

政府總部  
勞工及福利局  
香港金鐘添美道  
政府總部



LABOUR AND WELFARE BUREAU  
GOVERNMENT SECRETARIAT

Central Government Offices  
Tim Mei Avenue  
Admiralty, Hong Kong

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13 December 2012

Miss Betty Ma  
Clerk to the Legislative Council Panel  
on Manpower  
Legislative Council Complex  
1 Legislative Council Road  
Central  
Hong Kong

Dear Miss Ma,

**Panel on Manpower  
Meeting on 18 December 2012  
Agenda Item IV – Hong Kong’s occupational safety performance  
in the first half of 2012**

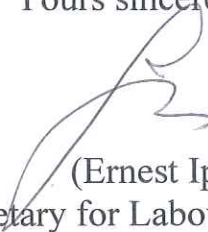
I refer to Hon. Tang Ka-biu’s letter of 5 December 2012 to Hon. Lee Cheuk-yan, Panel Chairman requesting the Administration to provide information on occupational injury cases concerning professional drivers for Members’ consideration under the captioned agenda item.

Under the Employees’ Compensation Ordinance (ECO), if an employee sustains an injury or dies as a result of an accident arising out of and in the course of employment, or contracts a prescribed occupational disease, his employer shall be liable to pay compensation. The ECO applies to all full-time or part-time employees who are employed under contracts of service, including those who are employed as professional drivers, but excludes self-employed persons.

If an employee dies as a result of an accident arising out of and in the course of employment, the employer shall be liable to pay compensation for death to his surviving members of the family in accordance with the ECO. The amount of compensation payable is calculated with reference to the age and monthly earnings of the deceased employee. In addition, the employer is also liable to reimburse funeral expenses. For work injury cases, the compensation payable includes periodical payments (i.e. four-fifths of the difference between the employee's monthly earnings at the time of the accident and his monthly earnings during the period of temporary incapacity), compensation for permanent incapacity, if any (the amount depends on the percentage of permanent loss of earning capacity and is calculated with reference to the age and monthly earnings of the injured employee), and medical expenses etc.

The Labour Department only keeps a breakdown of statistics on employees' compensation cases in accordance with the Hong Kong Standard Industrial Classification and does not keep statistics by occupation. As professional drivers are found in various industries, we are unable to provide information and data analysis on professional drivers who had received employees' compensation. Besides, as the ECO does not cover self-employed persons, the Labour Department does not have information on self-employed professional drivers who were involved in traffic accidents as well.

Yours sincerely,



(Ernest Ip)

for Secretary for Labour and Welfare

cc Internal  
AA/SLW  
SAO(PS), LD