

**JAPAN INDUSTRIAL SAFETY AND HEALTH ASSOCIATION**  
**JISHA OCCUPATIONAL SAFETY AND HEALTH SEMINAR FY 2014**

**OSHMS**  
**&**  
**ZERO-ACCIDENT ACTIVITIES**  
**(HAZARD PREDICTION TRAINING (KYT))**

**COUNTRY REPORT**

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CITY : HONG KONG

ORGANIZATION : OCCUPATIONAL SAFETY AND HEALTH COUNCIL



**職業安全健康局**  
**OCCUPATIONAL SAFETY & HEALTH COUNCIL**

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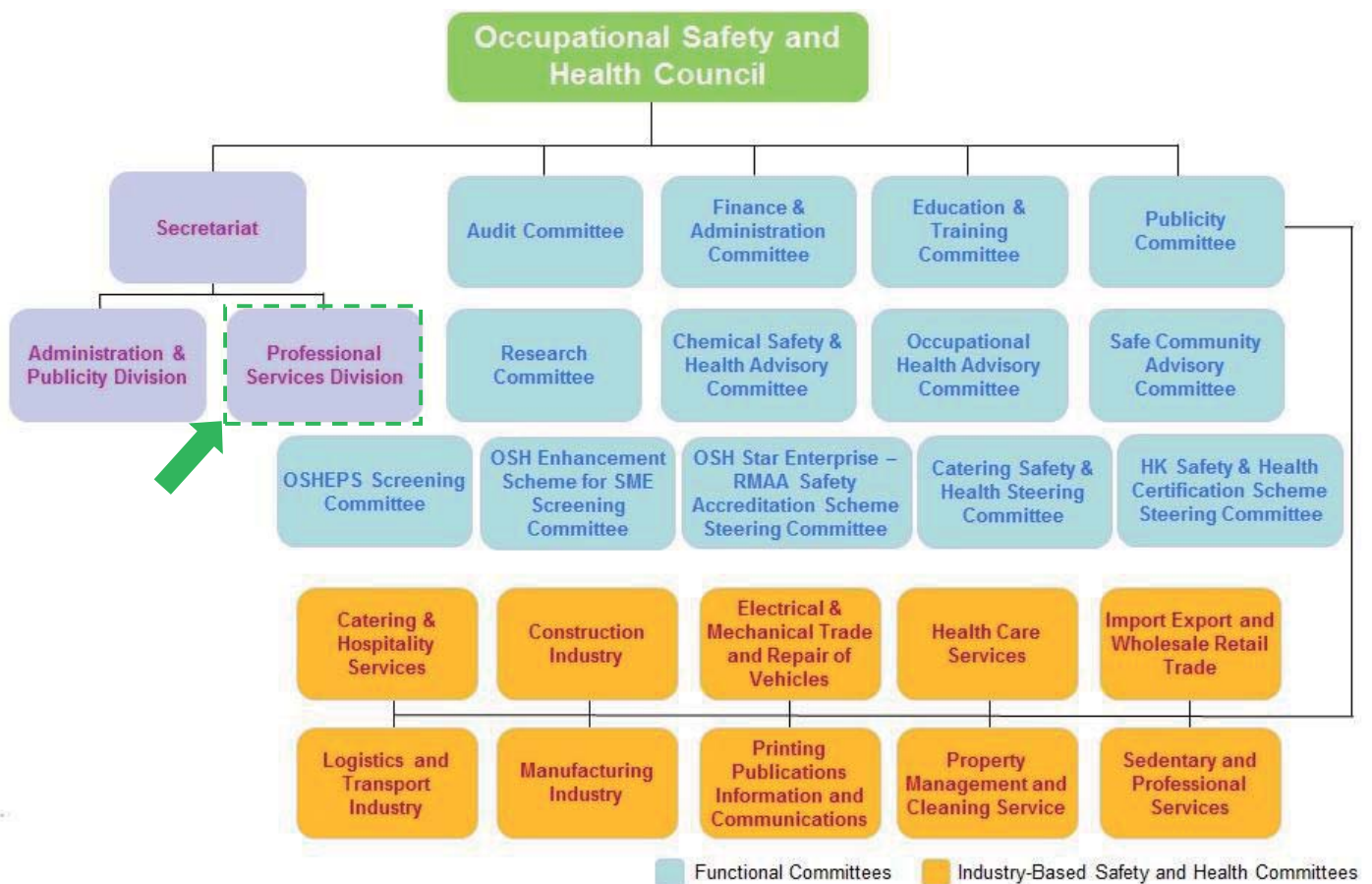
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## 1. BASIC INFORMATION

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## 2. ORGANIZATION CHART



*Figure 1. Organization Chart of Occupational Safety and Health Council*

### 3. BACKGROUND OF OCCUPATIONAL SAFETY AND HEALTH COUNCIL

Established under the Occupational Safety Health Council Ordinance in 1988, the Council is a statutory body for promoting safety and health at work and sustaining the valuable workforce of Hong Kong. The Council's services include promoting occupational safety and health in the community; education and training; consultancy services; research and strategies development, information dissemination and facilitating exchanges between the government, employers, employees, professionals and academics.

The mission of Council is to foster safe and healthy working environments in Hong Kong. To accomplish this mandate, the Council works in partnership with government, employers, employees, professionals and academics through a wide range of quality services. The Council strives to create impact on these key areas:

- Safety education for the young;
- Safety training for the working population;
- Continuing professional development for the safety practitioners;
- Building of safety culture and awareness at community level;
- Provision of consultancy services to companies of all sizes on best safety practices and safety management systems;
- Launching of safety & health research for discovery of new information and evidence;
- Dissemination of safety & health information to the public and the target groups;
- Serving as the collaboration and resource centre for Hong Kong, other parts of China and at international level.

### 4. SITUATION AND ISSUES OF OSH ACTION REGARDING “OSHMS”

On 24 November 1999, the Hong Kong Legislative Council resolved to approve the Factories and Industrial Undertakings (Safety Management) Regulation made by the Commissioner of Labour and came into effect on 1 April 2002. The Factories and Industrial Undertakings (Safety Management) Regulation requires proprietors and contractors to implement a safety management system and conduct basic safety reviews in construction sites, shipyards, factories and "designated undertakings"<sup>Note 1</sup> in which 50 to 99 persons are employed; and also to implement a safety management system and conduct detailed safety audits in relevant industrial undertakings in which 100 or more persons are employed.

The Hong Kong Government's view on industrial safety is that the primary responsibility for safety and health at work rests with those who create the risks and those who work with such risks. The ultimate goal is self-regulation by the proprietor and his workforce. The Government recommended to transform from an enforcement approach to a safety management approach in tackling work safety and health issues.

*Note 1: "designated undertaking" means an industrial undertaking involving any of the following activities-*

*(a) the generation, transformation and transmission of electricity;*

*(b) the generation and transmission of town gas, or liquefied petroleum gas, within the meaning of section 2 of the Gas Safety Ordinance (Cap 51); or*

*(c) container handling;*

The purpose of the Safety Management System is to provide a workable framework for managing safety in a systematic, proactive and consistent manner, so that the Safety Policy can be effectively implemented. Against this background, the Government has introduced a safety management system consisting of 14 elements.

The 14 elements of a safety management system are as follows:

- 1 A safety policy which states the commitment of the proprietor or contractor to safety and health at work
- 2 A structure to assure implementation of the commitment to safety and health at work
- 3 Training to equip personnel with knowledge to work safely and without risk to health
- 4 In-house safety rules to provide instruction for achieving safety management objectives
- 5 A programme of inspection to identify hazardous conditions and for the rectification of any such conditions at regular intervals or as appropriate
- 6 A programme to identify hazardous exposure or the risk of such exposure to the workers and to provide suitable personal protective equipment as a last resort where engineering control methods are not feasible
- 7 Investigation of accidents or incidents to find out the cause of any accident or incident and to develop prompt arrangements to prevent recurrence
- 8 Emergency preparedness to develop, communicate and execute plans prescribing the effective management of emergency situations
- 9 Evaluation, selection and control of sub-contractors to ensure that sub-contractors are fully aware of their safety obligations and are in fact meeting them
- 10 Safety committees
- 11 Evaluation of job related hazards or potential hazards and development of safety procedures
- 12 Promotion, development and maintenance of safety and health awareness in a workplace
- 13 A programme for accident control and elimination of hazards before exposing workers to any adverse work environment
- 14 A programme to protect workers from occupational health hazards

After the development and implementation of safety management system in System Improvement Phase, the accident rate for construction industry in Hong Kong has significant improvement (Fig. 2).

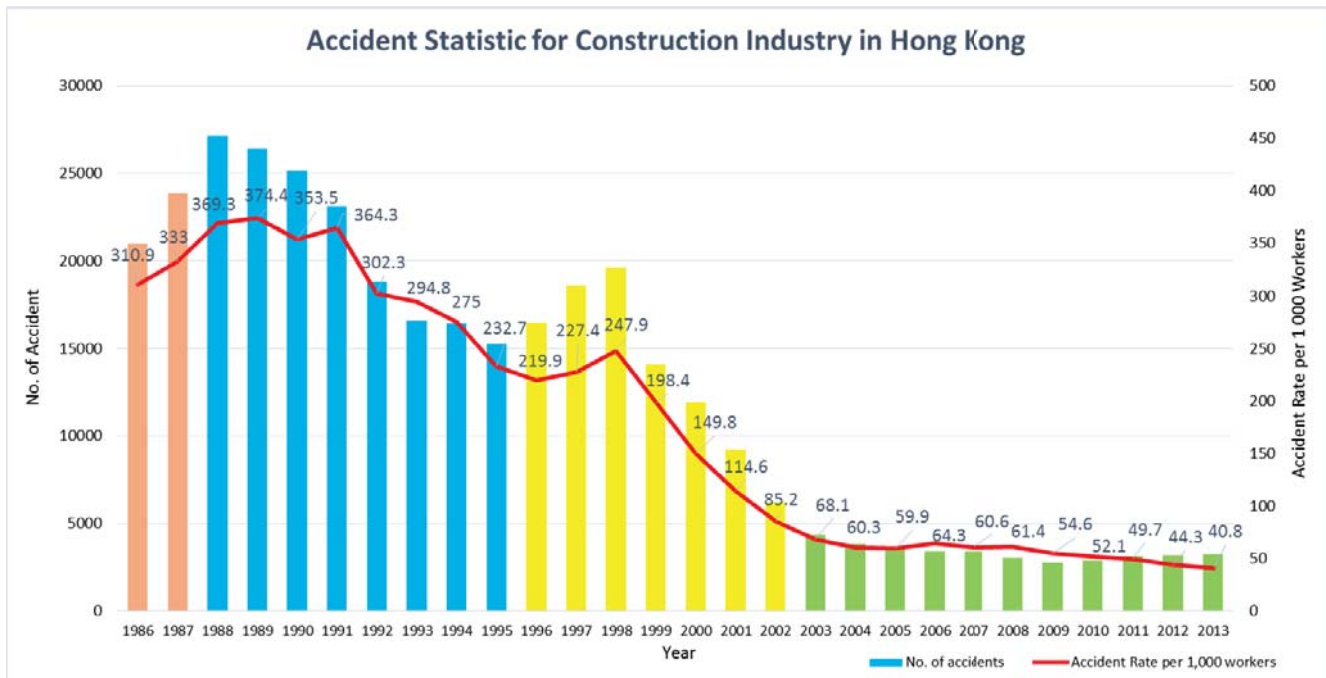


Figure 2. Accident Statistic for Construction Industry in Hong Kong (1986 – 2013)

## 5. LAWS AND REGULATIONS REGARDING “OSHMS”

There are two main sets of safety and health legislations in Hong Kong. They are the Occupational Safety and Health Ordinance (Cap. 509) and the Factories and Industrial Undertakings Ordinance (Cap.59).

In 1995, the Hong Kong Government conducted a comprehensive review of industrial safety with a view to mapping out Hong Kong's long-term safety strategies. The Government published a Consultation Paper on the Review of the Industrial Safety in Hong Kong which among other things, recommended the Government to change its strategy on industrial safety from focusing on enforcement to promoting safety management. The Review reaffirmed that "the primary responsibility of safety at work rests with those who create the risks and those who work with such risks, i.e. the proprietors and the workers". The ultimate goal, which is also the key to attaining long-term improvements in safety standards, is self-regulation by the proprietors and their workforce. In this respect, the Government should provide a legislative framework within which self-regulation is to be achieved through a company system of safety management.

The Factories and Industrial Undertakings (Safety Management) Regulation (the Regulation) is to implement the above recommendation in the Consultation Paper. It requires proprietors and contractors covered by the Regulation to implement a safety management system applicable to Hong Kong, which consists of 14 elements. Besides the adoption of the safety management system, the proprietors and contractors are also required to carry out safety audits or safety reviews of their safety management systems.

The safety management system is enshrined in the Factories and Industrial Undertakings (Safety Management) Regulation. Under the Safety Management Regulation, proprietors or contractors of certain industrial undertakings are required to develop, implement and maintain in respect of the undertakings a safety management system which contains a number of key process elements. The Regulation requires proprietors and contractors concerned to adopt 14 elements of safety management system to provide the framework for safety management and assist the relevant industrial undertakings in achieving self-regulation through devising safety management systems.

## **OVERVIEW OF MAJOR LABOUR LEGISLATION**

### **FACTORIES AND INDUSTRIAL UNDERTAKINGS ORDINANCE, CHAPTER 59**

The Factories and Industrial Undertakings Ordinance provides for the safety and health protection to workers in the industrial sector.

#### The Coverage:

This ordinance applies to industrial undertakings, i.e. factories, construction sites, catering establishments, cargo and container handling undertakings, repair workshops and other industrial workplaces

#### General Duties:

This ordinance imposes general duties on proprietors and persons employed at industrial undertakings to ensure safety and health at work.

Every proprietor should take care of the safety and health at work of all persons employed by him at an industrial undertaking by:

- providing and maintaining plant and work systems that do not endanger safety or health;
- making arrangement for ensuring safety and health in connection with the use, handling, storage or transport of plant or substances;
- providing all necessary information, instruction, training, and supervision for ensuring safety and health;
- providing and maintaining safe access to and egress from the workplaces; and
- providing and maintaining a safe and healthy work environment.

Every person employed at an industrial undertaking should also contribute to safety and health at work by:

- taking care for the safety and health of himself and other persons at the workplace; and
- using any equipment or following any system or work practices provided by the proprietor.

Subsidiary Legislation:

Under the Factories and Industrial Undertakings Ordinance, there are 30 sets of subsidiary regulations covering various aspects of hazardous work activities in factories, building and engineering construction sites, catering establishments, cargo and container handling undertakings and other industrial workplaces. The subsidiary regulations prescribe detailed safety and health standards on work situations, plant and machinery, processes and substances.

### OCCUPATIONAL SAFETY AND HEALTH ORDINANCE, CHAPTER 509

The Occupational Safety and Health Ordinance provides for the safety and health protection to employees in workplaces, both industrial and non-industrial. It is basically an enabling ordinance setting out requirements in general terms.

The Coverage:

This ordinance covers almost all workplaces - places where employees work. In addition to factories, construction sites and catering establishments, other places, such as offices, laboratories, shopping arcades, educational institutions also come under the ambit of the law. However, there are a few exception, namely

- an aircraft or vessel in a public place;
- the place occupied by the driver of a land transport vehicle when it is in a public place (but other employees working in the vehicle are covered);
- domestic premises at which only domestic servants are employed; and
- places where only self-employed persons work.

The Roles of the Dutyholders:

Under this ordinance, everyone has a role to play in creating a safe and healthy workplace.

Employers should contribute to safety and health in their workplaces by:

- providing and maintaining plant and work systems that do not endanger safety or health;
- making arrangement for ensuring safety and health in connection with the use, handling, storage or transport of plant or substances;
- providing all necessary information, instruction, training, and supervision for ensuring safety and health;
- providing and maintaining safe access to and egress from the workplaces; and
- providing and maintaining a safe and healthy work environment



Occupiers of premises should take responsibility for ensuring that

- the premises;
- the means of access to and egress from the premises; and
- any plant or substance kept at the premises

are safe and without risks to health to any person working on the premises, even if they do not directly employ that person on the premises.

Employees should also contribute to safety and health in the workplaces by :

- taking care for the safety and health of persons at the workplace; and
- using any equipment or following any system or work practices provided by their employers.

Enforcement of the Ordinance:

The Commissioner for Labour is empowered to issue improvement notices and suspension notices against activity of workplace which may create an imminent hazard to the employees. Failure to comply with the notices constitutes an offence punishable by a fine of HK\$200,000 and HK\$500,000 respectively and imprisonment of up to 12 months.

#### Occupational Safety and Health Regulation

The Occupational Safety and Health Regulation, made under the Occupational Safety and Health Ordinance, sets down some basic requirements for accident prevention, fire precaution, workplace environment control, hygiene at workplaces, first aid, as well as what employers and employees are expected to do in manual handling operations. The main provisions of the Regulation are:

To prevent accidents by:

- ensuring that the plant is properly designed, constructed and maintained and that all dangerous parts are effectively guarded;
- ensuring that all dangerous areas are securely fenced.

To prevent fire by:

- providing illuminated 'EXIT' signs over all exits and clear directions to them;
- keeping all means of escape in a safe condition and free from obstruction;
- making sure that all exit doors can easily be opened from inside the workplace or are unlocked;
- providing suitable and adequate fire safety measures.

To provide a safe and healthy work environment by:

- keeping the workplace clean and ensuring that it is adequately lit and ventilated;
- providing adequate drainage.

To ensure hygiene by:

- providing adequate lavatory and washing facilities, as well as adequate supply of drinking water.

To provide first aid by:

- keeping adequate first aid facilities on the premises and appointing designated employees to look after them.

To ensure safe manual handling operations by:

- assessing and reviewing risks to the safety and health of employees who undertake manual handling operations;
- providing proper training and other necessary protective measures for employees who undertake manual handling operations.

## 6. TRAINING / EDUCATION PROGRAMS REGARDING “OSHMS”

The Occupational Safety and Health Council is a major provider of safety and health education in Hong Kong. The Council helps industries to build OSH capacity by offering education and training. The Council has a wide range of courses to cater to members of different sectors. As a statutory body that supports the government’s OSH policy, Council has been striving to provide high quality OSH education and training in order to support the government policies and to meet society’s needs in Hong Kong. Apart from fulfilling the legislative training requirement, it is the policy of the Council to provide the public on occupational safety and health training with high quality and to ensure that our programmes are consistent with the best training practices.

A series of OSHMS training course is provided by the Council, course details can be found in the Council’s website <sup>Note 2</sup>.

### OVERVIEW OF MAJOR COURSES OF COUNCIL IN SAFETY MANAGEMENT

#### Basic Safety Management

Following the safety management and self-regulation approach, it is essential that every person responsible for safety should have knowledge of safety management. This course provides some basic safety management knowledge to assist participants to understand the importance and function of safety management in the improvement of workplace safety.

Highlights :

1. Introduction to Hong Kong safety and health legislation
2. Accident prevention concept
3. Safety management techniques
4. Risk assessment
5. Safe systems of work
6. Safety training
7. Selection, evaluation and control of subcontractors
8. Accident investigation, recording and analysis
9. Safety information

Note 2: Link - <https://eform.oshc.org.hk/course/eng/course/ListCourse.asp?TopicID=4>

10. Safety communication and promotion
11. Safety inspection techniques
12. First aid and emergency procedures
13. Welfare

### Occupational Safety Management

Safety and health are two of the many responsibilities of managers. This course is designed for any organization, regardless of size, type or level of maturity, that is interested in developing, implementing or improving its occupational safety and health management system. This course is designed for those who have safety and health responsibilities in their organizations.

#### Highlights :

1. Modern safety and health management
2. Fundamental concepts of developing an effective safety management system
3. Key elements of safety and health management
4. Safety plans
5. Safety audits

Furthermore, several universities in Hong Kong have offered courses in occupational safety and health. These courses provide students with an all-round education on the theory while offering them in-depth knowledge on the strategies to deal with practitioners at various levels, appreciation of science and engineering, occupational safety and health legislation, safety technology, safety management principles and applications, skills of inspection, accident investigation and training.

In addition, the Occupational Safety and Health Training Centre of Hong Kong Labour Department also provides the training courses of Safety and Health <sup>Note 3</sup> for personnel in public and private sectors. Employers who wish to send their employees to attend the courses can be applied. The training courses are provided free-of-charge.

## **7. DEVELOPMENT OF INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES**

### DEFINITIONS

- *Industrial accidents* refer to injuries and deaths arising from industrial activities in industrial undertakings as defined under the Factories and Industrial Undertakings Ordinance.
- *Occupational diseases* are the confirmed occupational diseases reported under the Employees' Compensation Ordinance, the Occupational Deafness (Compensation) Ordinance and the Pneumoconiosis and Mesothelioma (Compensation) Ordinance.
- Accident rate per 1 000 workers is calculated by:  
$$(\text{Number of industrial accidents} / \text{Employment size}) \times 1\,000$$

Note 3: Link - <http://www.labour.gov.hk/eng/osh/content5.htm>

Under the Employees' Compensation Ordinance (Cap. 282) and the Factories and Industrial Undertakings Regulations (Cap.59), employers are required to report any accident happened in the industrial undertaking if it results in the death or bodily injury with more than 3 days of sick leave of their employees.

Through the concerted efforts of all parties concerned, including employers, employees, contractors, safety practitioners and the Government, Hong Kong's occupational safety performance has been improving steadily in the past decade.

The number of occupational injuries in all workplaces in 2013 stood at 38 027, representing a drop of 13.6 per cent from 44 025 in 2004, while the injury rate per thousand employees decreased to 13.2, down by 27.2 per cent when compared to 18.1 in 2004. The number of industrial accidents for all sectors went down to 11 820, representing 32.6 per cent drop when compared to 17 533 in 2004. The accident rate per thousand workers for all sectors in 2004 and 2013 were 31.5 and 19.6 <sup>Note 4</sup> respectively.

**Industrial Accidents in Major Industries (1999 - 2008)**  
主要行業之工業意外數字(1999 - 2008)

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
<b>No. of Accidents</b>										
<b>意外數目</b>										
Construction Industry 建造業	14 078	11 925	9 206	6 239	4 367	3 833	3 548	3 400	3 042	3 033
Catering Industry 飲食業	12 549	12 621	11 914	10 149	8 527	9 410	8 902	9 294	8 876	8 049
Manufacturing Industry 製造業	5 499	5 436	4 385	3 636	2 719	2 936	2 912	2 949	2 735	2 467
<b>Acc. Rate/1 000 Workers</b>										
<b>每1 000工人計的意外率</b>										
Construction Industry 建造業	198.4	149.8	114.6	85.2	68.1	60.3	59.9	64.3	60.6	61.4
Catering Industry 飲食業	66.9	66.2	61.5	54.7	49.6	51.5	47.3	47.2	43.5	38.7
Manufacturing Industry 製造業	22.2	23.4	20.7	18.8	15.7	17.5	17.7	18.4	17.4	16.3

Notes:

1. The statistics are compiled based on Hong Kong Standard Industrial Classification (HSIC) Version 1.1.
2. Figures of employment size for calculating the accident rate per 1 000 workers are based on the Quarterly Report of Employment and Vacancies Statistics published by the Census and Statistics Department (C&SD).

*Figure 3. Industrial Accidents in Hong Kong Major Industries (1999 – 2008)*

*Note 4: The compilation of the accident rate per thousand workers of all industrial sectors in 2013 was based on the employment size classified under Hong Kong Standard Industrial Classification Version 2.0 (HSIC V2.0) which was different from those under HSIC V1.1 before 2009. Therefore, this accident rate cannot be strictly comparable to those published before 2009.*

**Industrial Accidents in Major Industries (2009 - 2013)**  
**主要行業之工業意外數字 (2009 - 2013)**

	2009	2010	2011	2012	2013
<b>No. of Accidents</b> 意外數目					
Construction Industry 建造業	2 755	2 884	3 112	3 160	3 232
Food and Beverage Services 餐飲服務業	7 470	7 541	7 158	6 216	5 740
Manufacturing Industry 製造業	1 991	2 009	2 001	1 944	1 775
<b>Acc. Rate/1 000 Workers</b> 每1 000工人計的意外率					
Construction Industry 建造業	54.6	52.1	49.7	44.3	40.8
Food and Beverage Services 餐飲服務業	35.7	34.7	30.9	26.4	24.2
Manufacturing Industry 製造業	15.9	16.8	17.8	18.2	17.1

Notes:

1. The statistics are compiled based on Hong Kong Standard Industrial Classification (HSIC) Version 2.0.
2. Figures of employment size for calculating the accident rate per 1 000 workers are based on the Quarterly Report of Employment and Vacancies Statistics published by the Census and Statistics Department (C&SD). Since 2009, the Quarterly Survey of Employment and Vacancies (SEV) conducted by the C&SD has been enhanced to adopt the HSIC Version 2.0 to replace the HSIC Version 1.1 in compiling the statistics on the number of establishments, persons engaged and vacancies. Hence, the employment size from 2009 onwards are in HSIC Version 2.0.
3. The statistics from 2009 onwards cannot be compared with those of previous years due to the changes in coverage of individual industries (except Construction Industry) in HSIC Version 2.0.
4. The SEV coverage for Construction Industry under HSIC Version 1.1 and HSIC Version 2.0 are the same.

*Figure 4. Industrial Accidents in Hong Kong Major Industries (2009 – 2013)*

**Industrial Accidents in All Industries (1999 - 2008)**  
**所有行業之工業意外數字(1999 - 2008)**

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
<b>No. of Accidents</b> 意外數目	35 986	33 652	28 518	22 453	17 249	17 533	16 917	17 286	16 117	14 932
<b>No. of Fatalities</b> 致命意外數目	52	43	34	25	28	24	29	26	25	24
<b>Total No. of Workers</b> 工人總數	652 931	651 441	638 978	600 781	550 655	556 572	552 160	549 109	550 121	549 866
<b>Acc. rate/1 000 Workers</b> 每1 000工人計的意外率	55.1	51.7	44.6	37.4	31.3	31.5	30.6	31.5	29.3	27.2
<b>Fatality rate/1 000 Workers</b> 每1 000工人計的致命意外率	0.080	0.066	0.053	0.042	0.051	0.043	0.053	0.047	0.045	0.044

Notes:

1. The statistics are compiled based on Hong Kong Standard Industrial Classification (HSIC) Version 1.1.
2. Figures of employment size for calculating the accident rate per 1 000 workers are based on the Quarterly Report of Employment and Vacancies Statistics published by the Census and Statistics Department (C&SD).

*Figure 5. Industrial Accidents in Hong Kong All Industries (1999 – 2008)*

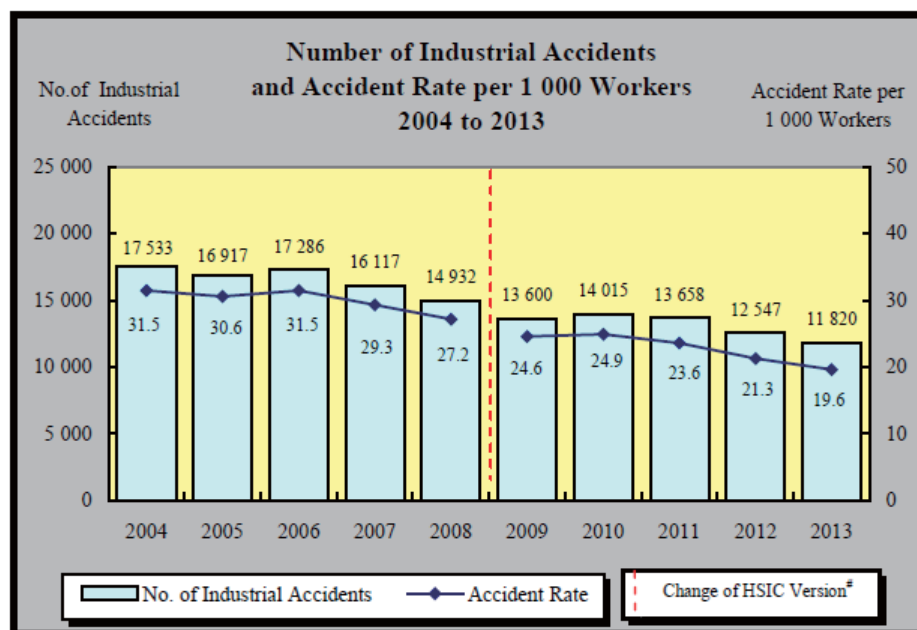
**Industrial Accidents in All Industries (2009 - 2013)**  
**所有行業之工業意外數字 (2009 - 2013)**

	2009	2010	2011	2012	2013
No. of Accidents 意外數目	13 600	14 015	13 658	12 547	11 820
No. of Fatalities 致命意外數目	21	18	29	29	28
Employment Size 受僱人數	552 773	562 104	579 875	589 504	602 255
Acc. rate/1 000 Workers 每1 000工人計的意外率	24.6	24.9	23.6	21.3	19.6
Fatality rate/1 000 Workers 每1 000工人計的致命意外率	0.038	0.032	0.050	0.049	0.046

Notes:

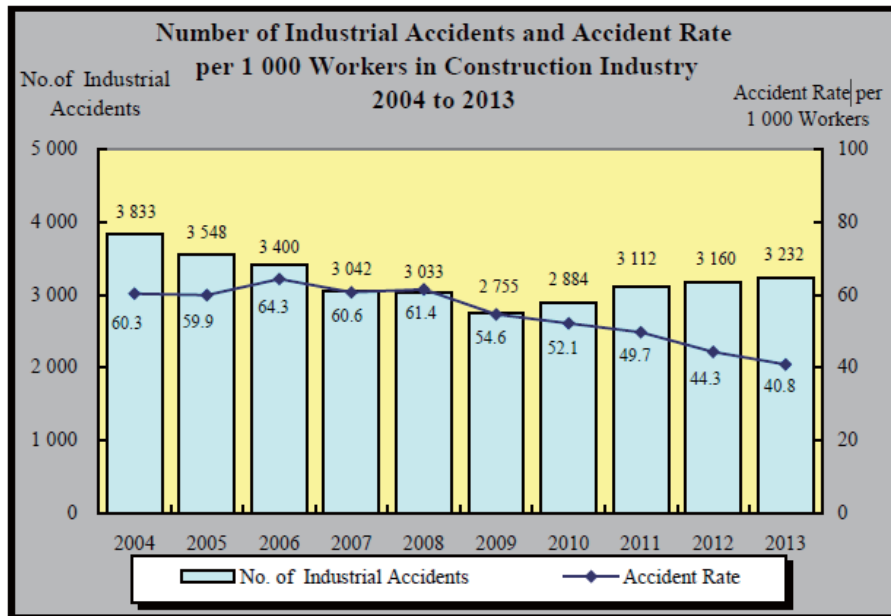
1. The statistics are compiled based on Hong Kong Standard Industrial Classification (HSIC) Version 2.0.
2. Figures of employment size for calculating the accident rate per 1 000 workers are based on the Quarterly Report of Employment and Vacancies Statistics published by the Census and Statistics Department (C&SD). Since 2009, the Quarterly Survey of Employment and Vacancies (SEV) conducted by the C&SD has been enhanced to adopt the HSIC Version 2.0 to replace the HSIC Version 1.1 in compiling the statistics on the number of establishments, persons engaged and vacancies. Hence, the employment size from 2009 onwards are in HSIC Version 2.0.
3. The statistics from 2009 onwards cannot be compared with those of previous years due to the changes in coverage of individual industries (except Construction Industry) in HSIC Version 2.0.

*Figure 6. Industrial Accidents in Hong Kong All Industries (2009 – 2013)*



*Figure 7. Number of Industrial Accidents and Accident Rate per 1 000 Workers 2004 to 2013*

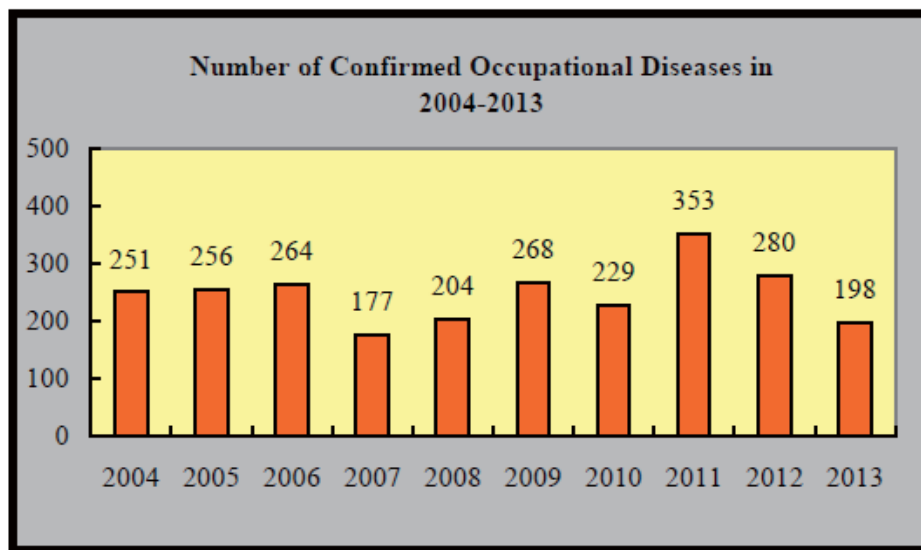
In 2013, the number of industrial accidents was 11 820, lower than 12 547 in 2012 by 5.8% and the average of the past five years (13 128) by 10%. The accident rate per 1 000 workers in 2013 was 19.6, lower than 21.3 in 2012 by 7.8% and the average of the past five years (22.8) by 13.9%.



*Figure 8. Number of Industrial Accidents and Accident Rate per 1 000 Workers in Construction Industry 2004 to 2013*

In 2013, there were 3 232 industrial accidents in the construction industry, higher than 3 160 in 2012 by 2.3%, lower than 3 833 in 2004 by 15.7% and higher than the average of the past five years (3 029) by 6.7%. The accident rate per 1 000 workers of the construction industry in 2013 was 40.8, lower than 44.3 in 2012 by 8.0%, 60.3 in 2004 by 32.5% and the average of the past five years (48.3) by 15.6%.

Occupational diseases are the diseases having specific or strong relationship with occupations, generally with only one causal agent, and recognised as such. 51 occupational diseases (*as stated in Schedule 2 of Occupational Safety and Health Ordinance (Cap. 509)*) are specified as notifiable occupational diseases in Hong Kong. Medical practitioners are required to notify the Commissioner for Labour of cases of these occupational diseases.



*Figure 9. Number of Confirmed Occupational Diseases in 2004 - 2013*

Number of Confirmed Occupational Diseases in 2013	
Occupational Disease	Number
Occupational Deafness	65
Silicosis	51
Tenosynovitis of the Hand or Forearm	38
Mesothelioma	17
Tuberculosis	7
Gas Poisoning	5
Avian Chlamydiosis	5
Compressed Air Illness	4
Occupational Dermatitis	2
Asbestosis	2
Carpal Tunnel Syndrome	1
Phosphorus Poisoning	1
<b>Total</b>	<b>198</b>

*Figure 10. Number of Confirmed Occupational Diseases in 2013*

In 2013, there were 198 cases of confirmed occupational disease, compared with 280 in 2012. The most common occupational diseases confirmed in 2013 were occupational deafness, silicosis and tenosynovitis of the hand or forearm.



## **8. REFERENCES**

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- [3] Chapter 59, Factories and Industrial Undertakings Ordinance, HKSAR
- [4] Chapter 59AF, Factories and Industrial Undertakings (Safety Management) Regulation, HKSAR
- [5] Chapter 509, Occupational Safety and Health Ordinance, HKSAR
- [6] Chapter 282, Employees' Compensation Ordinance, HKSAR
- [7] Code of Practice on Safety Management, Occupational Safety and Health Branch, Labour Department, April 2002