approved specifications for the purposes of the Regulations. **Reg. 4(1)**

- 4.2 The Commissioner may, by notice in the Gazette, revoke, replace or amend any notice under Regulation 4(1) or any specifications therein. **Reg. 4(2)**

The Commissioner may declare from time to time in the Gazette approved specifications for eye protectors, shields and fixed shields. Those items of protective equipment complying with the approved specifications declared in the Gazette will be considered as 'approved eye protectors', 'approved shield' and 'approved fixed shield'.

5. General Provisions for Protection of Eyes

5.1 Protection of persons employed in specified processes

The proprietor of any industrial undertaking to which the Regulations apply must provide for the use of every person employed in any specified process carried on in that undertaking – **Reg. 5**

- (a) approved eye protectors;
- (b) an approved shield; or
- (c) an approved fixed shield,

as the case may require for the protection of his eyes, having regard to the specified process in which that person is employed and the risk of injury to his eyes from the carrying on of that process.

In any industrial undertaking in which a specified process is carried out, the proprietor is required to provide every person employed in the specified process, approved eye protectors, approved shields or approved fixed shields whichever are appropriate to that process for the protection of the persons employed against eye injuries.

5.2 Protection of persons at risk from but not employed in a specified process

Where any specified process is being carried on in an industrial undertaking and any person other than those employed in that process is employed in a place where there is a reasonably foreseeable risk of injury to his eyes from the carrying on of the process, the proprietor of the industrial undertaking must provide for the use of that person –

Reg. 6

- (a) approved eye protectors;
- (b) an approved shield; or
- (c) an approved fixed shield,

as the case may require for the protection of his eyes, having regard to the specified process being so carried on and the risk of injury to his eyes from the carrying on of that process.

The proprietor of any industrial undertaking in which a specified process is carried on is required to provide those persons who may not be employed in the specified process but are exposed to the risks of eye injuries, with protective equipment against eye injuries.

5.3 Duties of proprietor in respect of protective equipment

The proprietor of an industrial undertaking to which the Regulations apply must –

Reg. 7

- (a) maintain in good condition all eye protectors, shields and fixed shields provided by him for use under the Regulations and must –
 - (i) so far as may be reasonably necessary for that purpose, provide proper storage for them;
 - (ii) if it is necessary that they should be transparent, keep them clean; and
- (b) take all reasonable steps to ensure that every person for whose use he so provides eye protectors or a shield or a fixed shield, as the case may be, makes full and proper use of the same.

The proprietor should maintain the protective equipment provided under the Regulations in good and clean condition, and take reasonable steps to ensure that they are used whenever the specified process is being carried on.

5.4 Duties of employees in respect of protective equipment

Where the proprietor of an industrial undertaking to which the Regulations apply provides eye protectors or a shield or a fixed shield, as the case may be, for the use of any person under the Regulations, that person must – **Reg. 8**

- (a) make full and proper use thereof; and
- (b) report forthwith to the proprietor the loss or destruction thereof or any damage thereof or defect therein.

Any person who is provided with protective equipment under the Regulations should make proper use of the protective equipment and report loss, destruction, damage or defect of the protective equipment provided.

6. Offences and Penalties

- 6.1 Any proprietor of an industrial undertaking to which the Regulations apply who contravenes any of the provisions of Regulation 5,6 or 7 is guilty of an offence and liable on conviction to a fine of \$50,000. **Reg. 9(1)**
- 6.2 Any person who contravenes any of the provisions of Regulation 8 is guilty of an offence and liable on conviction to a fine of \$10,000. **Reg. 9(2)**

7. Useful Information

7.1 Enquiries

If you wish to enquire about this guide or require advice on occupational safety and health, you can contact the Occupational Safety and Health Branch of the Labour Department through:

Telephone : 2559 2297 (auto-recording after office hours)
Fax : 2915 1410
E-mail : enquiry@labour.gov.hk

Information on the services offered by the Labour Department and on major labour legislation can be found by visiting our Homepage at <http://www.labour.gov.hk>.

7.2 Complaints

If you have any complaints about unsafe workplaces and practices, please call the Labour Department's occupational safety and health complaint hotline on 2542 2172. All complaints will be treated in the strictest confidence.

SPECIFIED PROCESSES

1. Dry grinding of metals or articles of metal applied by hand to a revolving wheel, band or disc driven by mechanical power.
2. Turning (external or internal) of non-ferrous metals, or of cast iron, or of articles of such metals or such iron, where the work is done dry, other than precision turning where the use of eye protectors or a screen would seriously interfere with the work, or turning by means of hand tools.
3. Welding or cutting of metals by means of an electrical, oxy-acetylene or similar process.
4. Truing or dressing of an abrasive wheel.
5. Any work carried out with a hand-held cartridge-operated tool, including the operation of loading and unloading live cartridges into such a tool, and the handling of such a tool for the purpose of maintenance, repair or examination when the tool is loaded with a live cartridge.
6. The handling in open vessels or manipulation of acids, alkalis, dangerous corrosive materials, whether liquid or solid, and other substances which are similarly injurious to the eyes.
7. The use of compressed air for removing swarf, dust, dirt or other particles.
8. Any process involving the use of an instrument which produces light amplification by the stimulated emission of radiation.
9. The production of metal castings at pressure die casting machines.

10. Working at a spout of, or attending to, a cupola or furnace where there is a reasonably foreseeable risk of injury to the eyes from molten metal.
11. Pouring or skimming molten metal.
12. Work in the manufacture of glass and in the processing of glass and the handling of cullet where in any of the foregoing cases there is a reasonably foreseeable risk of injury to the eyes of any person engaged in the work from particles or fragments thrown off.
13. Inspection of glass bottles which contain aerated liquids.
14. The following processes when carried on by means of hand tools or other portable tools –
 - (a) Fettling of metal castings involving the removal of metal.
 - (b) Cutting out or cutting off (not including drilling or punching back) of cold rivets or bolts from boilers or other plant or from ships.
 - (c) Chipping or scaling or scurfing of boilers or ships' plates.
 - (d) Breaking, cutting, dressing, carving, or drilling of concrete, plaster, slag or stone (whether natural or artificial).

**APPROVED SPECIFICATIONS FOR EYE-PROTECTORS,
SHIELDS AND FIXED SHIELDS**

*The up-to-date approved specifications can be browsed at website
<http://www.labour.gov.hk/eng/osh/pe.htm>.*

1. British Standard Specification (BS 2092)
INDUSTRIAL EYE-PROTECTORS FOR GENERAL PURPOSES

2. British Standard Specification (BS 1542)
EQUIPMENT FOR EYE AND NECK PROTECTION AGAINST RADIATION
ARISING DURING WELDING AND SIMILAR OPERATIONS

3. British Standard Specification (BS 679)
FILTERS FOR USE DURING WELDING AND SIMILAR INDUSTRIAL
OPERATIONS

4. British Standard Specification (BS 1729)
GREEN PROTECTIVE SPECTACLES AND SCREENS FOR STEELWORKS
OPERATIONS

5. Australian Standard Specification (AS 1337)
INDUSTRIAL EYE PROTECTORS

6. Australian Standard Specification (AS 1338)
PROTECTIVE FILTERS AGAINST OPTICAL RADIATION IN WELDING
AND ALLIED OPERATIONS

7. American National Standard Institute (Z87.1-1986)
AMERICAN NATIONAL STANDARD PRACTICE FOR OCCUPATIONAL
AND EDUCATIONAL EYE AND FACE PROTECTION

8. German Industrial Standard Specification (DIN 58210 and DIN 58211)
PROTECTIVE GOGGLES

9. Australian/New Zealand Standard (AS/NZS 1337:1992)
EYE PROTECTORS FOR INDUSTRIAL APPLICATIONS

10. Australian/New Zealand Standard (AS/NZS 1338.1:1992)
FILTERS FOR EYE PROTECTORS – FILTERS FOR PROTECTION AGAINST
RADIATION GENERATED IN WELDING AND ALLIED OPERATIONS
11. Australian/New Zealand Standard (AS/NZS 1338.3:1992)
FILTERS FOR EYE PROTECTORS – FILTERS FOR PROTECTION
AGAINST INFRA-RED RADIATION
12. American National Standard (ANSI Z87.1-1989)
PRACTICE FOR OCCUPATIOAL AND EDUCATIONAL EYE AND FACE
PROTECTION
13. American National Standard (ANSI Z136.1-1993)
SAFE USE OF LASERS
14. British Standard (BS EN 166:1996)
PERSONAL EYE-PROTECTION – SPECIFICATIONS
15. European Standard (EN 166:1995)
PERSONAL EYE-PROTECTION – SPECIFICATIONS
16. British Standard (BS EN 169:1992)
FILTERS FOR PERSONAL EYE – PROTECTION EQUIPMENT USED IN
WELDING AND SIMILAR OPERATIONS
17. European Standard (EN 169:1992)
PERSONAL EYE-PROTECTION – FILTERS FOR WELDING AND RELATED
TECHNIQUES - TRANSMITTANCE REQUIREMENTS AND RECOMMENDED
UTILISATION
18. British Standard (BS EN 171:1992)
INFRA-RED FILTERS USED IN PERSONAL EYE-PROTECTION EQUIPMENT
19. European Standard (EN 171:1992)
PERSONAL EYE-PROTECTION – INFRA-RED FILTERS – TRANSMITTANCE
REQUIREMENTS AND RECOMMENDED USE

20. British Standard (BS EN 175:1997)
PERSONAL PROTECTION – EQUIPMENT FOR EYE AND FACE PROTECTION DURING WELDING AND ALLIED PROCESSES
21. European Standard (EN 175:1997)
PERSONAL PROTECTION – EQUIPMENT FOR EYE AND FACE PROTECTION DURING WELDING AND ALLIED PROCESSES
22. British Standard (BS EN 207:1994)
FILTERS AND EQUIPMENT USED FOR PERSONAL EYE-PROTECTION AGAINST LASER RADIATION
23. European Standard (EN 207:1998)
PERSONAL EYE-PROTECTION – FILTERS AND EYE-PROTECTION AGAINST LASER RADIATION
24. British Standard (BS EN 208:1994)
PERSONAL EYE-PROTECTORS USED FOR ADJUSTMENT WORK ON LASER AND LASER SYSTEMS
25. European Standard (EN 208:1998)
PERSONAL EYE-PROTECTION – EYE-PROTECTORS FOR ADJUSTMENT WORK ON LASERS AND LASER SYSTEMS (LASER ADJUSTMENT EYE-PROTECTORS)
26. British Standard (BS EN 379:1994)
WELDING FILTERS WITH SWITCHABLE LUMINOUS TRANSMITTANCE AND WELDING FILTERS WITH DUAL LUMINOUS TRANSMITTANCE
27. European Standard (EN 379:1998)
WELDING FILTERS WITH SWITCHABLE LUMINOUS TRANSMITTANCE AND WELDING FILTERS WITH DUAL LUMINOUS TRANSMITTANCE
28. Japanese Industrial Standard (JIS T 8141:1980)
EYE PROTECTORS FOR RADIATIONS
29. Japanese Industrial Standard (JIS T 8147:1994)
EYE PROTECTOR

