工作經驗學員就獲豁免學生僱用期
作出的法定聲明內容樣本
Specimen Content of statutory declaration made by a work experience student for a period of exempt student employment

本人明白「工作經驗學員」及「獲豁免學生僱用」分別在香港法例第 608 章《最低工資條例》第 2 條和第 3 條的定義。

本人以工作經驗學員身份與僱主 *[僱主名稱，例子：ABC 貿易有限公司]* 訂立僱傭合約，僱傭合約由 *[年份及日期，例子：2013 年 6 月 1 日]* 開始生效。

本人 *[工作經驗學員姓名，例子：陳大文]* 現居於 *[地址，例子：九龍xx 大廈xx 室]* ，謹以至誠鄭重聲明：

> 本人**不曾**訂立任何於 *[例子：2013 年（須與上述僱傭合約期開始日為同一公曆年）]* 開始的僱傭合約，而該合約期內的任何期間被視為獲豁免學生僱用期；及
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> 本人在作出本法定聲明當日至上述僱傭合約開始日為止（包括首尾兩日）的期間內，**將不會**訂立任何其他於 *[例子：2013 年（須與上述僱傭合約期開始日為同一公曆年）]* 開始的僱傭合約，而該合約期內的任何期間被視為獲豁免學生僱用期。

I fully understand the meanings of “work experience student” and “exempt student employment” provided in section 2 and section 3 of the Minimum Wage Ordinance (Cap. 608) of the Laws of Hong Kong respectively.

I have entered into a contract of employment with *[Name of employer, Example: ABC Trading Co. Ltd.]* as the employer and I as a work experience student which contract is to commence on *[date, Example: 1 June 2013]*,

and I, *[name of the work experience student, Example: CHAN Tai Man]*, of *[Address, Example: Room xx, xx Building, Kowloon]*, solemnly and sincerely declare that:

> I have **not** entered into any contract of employment commencing in *[same year as the date mentioned above, Example: the year of 2013]* in which any period has been treated as a period of exempt student employment; and
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> between the date of this declaration and the commencement date of this employment contract (both dates inclusive), I **will not** enter into any other contract of employment commencing from *[same year as the date mentioned above, Example: the year of 2013]* in which any period is to be treated as a period of exempt student employment.

備註

- 工作經驗學員可透過現有途徑辦理宣誓。《宣誓及聲明條例》（第 11 章）就法定聲明作出規定，根據該條例第 12 條，太平紳士、公證人、監誓員或其他獲法律授權監誓的人，均可監理和接受任何人士（包括工作經驗學員）按該條例第 14 條訂定的方式在其面前作出的聲明。《宣誓及聲明條例》的原文已上載於律政司的雙語法例資料系統，網址是 www.legislation.gov.hk。

- 工作經驗學員如沒有與僱主協議將某段期間視為獲豁免學生僱用期，法定最低工資的豁免安排便不適用，而該工作經驗學員亦無需作出上述的法定聲明。

注意： 資料使用者須遵守《個人資料（私隱）條例》（第 486 章）有關保障個人資料原則的規定。

Note

- A work experience student may make a statutory declaration through existing available channels. The Oaths and Declarations Ordinance (Cap. 11) makes provisions for statutory declaration. According to section 12 of the Oaths and Declarations Ordinance, a justice, notary, commissioner or other person authorized by law to administer an oath may take and receive the declaration of any person (including a work experience student) made before him in the manner provided by section 14. The full text of the Ordinance has been uploaded to the Bilingual Laws Information System of the Department of Justice website at www.legislation.gov.hk.

- If a work experience student has not agreed with the employer to treat a certain period as a period of exempt student employment, the exemption from Statutory Minimum Wage does not apply and it is not necessary for the work experience student to make the above statutory declaration.

Note: Data users should comply with the requirements of the Personal Data (Privacy) Ordinance (Cap. 486) concerning data protection principles.