

立法會
Legislative Council

LC Paper No. LS76/99-00

**Discussion Draft on Proposed Amendments to the
Factories and Industrial Undertakings
(Medical Examinations) Regulation**

12. Proprietor to act in accordance with recommendation

(1) Upon receipt of a recommendation under section 10 accompanying a report made under section 9, the proprietor shall as soon as is reasonably practicable and in any case within 14 days after that receipt -

- (a) take all reasonable and lawful means to implement the recommendation as are practicable;
- (b) provide all such particulars and information to the employee being the subject of the recommendation as are sufficient to ensure that the employee is fully and fairly informed both of the recommendation and of the means being or to be taken to implement it; and
- (c) inform the employee of the substance of section 13.

(2) All reasonable and lawful means taken under subsection (1)(a) by a proprietor to implement a recommendation shall be taken at the expense of the proprietor.

OPTION 1

(3) In complying with section 12(1)(a) in respect of a recommendation under section 10(b) or (c), the proprietor shall as far as is reasonably practicable provide employment for the employee other than in his particular occupation

during the period of suspension.

14. Offences

(1) A proprietor who contravenes section 3, 4, 5, 6, 12(1) or (2) or 13(9) commits an offence and is liable to a fine at level 5.

OPTION 2

(3) For the purposes of section 12(1)(a), where the proprietor is required to take all reasonable and lawful means to implement a recommendation under section 10(b) or (c), such means shall include the provision as far as practicable by the proprietor of employment for the employee other than in his particular occupation during the period of suspension.

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