

附表1：指定高噪音工作

- *1. 對金屬或金屬坯段或鋼錠使用機動研磨工具；
- *2. 對金屬或金屬坯段或鋼錠使用機動衝擊工具；
- *3. 對石塊、混凝土或大理石使用機動研磨、開鑿、切割或衝擊工具；
- 4. 完全或主要在使用不可拆模或可拆模或吊錘以鍛造（包括熱衝壓）金屬的設備（不包括機動壓力機）的緊鄰範圍內工作；
- 5. 在紡織製造業工作，而且工作完全在或主要在使用紡織人造或天然（包括礦物）纖維或高速假撚纖維的機器的房間或小屋內進行；
- *6. 使用切割或清潔金屬釘或螺釘或使之成形的機器；
- *7. 使用等離子噴槍噴鍍金屬；
- *8. 使用以下機器：多刀具切模機、刨床機、自動或半自動車床、多層橫切機、自動成形機、雙端頭開樺機、直立式打線床（包括高速鑽板機）、屈曲邊緣機、圓鋸及鋸片闊度不少於75毫米的運鋸機；
- 9. 使用鏈鋸；
- *10. 在建築工地內使用撞擊式打樁或板樁的機器；
- 11. 完全或主要在噴砂打磨作業的緊鄰範圍內工作；
- *12. 使用研磨玻璃的機器；
- 13. 完全或主要在壓碎或篩選石塊或碎石料的機器的緊鄰範圍內工作；
- *14. 使用壓碎塑料的機器；
- 15. 完全或主要在被用於清理船舶外殼的機器或手提工具的緊鄰範圍內工作；
- 16. 完全或主要在內燃機、渦輪機、加壓燃料爐頭或噴射引擎的緊鄰範圍內工作；
- 17. 完全或主要在車身修理或用人手錘鍊製作金屬製品的緊鄰範圍內工作；
- *18. 使用擠出塑料的機器；
- *19. 使用瓦通紙機器；
- 20. 完全或主要在涉及使用有壓縮蒸汽的機器的情況下漂染布匹的緊鄰範圍內工作；
- 21. 完全或主要在入玻璃瓶作業線的緊鄰範圍內工作；
- 22. 完全或主要在入金屬罐作業線的緊鄰範圍內工作；
- *23. 使用紙張摺疊機；
- *24. 使用高速捲筒紙柯式印刷機；
- 25. 完全或主要在槍擊操作的緊鄰範圍內工作；
- 26. 完全或主要在電昏豬隻以供屠宰的工序所在地方的緊鄰範圍內工作；

- 27. 在根據《賭博條例》（第148章）第22(1)(b)條獲發牌照的麻將館內搓麻將並以此作為主要職責（即俗稱“戥腳”）；
- 28. 在的士高的舞池的緊鄰範圍內配製或端送飲品並以此作為主要職責；或
- 29. 在的士高內控制或操作重播和廣播預錄音樂的系統（即俗稱“唱片騎師”）。

這4類特別高噪音工作的工人受僱滿5年便可申請補償

* 如並非親自使用該等工具或機器，但工作時完全或主要在該等工具或機器使用時的緊鄰範圍內工作，亦可符合申請補償的條件

附表2：永久喪失工作能力百分比換算表*

永久喪失工作能力的百分比	管理局裁定在1、2、3千赫頻率的平均聽力損失(分貝)		情況較佳耳朵												
	40分貝以下	40至45分貝以下	45至50分貝以下	50至55分貝以下	55至60分貝以下	60至65分貝以下	65至70分貝以下	70至75分貝以下	75至80分貝以下	80至85分貝以下	85至90分貝以下	90分貝或以上			
管理局裁定在1、2、3千赫頻率的平均聽力損失(分貝)															
情況較差耳朵	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%
40至45分貝以下	0.5	1													
45至50分貝以下	1	2	5												
50至55分貝以下	1.5	3	6	10											
55至60分貝以下	2	4	7	11	15										
60至65分貝以下	2.5	5	8	12	16	20									
65至70分貝以下	3	6	9	13	17	21	25								
70至75分貝以下	3.5	7	10	14	18	22	26	30							
75至80分貝以下	4	8	11	15	19	23	27	31	35						
80至85分貝以下	4.5	9	13	17	21	25	29	33	37	43					
85至90分貝以下	5.5	11	14	18	22	26	30	34	38	45	51				
90分貝或以上	6.5	13	16	20	24	28	32	36	40	46	53	60			

* 以《職業性失聰(補償)條例》附表4為準

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職業性失聰補償管理局



職業性失聰補償計劃是根據《職業性失聰(補償)條例》而設立，向因受僱而患上噪音所引致失聰的人士提供補償。職業性失聰是一類職業病，申索人需要符合職業及失聰方面的規定才可獲補償。而任何已獲職業性失聰補償的人士，如果繼續在香港受僱從事指定的高噪音工作，因而令失聰程度加深，導致其永久喪失工作能力的百分比增加，可申請再次補償。

首次補償

1. 職業的規定：

- (a) 曾受僱在香港從事指定的高噪音工作合共最少**10**年，或從事其中4類特別高噪音工作合共最少**5**年；及
- (b) 在申請前12個月內曾按連續性合約(即連續4星期或以上為同一僱主工作，而每星期工作最少18小時)受僱於指定的高噪音工作。

指定的高噪音工作共有29類，請參閱附表1。

2. 失聰的規定：

- (a) **雙耳聽力損失** - 雙耳的神經性聽力損失均不少於40分貝，而至少有一隻耳的聽力損失是由噪音所致；或
- (b) **單耳聽力損失** - 僅有一隻耳朵的神經性聽力損失不少於40分貝，而該耳的聽力損失是由噪音所致。

上述的聽力損失是經聽力測量法在1、2及3千赫頻率量度得的平均聽力損失。

再次補償

1. 職業的規定：

- (a) 在對上一次成功地獲得補償的申請日期後，曾受僱在香港從事指定的高噪音工作合共最少**3**年；及
- (b) 在申請前12個月內曾按連續性合約(即連續4星期或以上為同一僱主工作，而每星期工作最少18小時)受僱於指定的高噪音工作。

2. 失聰及進一步永久喪失工作能力的規定：

- (a) 雙耳聽力損失或單耳聽力損失；及
- (b) 永久喪失工作能力程度較上一次成功獲得補償申請的永久喪失工作能力程度為高。

根據聽力損失而評定永久喪失工作能力的程度的對照表，可參考附表2。

申請期限

不論是申請首次補償或再次補償，已不再受僱從事指定高噪音工作的人士，須在離開這些工作後的**12個月內**遞交申請。現職於指定高噪音工作的人士，則可隨時遞交申請。

補償款額

職業性失聰補償是按申索人在提出申請時的年齡、每月入息及永久喪失工作能力百分比(首次補償)/ 進一步永久喪失工作能力百分比(再次補償)計算，辦法如下：

年齡	補償款額	
40歲以下	96個月入息	} × 永久喪失工作能力百分比 (首次補償) 或 進一步永久喪失工作能力 百分比(再次補償)
40歲至56歲以下	72個月入息	
56歲或以上	48個月入息	

根據《職業性失聰(補償)條例》，每月入息是指申索人在提出申請的日期前受僱於指定高噪音工作的最後12個月的平均入息。假如申索人無法提交充分的入息證明，他/她的補償款額將按政府統計處所發表的香港就業人口總數的每月入息中位數計算。不論是以申索人的平均入息或每月入息中位數計算，均以港幣**36,550**元為上限。

管理局將根據以上規定來釐定申索人的每月入息，但亦會參照《最低工資條例》的有關規定。

申請程序

1. 提交申請表

申索人須填妥指定的申請表格，同時提供受僱於高噪音工作的詳情及相關文件/證據。

2. 職業審查

在接獲申請後，管理局會審查申索人的受僱情況，以確認申索人是否符合職業的規定。

3. 聽力測驗及醫療檢驗

申索人若符合職業的規定，管理局會安排他/她接受聽力測驗及醫療檢驗，以評定他/她是否符合失聰的規定。假如有需要的話，申索人可能需要接受覆驗。申索人須符合失聰/進一步永久喪失工作能力的規定，才可獲補償。

申索人的責任

申索人如提供虛假的資料或文件證據，可被檢控。

查詢

職業性失聰補償管理局

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職業性失聰補償管理局



(04/23)

Occupational Deafness Compensation Scheme



The Occupational Deafness Compensation Scheme is set up under the Occupational Deafness (Compensation) Ordinance to compensate persons suffering from noise-induced deafness by reason of their employment.

Application for Occupational Deafness Compensation

Eligibility Criteria

© **What are the qualifying conditions for compensation?**

Any person who has been employed in Hong Kong to work in specified noisy occupations may apply for compensation if he suffered from noise-induced hearing loss due to employment. Occupational deafness is an occupational disease and a person has to fulfill both following occupational and hearing loss requirements before he/she is entitled to compensation.

Any person who is awarded compensation for occupational deafness could apply for further compensation if he/she has continued to be employed in worked in specified noisy occupations for a period and suffered from greater hearing loss as exemplified by additional percentage of permanent incapacity.

A. Compensation for the First Time

1. *Occupational requirements:*

- (a) at least 10 years of employment in aggregate in specified noisy occupations in Hong Kong or at least 5 years in the case of the 4 occupations that are particularly noisy; and
- (b) having been employed under a continuous contract in a specified noisy occupation in Hong Kong within the 12 months prior to making the application for compensation. (A continuous contract means a contract of employment where the employee has worked for the same employer for 4 weeks or more, prior to a given date, for at least 18 hours in each of the 4 weeks.)

2. *Hearing loss requirements:*

- (a) Binaural hearing loss - sensorineural hearing loss amounting to not less than 40 dB in each ear, where such loss of at least one ear is due to noise; **or**
- (b) Monaural hearing loss - sensorineural hearing loss amounting to not less than 40 dB in only one ear, where such loss is due to noise.

The sensorineural hearing loss mentioned above is obtained from the average of hearing losses measured by audiometry over the 1, 2 and 3 kHz frequencies.

B. Further Compensation

1. *Occupational requirements:*

- (a) at least 3 years of employment in aggregate in specified noisy occupations in Hong Kong after the application date of his/her last application for which compensation has been approved; **and**

- (b) having been employed under a continuous contract in a specified noisy occupation in Hong Kong within the 12 months prior to making the application for further compensation.

2. *Hearing loss with additional permanent incapacity requirements:*

- (a) Binaural or monaural hearing loss; **and**
- (b) the percentage of permanent incapacity is greater than that of the latest application for which compensation has been approved.

⊙ **Is there a deadline for making an application?**

Any person who is still being employed in specified noisy occupations and satisfies the above conditions can apply for compensation at any time.

Any person who is no longer employed in specified noisy occupations should apply **within** 12 months from being last employed in such occupations.

⊙ **What are specified noisy occupations?**

There are 29 types of specified noisy occupations. They include occupations involving -

1. The use of power driven grinding tools on metal or on billets of metal or blooms, or work wholly or mainly in the immediate vicinity of those tools whilst they are being so used;
2. The use of power driven percussive tools on metal or on billets of metal or blooms, or work wholly or mainly in the immediate vicinity of those tools whilst they are being so used;
- 3*. The use of power driven grinding, chiselling, cutting or percussive tools on rocks, concrete or marble, or work wholly or mainly in the immediate vicinity of those tools whilst they are being so used;
4. Work wholly or mainly in the immediate vicinity of plant (excluding power press plant) engaged in the forging (including drop stamping) of metal by means of closed or open dies or drop hammers;
5. Work in textile manufacturing where the work is undertaken wholly or mainly in rooms or sheds in which there are machines engaged in weaving man-made or natural (including mineral) fibres or in the high speed false twisting of fibres;
6. The use of, or work wholly or mainly in the immediate vicinity of, machines engaged in cutting, shaping or cleaning metal nails or screws;
7. The use of, or work wholly or mainly in the immediate vicinity of, plasma spray guns engaged in the deposition of metal;
8. The use of, or work wholly or mainly in the immediate vicinity of, any of the following machines: multi-cutter moulding machines, planing machines, automatic or semi-automatic lathes, multiple cross-cut machines, automatic shaping machines, double-end tenoning machines, vertical spindle moulding machines (including high-speed routing machines), edge banding machines, bandsawing machines with a blade width of not less than 75 mm and circular sawing machines;
9. The use of chain saws;
- 10*. The use of, or work wholly or mainly in the immediate vicinity of, machines engaged in percussive pile or metal plank driving on construction sites;
- 11*. Work wholly or mainly in the immediate vicinity of abrasive blasting operations;
12. The use of, or work wholly or mainly in the immediate vicinity of, machines engaged in grinding of glass;
13. Work wholly or mainly in the immediate vicinity of machines engaged in crushing or screening of rocks or stone aggregate;
14. The use of, or work wholly or mainly in the immediate vicinity of, machines engaged in granulating of plastic materials;
15. Work wholly or mainly in the immediate vicinity of machines or hand tools engaged in descaling of ships;
16. Work wholly or mainly in the immediate vicinity of internal combustion engines or turbines or pressurized fuel burners or jet engines;
17. Work wholly or mainly in the immediate vicinity of car body repair, or of making metal articles by manual hammering;
18. The use of, or work wholly or mainly in the immediate vicinity of, machines engaged in extruding of plastic materials;
19. The use of paper corrugating machines, or work wholly or mainly in the immediate vicinity of those machines whilst they are being so used;

20. Work wholly or mainly in the immediate vicinity of bleaching and dyeing of fabric involving machines using pressurised steam;
 21. Work wholly or mainly in the immediate vicinity of glass-bottling lines;
 22. Work wholly or mainly in the immediate vicinity of metal-can bottling lines;
 23. The use of paper folding machines, or work wholly or mainly in the immediate vicinity of those machines whilst they are being so used;
 24. The use of high speed web-fed offset printing machines, or work wholly or mainly in the immediate vicinity of those machines whilst they are being so used;
 - 25*. Work wholly or mainly in the immediate vicinity of gun-firing operation;
 26. Work wholly or mainly in the immediate vicinity of a place where the electric stunning of pigs for the purpose of slaughter takes place;
 27. Playing mahjong (as the main duty) inside a mahjong parlour licensed under section 22(1)(b) of the Gambling Ordinance (Cap. 148);
 28. Preparing or serving drinks (as the main duty) in the immediate vicinity of the dancing area of a discotheque; or
 29. Controlling or operating a system for playing back and broadcasting recorded music in a discotheque.
- * These 4 noisy occupations only require a minimum 5 years of employment

⊙ **Examples of specified noisy occupations:**

- the use of pneumatic drills, pile drivers or rock-crushing machines in construction sites or quarries;
- the use of spinning or weaving machines in textile factories;
- the use of power press or lathes in metal-work factories;
- the use of lathes, planing machines, circular sawing machines or high-speed routing machines in carpentry;
- the use of plastics granulating machines in plastics factories.

Application Procedures

⊙ **How to apply?**

A claimant should complete an application form and submit it to the Occupational Deafness Compensation Board.

⊙ **What information should the claimant provide to the Board?**

Apart from personal particulars, the claimant should provide details about each of his/her previous employment in noisy occupations as follows:

1. the name, contact address and telephone number of the employer;
2. the dates of employment, post, earnings and details relating to the use of noisy tools/machines; and
3. the contact addresses and telephone numbers of two co-workers who know the details about the claimant's engagement in the relevant employment.

⊙ **Why should the claimant provide information about his co-workers?**

In verifying the claimant's employment history, the Board may need to contact his/her co-workers to clarify the details of his employment.

⊙ **Is the claimant required to provide documentary evidence when submitting the application?**

The claimant should try his best to submit any documentary evidence that could substantiate his/her previous employment in noisy occupations. Some examples are:

1. letters issued by employers certifying the claimant's period of employment, post and earnings;
2. employment contracts;
3. notification on the computation of severance payment or termination payments;
4. salary tax returns filed by employers;
5. documents pertaining to the contribution of mandatory provident fund; or
6. wage receipts, etc.

Furthermore, the claimant should also provide documentary evidence on the earnings received by him/her in respect of his last 12 months' employment in specified noisy occupations prior to the date of his application.

⊙ **How would the Board process an application for compensation?**

After receiving an application, the Board will first undertake employment verification. The employers and co-workers of the claimant will be contacted in order to verify the employment details of the claimant.

After verification, the Board will inform the claimant who satisfies the occupational requirements to undergo hearing assessment. The claimant should attend hearing tests and medical examination arranged by the Board so as to ascertain whether he satisfies the hearing loss requirements.

After confirming that the claimant has met the requirements for compensation, the Board will issue a certificate of determination of compensation to him/her. The certificate will state the percentage of permanent incapacity resulting from occupational deafness and the amount of compensation payable. If the claimant agrees to the amount of compensation, the Board will issue the payment to him accordingly. The claimant will lose the right to object to the amount of compensation once he has received the payment.

If, at any stage, the Board determines that a claimant is not entitled to compensation, it will issue a notice of refusal to him/her. The reasons for refusal will be stated in the notice.

⊙ **If a claimant is not satisfied with the Board's decision, what should he/she do?**

The claimant may request the Board to review its decision by sending to the Board a written request stating his reasons within 14 days beginning on the date of the notice of refusal or certificate of determination of compensation. Upon receiving the request, the Board will review the application and inform the claimant of the result in writing.

⊙ **Is a claimant is still not satisfied with the result of review, what he/she do?**

A claimant who is not satisfied with the result of review undertaken by the Board may appeal to the District Court. The appeal should be lodged within 6 months from the determination of the review made by the Board, unless the District Court agrees to extend the time limit.

⊙ **Can a claimant apply again if his/her application has been refused by the Board?**

A claimant whose application has been turned down on or after 6 March 1998 because of failing to fulfill the *hearing loss requirements* can re-apply if he has been employed in Hong Kong for at least 2 years in aggregate in any specified noisy occupations after the date of his previous application.

If a claimant was refused because of failing to meet the employment requirements, he/she could re-apply to the Board any time when he/she considers himself/herself as being about to meet the employment requirements, provided that the application is made within 12 months from the date of he/she was last employed in such occupations..

© **Can a claimant withdraw his application?**

A claimant can withdraw any time before he/she undergoes hearing test arranged by the Board. Once a claimant has undergone any hearing test or medical examination arranged by the Board, the Board is empowered to make determination on his/her application even if he/she requests to withdraw the application.

Computation of Compensation

© **How the amount of compensation is determined?**

The amount of compensation payable to a claimant is determined in accordance with his/her age at the time of application, monthly earnings and the percentage of permanent incapacity/additional percentage of permanent incapacity as follows:

<i>Age</i>	<i>Amount of Compensation</i>	
Under 40	96 months' earnings	} X % of permanent incapacity (compensation for the first time) or additional % of permanent incapacity (further compensation)
40to under 56	72 months' earnings	
56 or above	48 months' earnings	

© **How the amount of monthly earnings is determined?**

In accordance with the Occupational Deafness (Compensation) Ordinance, the monthly earnings means the average monthly earnings received by the claimant in his/her last 12 months' employment in specified noisy occupations in Hong Kong prior to the date of application. If the claimant cannot provide documentary evidence on his/her earnings or the evidence so provided is not accepted by the Board, the compensation will be computed in accordance with the median employment earnings of the total employed population of Hong Kong published by the Census and Statistics Department. In either case, the ceiling is subject to a maximum amount of \$36,550 for the purpose of computing the amount of compensation.

The Board will determine the monthly earnings as above, and also be taking the relevant provisions under the Minimum Wage Ordinance into consideration.

© **What documents will be regarded as evidence on earnings?**

Below are some examples of the documentary evidence on earnings:

1. letters issued by employers certifying the earnings received by the claimant for the last 12 months' employment in specified noisy occupations;
2. salary tax returns filed by employers;
3. wage record books;
4. documents of contribution to the mandatory provident fund; and
5. employment contracts, etc.

© **How the percentage of permanent incapacity is determined?**

The percentage of permanent incapacity suffered by the claimant is determined by reference to the following table:

Percentage of permanent incapacity		Average hearing loss (dB) at 1, 2, 3 kHz frequencies as determined by the Board		FOR BETTER EAR										
				below 40dB	40 to below 45 dB	45 to below 50 dB	50 to below 55 dB	55 to below 60 dB	60 to below 65 dB	65 to below 70 dB	70 to below 75 dB	75 to below 80 dB	80 to below 85 dB	85 to below 90 dB
FOR WORSE EAR	40 to below 45 dB	%	%	%	%	%	%	%	%	%	%	%	%	%
	45 to below 50 dB	0.5	1											
	50 to below 55 dB	1	2	5										
	55 to below 60 dB	1.5	3	6	10									
	60 to below 65 dB	2	4	7	11	15								
	65 to below 70 dB	2.5	5	8	12	16	20							
	70 to below 75 dB	3	6	9	13	17	21	25						
	75 to below 80 dB	3.5	7	10	14	18	22	26	30					
	80 to below 85 dB	4	8	11	15	19	23	27	31	35				
	85 to below 90 dB	4.5	9	13	17	21	25	29	33	37	43			
90 dB or above	5.5	11	14	18	22	26	30	34	38	45	51			
		6.5	13	16	20	24	28	32	36	40	46	53	60	

Enquiries

Please contact the Occupational Deafness Compensation Board if you need further information.

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