

《職業安全及健康 (顯示屏幕設備) 規例》

OCCUPATIONAL SAFETY AND HEALTH (DISPLAY  
SCREEN EQUIPMENT) REGULATION

(第 509 章, 附屬法例 B)

(Cap. 509 sub. leg. B)

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(第 509 章第 42 條)

## OCCUPATIONAL SAFETY AND HEALTH (DISPLAY SCREEN EQUIPMENT) REGULATION

(Cap. 509, section 42)

[2003 年 7 月 4 日] 2003 年第 115 號法律公告

[4 July 2003] L.N. 115 of 2003

1. (已失時效而略去)

1. (Omitted as spent)

### 2. 釋義

在本規例中，除文意另有所指外——

### 2. Interpretation

In this Regulation, unless the context otherwise requires—

“工作間”(workstation)指由以下各項組成的組合——

“display screen equipment”(顯示屏幕設備) means any display screen which shows letters, numbers, characters or graphics, regardless of the display process involved;

(a) 顯示屏幕設備；

(b) 任何椅子、書桌、工作平面、列印機、文件架或顯示屏幕設備周邊的其他物件；及

“user”(使用者) means an employee who, by reason of the nature of his work, is required to use display screen equipment for a prolonged period of time almost every day; (L.N. 58 of 2002)

(c) 鄰接顯示屏幕設備的周圍工作環境；

“使用者”(user)指因本身的工作性質而差不多每天均須長時間使用顯示屏幕設備的僱員；(2002 年第 58 號法律公告)

“workstation”(工作間) means an assembly comprising—

“顯示屏幕設備”(display screen equipment)指展示字母、數字、字樣或圖像的顯示屏幕，不論所涉的顯示過程如何。

(a) display screen equipment;

(b) any chair, desk, work surface, printer, document holder or other item peripheral to the display screen equipment; and

(c) the immediate working environment around the display screen equipment.

### 3. 適用範圍

(1) 本規例適用於在工作地點並符合以下說明的工作間——

(a) 由工作地點的負責人提供，供使用者工作之用；

(b) 不擬供公眾人士使用；及

### 3. Application

(1) This Regulation applies to a workstation in a workplace that is—

- (c) 由使用者通常使用或擬供使用者通常使用。(2002 年第 58 號法律公告)
- (2) 本規例不適用於以下各項，亦不就以下各項而適用——
- (a) 主要用於展示圖片、電視畫面或電影的顯示屏幕設備；
  - (b) 交通工具的駕駛室或機械的操控室；
  - (c) 在公共交通工具上的顯示屏幕設備；
  - (d) 並非作長時間使用的手提系統；
  - (e) 計算機、收銀機或任何有為直接使用設備而設的細小數據或量度結果顯示器的設備；或
  - (f) 有顯示窗的打字機。

#### 4. 危險評估

- (1) 工作地點的負責人須於在工作地點內的任何工作間首次供使用者使用前，對該工作間作出危險評估。
- (2) 凡在工作地點內的工作間在緊接本規例生效日期前正在使用中並在該日期或之後由使用者使用，該工作地點的負責人須在該日期後的 14 日內，對該等工作間作出危險評估。
- (3) 為符合第 (1) 或 (2) 款而作出的危險評估須包括以下程序——
  - (a) 確定及評估對工作間的使用者的安全及健康造成的危險；(2002 年第 58 號法律公告)

- (a) provided by a person responsible for the workplace to be used by users for work;
  - (b) not intended for use by the public; and
  - (c) normally used or intended to be normally used by users. (L.N. 58 of 2002)
- (2) This Regulation does not apply to or in relation to the following—
- (a) display screen equipment that is used mainly to show pictures, television or films;
  - (b) drivers' cabs or control cabs for vehicles or machinery;
  - (c) display screen equipment on board a means of public transport;
  - (d) portable systems not in prolonged use;
  - (e) calculators, cash registers or any equipment having a small data or measurement display required for direct use of the equipment; or
  - (f) window typewriters.

#### 4. Risk assessment

- (1) The person responsible for a workplace shall perform a risk assessment of a workstation in the workplace before it is first used by users.
- (2) For workstations in service in the workplace immediately before the commencement of this Regulation and used by users on or after that commencement, the person responsible for the workplace shall perform a risk assessment of those workstations within 14 days after that commencement.
- (3) For the purpose of complying with subsections (1) and (2), the risk assessment shall consist of a process of—

- (b) 決定現有的預防措施是否足夠；及 (2002 年第 58 號法律公告)
- (c) 記錄有關的結果。 (2002 年第 58 號法律公告)
- (d) (由 2002 年第 58 號法律公告廢除)
- (4) 如——
  - (a) 工作地點的負責人有理由相信最近一次對工作間作出的危險評估的情況已有顯著改變；或
  - (b) 工作間已發生顯著改變，  
則該工作地點的負責人須檢討對該工作間作出的危險評估，並據此修改危險評估結果紀錄。 (2002 年第 58 號法律公告)
- (5) 工作地點的負責人須在合理地切實可行的範圍內，備存由他就某工作間作出的所有危險評估的紀錄，紀錄須包括根據第(3)(c)及(4)款記錄或修改的所有危險評估結果，並須將該紀錄保留最少兩年，由該工作間不再由任何使用者使用之時起計。 (2002 年第 58 號法律公告)
- (6) 工作地點的負責人——
  - (a) 在職業安全主任的要求下，須出示他根據第(5)款備存和保留的任何紀錄以供查閱；或
  - (b) 如不能遵從(a)段的規定，則須在該主任發出的書面要求所指明的期間內，向該主任交付該紀錄的副本以供查閱。 (2002 年第 58 號法律公告)
- (7) (由 2002 年第 58 號法律公告廢除)

- (a) identifying and assessing the risk to the safety and health of users of a workstation; (L.N. 58 of 2002)
- (b) deciding whether existing precautions are adequate; and (L.N. 58 of 2002)
- (c) recording the findings. (L.N. 58 of 2002)
- (d) (Repealed L.N. 58 of 2002)
- (4) If—
  - (a) the person responsible for a workplace has reason to believe that there has been a significant change in the conditions of a previous assessment; or (L.N. 58 of 2002)
  - (b) there has been a significant change in a workstation, the person responsible for the workplace shall review the risk assessment performed in respect of the workstation and revise the record of findings accordingly.
- (5) The person responsible for a workplace shall, so far as reasonably practicable, keep a record of all risk assessments performed by him in respect of a workstation, which shall include all findings recorded or revised under subsections (3)(c) and (4), and shall retain that record for a period of at least 2 years after that workstation ceases to be used by any user. (L.N. 58 of 2002)
- (6) The person responsible for a workplace shall—
  - (a) upon request by an occupational safety officer, produce for inspection any record kept and retained by him under subsection (5); or
  - (b) in case he is unable to comply with paragraph (a), deliver a copy of the record to the officer for inspection within such period as may be specified in a request in writing sent by the officer. (L.N. 58 of 2002)

**5. 減低危險**

工作地點的負責人須採取步驟，將他根據第 4 條作出的危險評估中所確定的危險，減至在合理地切實可行的範圍內屬最低的水平。

**6. 提供資料**

凡工作間已根據第 4 條接受危險評估，有關工作地點的負責人須在合理地切實可行的範圍內，向該工作間的使用者提供以下文件——

- (a) 該項評估的結果的紀錄；及
- (b) 他在作出該項評估後已採取的行動的紀錄。

(2002 年第 58 號法律公告)

**7. 關於工作間的規定**

工作地點的負責人須在合理地切實可行的範圍內，確保在工作地點的工作間在顧及工作間使用者的安全及健康後是適合的。

(2002 年第 58 號法律公告)

**8. 提供安全及健康訓練**

僱主須在合理地切實可行的範圍內，確保他所僱用的使用者獲提供所需的關於使用工作間的安全及健康訓練。

(2002 年第 58 號法律公告)

**9. 使用者須與負責人合作**

(7) *(Repealed L.N. 58 of 2002)*

**5. Reduction of risks**

The person responsible for a workplace shall take steps to reduce any risks identified in a risk assessment performed by him under section 4 to the lowest extent as is reasonably practicable.

**6. Provision of information**

The person responsible for a workplace shall, so far as reasonably practicable, make available to users of a workstation in respect of which a risk assessment has been performed under section 4 a copy of the following documents—

- (a) a record of the findings of the risk assessment; and
- (b) a record of any action he has taken after the assessment.

*(L.N. 58 of 2002)*

**7. Requirements for workstation**

The person responsible for a workplace shall so far as reasonably practicable ensure that the workstations in the workplace are suitable having regard to the safety and health of users of those workstations.

*(L.N. 58 of 2002)*

**8. Provision of safety and health training**

An employer shall, so far as reasonably practicable, ensure that a user employed by him is provided with necessary safety and health training in the use of workstations.

*(L.N. 58 of 2002)*

**9. Users to co-operate with responsible person**

在工作地點的工作間的使用者須在合理地切實可行的範圍內遵從——

- (a) 該工作地點的負責人為遵守本規例所施加的規定而訂立的任何工作制度及工作常規；及
- (b) 因根據第 4 條作出的危險評估中所確定的危險而採取的任何減低危險的措施。

(2002 年第 58 號法律公告)

#### 10. 工作地點工作守則的效力

在不損害本條例第 41 條的原則下，在就本規例所訂的罪行而進行的任何法律程序中，證明某人已違反或沒有違反就本規例而根據本條例第 40 條發出的工作地點工作守則的有關條文的證據，可獲該法律程序的任何一方依賴為可幫助確立或否定該法律程序中受爭論事宜的證據。

(2002 年第 58 號法律公告)

#### 11. 罪行

- (1) 任何工作地點的負責人沒有遵守第 4(1)、(2)、(4)、(5) 或 6(b)、5、6 或 7 條，即屬犯罪，一經定罪，可處第 5 級罰款。(2002 年第 58 號法律公告)
- (2) 任何僱主沒有遵守第 8 條，即屬犯罪，一經定罪，可處第 5 級罰款。(2002 年第 58 號法律公告)
- (3) 任何使用者沒有遵守第 9 條，即屬犯罪，一經定罪，可處第 3 級罰款。
- (4) 第 (1) 及 (2) 款所述的罪行為嚴格法律責任罪行。

A user of a workstation in a workplace shall, so far as reasonably practicable—

- (a) conform to any system of work and work practice that the person responsible for the workplace has established in order to comply with the requirements imposed by this Regulation; and
- (b) comply with any risk reduction measure taken as a result of any risk identified in a risk assessment performed under section 4.

(L.N. 58 of 2002)

#### 10. Effect of workplace code of practice

Without prejudice to section 41 of the Ordinance, in any legal proceedings for an offence under this Regulation, proof that a person contravened or did not contravene a relevant provision of a workplace code of practice issued under section 40 of the Ordinance in respect of this Regulation may be relied on by any party to the proceedings as tending to establish or negate a matter that is in issue in the proceedings.

(L.N. 58 of 2002)

#### 11. Offences

- (1) A person responsible for a workplace who fails to comply with section 4(1), (2), (4), (5) or (6)(b), 5, 6 or 7 commits an offence and is liable on conviction to a fine at level 5. (L.N. 58 of 2002)
- (2) An employer who fails to comply with section 8 commits an offence and is liable on conviction to a fine at level 5. (L.N. 58 of 2002)
- (3) A user who fails to comply with section 9 commits an offence and is liable on conviction to a fine at level 3.

- (4) The offences mentioned in subsections (1) and (2) are offences of strict liability.