

**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：2019 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：2019 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

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：2019 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 2019],

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 2019] in which any period has been treated as a period of exempt student employment; and

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 2019] 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「電子版香港法例」，網址是 [www.elegislation.gov.hk](http://www.elegislation.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 Hong Kong e-Legislation of the Department of Justice website at [www.elegislation.gov.hk](http://www.elegislation.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.*