



**Labour Department (Headquarters)**

勞工處（總處）

Your reference 來函編號： LS/B/20/01-02

Our reference 本處檔案編號： LD HQ/711/244/2

Tel. number 電話號碼：

Fax number 傳真機號碼：

18 February 2003

Miss Kitty Cheng  
Assistant Legal Adviser  
Legal Service Division  
Legislative Council Secretariat  
Legislative Council Building  
8 Jackson Road  
Central  
Hong Kong

Dear Miss Cheng,

**Occupational Deafness (Compensation)(Amendment) Bill 2002**

Thank you for your letter of 30 January 2003. My reply to your questions is provided below.

In relation to section 27B(1) of the Occupational Deafness (Compensation)(Amendment) Bill 2002 which provides for the reimbursement of expenses “reasonably incurred in the acquisition, fitting, repair or maintenance of a hearing assistive device”, we are requested to explain what is involved in the “acquisition” and “fitting” of a hearing assistive device and whether doctor’s consultation will be involved.

If the new section 27E is enacted, the Occupational Deafness Compensation Board will be empowered to determine whether any expenses are reasonably incurred. Our view is that such determination should be based on the specific facts of an individual case. If a person consults a doctor in connection with his health problems, including hearing problems, and the medical consultation does not lead to the acquisition, fitting, repair or maintenance of a hearing assistive device, then the fees of consulting this doctor may not

reimbursable. If a person has been advised by a doctor to use a hearing assistive device, say, a hearing aid, and is referred to a designated person under section 36(1)(e) to seek advice as to which type of hearing aid should be acquired, the fees for the medical consultation as well as for obtaining the designated person's advice may also be reimbursable as these fees are directly related to the subsequent acquisition of the hearing aid. In a word, whether any expenses are reasonably incurred have to be determined against the relevant facts of each case.

Yours sincerely,

(Mrs Jenny Chan)  
for Commissioner for Labour

c.c. DoJ (Attn : Mr Sunny Chan)  
DoJ (Attn : Miss Amy Chan)