

**EMPLOYEES' COMPENSATION ORDINANCE
(CAP. 282)**

SECTION 15

**NOTICE BY EMPLOYER OF THE DEATH OF AN EMPLOYEE
OR OF AN ACCIDENT TO AN EMPLOYEE RESULTING
IN DEATH OR INCAPACITY**

Important Notes

- (1) To be completed and returned in DUPLICATE to the Commissioner for Labour -
 - (a) WITHIN 7 DAYS of the accident in the case of death; or
 - (b) WITHIN 14 DAYS of the accident in the case of injury; or
 - (c) WITHIN such period of time as required by the Commissioner for Labour.
- (2) An employer who fails to give notice as required or who gives any false or misleading information to the Commissioner for Labour may be prosecuted.
- (3) Part I must be completed for each employee. Part II is to be completed only if the accident occurred on a construction site.
- (4) If more than one employee was injured or died as a result of an accident, please complete a separate form in duplicate for each employee.
- (5) Please '✓' in the appropriate box.
- (6) Please read the instructions carefully before completing this Form.

FORM 2
EMPLOYEES' COMPENSATION ORDINANCE
(CAP. 282)

SECTION 15

NOTICE BY EMPLOYER OF THE DEATH OF AN EMPLOYEE
OR OF AN ACCIDENT TO AN EMPLOYEE RESULTING IN DEATH OR INCAPACITY

To the Commissioner for Labour

I declare that the information given in this form is, to the best of my knowledge, true and accurate.

Signature : _____ (for and on behalf of the employer)

Name (in block letters) : _____

Position : ☐ Sole proprietor ☐ Partner
☐ Manager ☐ Officer

Date : _____

Chop of Company **(Note 1)**

A. Particulars of the employee

➤Part I◀

Name of employee (Surname first)			Identity Card/Passport No.
Telephone No.	Fax No.	Address	
Date of Birth ____ / ____ / ____ Day/Month/Year	Sex <input type="checkbox"/> Male <input type="checkbox"/> Female	Occupation	An apprentice <input type="checkbox"/> Yes <input type="checkbox"/> No

B. Particulars of employer

Name of employing company/person		Business Registration Certificate No. (Note 2)
Telephone No.	Address	Trade
Fax No.		

C. Particulars of principal contractor/holding company (Note 3)

Name of principal contractor/holding company		Business Registration Certificate No.
Telephone No.	Address	Trade
Fax No.		

D. Description of accident

Describe how the accident happened and state what the employee was doing at the time (Note 4)			
State whether the accident occurred in the course of work <input type="checkbox"/> Yes <input type="checkbox"/> No	Date of accident ____ / ____ / ____ Day/Month/Year	Time of accident _____ a.m./p.m.	Result of accident <input type="checkbox"/> Death <input type="checkbox"/> Injury
Address of the place of accident		Name of hospital/clinic where the employee received treatment	

E. Details of insurance (Note 5)

Name and address of insurance company at the time of accident (Please refer to the insurance policy)	Policy No.
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F. Details of earnings of the employee

<p>Average number of working days per month</p> <div style="display: flex; justify-content: space-around;"> <input type="checkbox"/> 22 <input type="checkbox"/> 24 <input type="checkbox"/> 26 <input type="checkbox"/> 30 </div> <div style="margin-top: 10px;"> <input type="checkbox"/> Others _____ (please specify) </div>	<p>Rest day is</p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div>(a) <input type="checkbox"/> not paid <input type="checkbox"/> paid</div> <div>(b) <input type="checkbox"/> not fixed <input type="checkbox"/> fixed on _____ (Day of week)</div> </div>
<p>Details of earnings per month for the month immediately preceding the date of accident: (Note 6)</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 70%;"> <p>(a) Basic salary/wages</p> <p>(b) Food allowances/value of free food provided by employer</p> <p>(c) Other items : _____ (please specify)</p> <p style="text-align: right; padding-right: 50px;">Total (a) + (b) + (c)</p> </div> <div style="width: 25%; text-align: right;"> <p>\$ _____ / month</p> <p>\$ _____ / month</p> <p>\$ _____ / month</p> <p>\$ _____ / month</p> </div> </div>	
<p>Average monthly earnings of the employee for the past 12 months (or total period of employment, if less than 12 months) preceding the accident were</p> <p style="text-align: right;">\$ _____ / month</p>	

G. Fatal accident (to be completed where accident results in death)

Whether police was notified <input type="checkbox"/> Yes _____ (name of police station) <input type="checkbox"/> No	Name and address of next-of-kin of the deceased employee	Relationship with the deceased employee
		Telephone No.

H. Direct settlement (to be completed only where the injury results in temporary incapacity for not more than 7 days and no permanent incapacity, and the employer and employee have chosen to directly settle the employees' compensation claim)

<p>Period of sick leave</p> <p>from ____ / ____ / ____ to ____ / ____ / ____</p> <p style="text-align: center;">Day / Month / Year Day / Month / Year</p> <p>____ / ____ / ____ to ____ / ____ / ____</p> <p style="text-align: center;">Day / Month / Year Day / Month / Year</p> <p>Total number of sick leave days : _____ days</p>	<p>Amount of compensation:</p> <p>\$ _____</p> <p><input type="checkbox"/> paid</p> <p><input type="checkbox"/> to be paid on ____ / ____ / ____</p> <p style="text-align: center;">Day / Month / Year</p>
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I. Place of accident (tick one box)

The accident occurred in — (Note 7)			
<u>Construction site</u>	<u>Shipyard</u>	<u>Manufactory</u>	<u>Others</u>
<input type="checkbox"/> 01 Building worksite	<input type="checkbox"/> 04 Floating vessel	<input type="checkbox"/> 07 Production area	<input type="checkbox"/> 11 Container yard
<input type="checkbox"/> 02 Civil worksite	<input type="checkbox"/> 05 Non-floating vessel	<input type="checkbox"/> 08 Maintenance workshop	<input type="checkbox"/> 12 Catering establishment
<input type="checkbox"/> 03 Renovation/repair of existing buildings	<input type="checkbox"/> 06 Maintenance workshop	<input type="checkbox"/> 09 Loading/unloading area	<input type="checkbox"/> 13 Please specify _____
	<input type="checkbox"/> 10 Storage area		
Activity carried out on the site at the time of accident (Note 8)			

J. Nature of injury (**Note 9**)

Describe the nature of injury			
Indicate nature of injury (tick one box) —			
<input type="checkbox"/> 01 Abrasion	<input type="checkbox"/> 06 Contusion & bruise	<input type="checkbox"/> 11 Electric shock	<input type="checkbox"/> 16 Poisoning
<input type="checkbox"/> 02 Amputation	<input type="checkbox"/> 07 Concussion	<input type="checkbox"/> 12 Fracture	<input type="checkbox"/> 17 Irritation
<input type="checkbox"/> 03 Asphyxia	<input type="checkbox"/> 08 Laceration and cut	<input type="checkbox"/> 13 Puncture wound	<input type="checkbox"/> 18 Nausea
<input type="checkbox"/> 04 Burn (heat)	<input type="checkbox"/> 09 Dislocation	<input type="checkbox"/> 14 Sprain & strain	<input type="checkbox"/> 19 Multiple injuries
<input type="checkbox"/> 05 Burn	<input type="checkbox"/> 10 Crushing	<input type="checkbox"/> 15 Freezing	<input type="checkbox"/> 20 Others (please specify) _____
Part of body injured (tick one box) —			
<u>Head</u>	<u>Neck & Trunk</u>	<u>Upper Limbs</u>	<u>Lower Limbs</u>
<input type="checkbox"/> 21 Skull/scalp	<input type="checkbox"/> 31 Neck	<input type="checkbox"/> 41 Finger	<input type="checkbox"/> 51 Hip
<input type="checkbox"/> 22 Eye	<input type="checkbox"/> 32 Back	<input type="checkbox"/> 42 Hand/palm	<input type="checkbox"/> 52 Thigh
<input type="checkbox"/> 23 Ear	<input type="checkbox"/> 33 Chest	<input type="checkbox"/> 43 Forearm	<input type="checkbox"/> 53 Knee
<input type="checkbox"/> 24 Mouth/tooth	<input type="checkbox"/> 34 Abdomen	<input type="checkbox"/> 44 Elbow	<input type="checkbox"/> 54 Leg
<input type="checkbox"/> 25 Nose	<input type="checkbox"/> 35 Trunk	<input type="checkbox"/> 45 Upper arm	<input type="checkbox"/> 55 Ankle
<input type="checkbox"/> 26 Face	<input type="checkbox"/> 36 Pelvis/groin	<input type="checkbox"/> 46 Shoulder	<input type="checkbox"/> 56 Foot
			<input type="checkbox"/> 61 Multiple locations (please specify) _____

K. Type of accident (tick one box) (**Note 9**)

<input type="checkbox"/> 01 Trapped in or between objects	<input type="checkbox"/> 05 Striking against fixed or stationary object	<input type="checkbox"/> 10 Trapped by collapsing or overturning object	<input type="checkbox"/> 15 Exposure to fire
<input type="checkbox"/> 02 Injured whilst lifting or carrying	<input type="checkbox"/> 06 Striking against moving object	<input type="checkbox"/> 11 Struck by moving or falling object	<input type="checkbox"/> 16 Exposure to explosion
<input type="checkbox"/> 03 Slip, trip or fall on same level	<input type="checkbox"/> 07 Stepping on object	<input type="checkbox"/> 12 Struck by moving vehicle	<input type="checkbox"/> 17 Others (Please specify) _____
<input type="checkbox"/> 04 Fall of person from height* _____ metres	<input type="checkbox"/> 08 Exposure to or contact with harmful substance	<input type="checkbox"/> 13 Contact with moving machinery or object being machined	
	<input type="checkbox"/> 09 Contact with electricity or electric discharge	<input type="checkbox"/> 14 Drowning	

* distance through which person fell

L. Agents involved, if any (tick one or more boxes) (Note 9)

<input type="checkbox"/> 01 Equipment for lifting/ conveying <input type="checkbox"/> 02 Portable power or hand tools <input type="checkbox"/> 03 Other machinery, please specify: Type : _____ Part causing injury: <input type="checkbox"/> (a) prime mover <input type="checkbox"/> (b) transmission part <input type="checkbox"/> (c) working part	<input type="checkbox"/> 04 Material/product being handled or stored <input type="checkbox"/> 05 Ladder or working at height <input type="checkbox"/> 06 Sewage, manhole or other confined space	<input type="checkbox"/> 07 Movable container or package of any kind <input type="checkbox"/> 08 Floor, ground, stairs or any working surface <input type="checkbox"/> 09 Gas, vapour, dust or fume	<input type="checkbox"/> 10 Electricity supply, wiring apparatus or equipment <input type="checkbox"/> 11 Vehicle or associated equipment or machinery <input type="checkbox"/> 12 Others (Please specify) _____
Describe briefly the agents you have indicated (Note 9)			

M. Sketch (to supplement the descriptions given above, if considered necessary)

	<p>For official use only</p> <p>I.A./Non-I.A. </p> <p>Investigation </p> <p>Processed by </p>
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➤End of Part I◀

➤ Part II ◀

(To be completed if the accident occurred on a construction site)

N. Type of work performed by the employee at the time of accident (tick one box)

<input type="checkbox"/> 01 Concreting <input type="checkbox"/> 02 Woodworking <input type="checkbox"/> 03 Glazier work <input type="checkbox"/> 04 Reinforcement bar bending <input type="checkbox"/> 05 Bamboo scaffolding <input type="checkbox"/> 06 Tubular scaffolding	<input type="checkbox"/> 07 Painting <input type="checkbox"/> 08 Plastering <input type="checkbox"/> 09 Arc/gas welding <input type="checkbox"/> 10 Formwork erection <input type="checkbox"/> 11 Brick laying <input type="checkbox"/> 12 Caisson work	<input type="checkbox"/> 13 Trench work <input type="checkbox"/> 14 Gas pipe fitting <input type="checkbox"/> 15 Water pipe fitting <input type="checkbox"/> 16 Electrical wiring <input type="checkbox"/> 17 Material handling <input type="checkbox"/> 18 Lift installation	<input type="checkbox"/> 19 Slope work <input type="checkbox"/> 20 Others (please specify) _____
Whereabouts on the site such work was performed			

O. Machinery involved, if any (tick one or more boxes) (Note 10)

<input type="checkbox"/> 01 Skip/material hoist <input type="checkbox"/> 02 Passenger hoist/builders' lift <input type="checkbox"/> 03 Tower crane <input type="checkbox"/> 04 Mobile crane <input type="checkbox"/> 05 Lorry-mounted crane	<input type="checkbox"/> 06 Hydraulic crane <input type="checkbox"/> 07 Suspended working platform <input type="checkbox"/> 08 Boatswain's chair <input type="checkbox"/> 09 Pile driver <input type="checkbox"/> 10 Boring jig	<input type="checkbox"/> 11 Bar bender <input type="checkbox"/> 12 Concrete mixer <input type="checkbox"/> 13 Air compressor/receiver <input type="checkbox"/> 14 Others (please specify) _____
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P. Transporting or construction machinery involved, if any (tick one box)

<input type="checkbox"/> 01 Dump truck <input type="checkbox"/> 02 Loader <input type="checkbox"/> 03 Excavator	<input type="checkbox"/> 04 Bulldozer <input type="checkbox"/> 05 Grader <input type="checkbox"/> 06 Compacting roller	<input type="checkbox"/> 07 Others (please specify) _____
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➤End of Part II◀

Explanatory Notes

- Note 1:* The signature and company chop which appear in both copies of Form 2 submitted to the Commissioner for Labour should be in the original.
- Note 2:* If the Business Registration Certificate No. is not available, the Identity Card No. of the employing person should be entered.
- Note 3:* Section C on particulars of principal contractor/holding company should be completed only when the employer is either —
- (a) a subcontractor; or
 - (b) a subsidiary of a holding company within the meaning of the Companies Ordinance (Cap. 32) and which is covered by and specified in the insurance policy taken out by the group of companies to which it belongs.
- Note 4:* Describe how the accident happened, state what the employee was doing at the time and give details of how the accident happened, e.g. what work was the injured doing, what factors (directly and indirectly) leading to the accident, and how he was injured, etc.
- Note 5:* The name and address of the insurer as appeared on the insurance policy, instead of those of the broker or agent, should be entered here.
- Note 6:* Earnings include —
- (a) cash wages;
 - (b) the value of any privilege or benefit which can be estimated in cash, e.g. food, fuel or quarters supplied to the employee if, as a result of the accident, he is deprived of any of them;
 - (c) overtime or other special remuneration for work done, whether in the form of bonus, allowance or otherwise, if it is of a constant nature; and
 - (d) customary tips.
- But remuneration for intermittent overtime, casual payments of a non-recurrent nature, the value of travelling allowances or concession and the employer's contributions to provident funds are not included.
- Note 7:* Construction Site
- Building worksite: site for building substructure, superstructure, etc.
- Civil worksite: site for building roads, bridges, etc.
- Renovation/repair of existing buildings: internal or external renovation, repairing, painting, or external wall cleaning, etc. (Note: Fitting-out in new buildings should be regarded as a building worksite.).
- Shipyard
- Floating vessel: ship building or repairing conducted on floating shipyard or floating vessel.
- Non-floating vessel: ship building or repairing conducted on slipway or shore.
- Maintenance workshop: maintenance workshop of the shipyard where parts of ships are machined, repaired or maintained.
- Manufactory
- Production area: production workshop or any location where actual production is being carried out.
- Maintenance workshop: maintenance workshop of the manufactory where machinery parts are machined, repaired or maintained.
- Loading/unloading area: location inside the manufactory assigned for loading and unloading activities including cargo handling.
- Storage area: location inside the manufactory used for storage purpose.

Others

Container yard: the location where container handling, stacking and maintenance work, etc. are being carried out.

Note 8: Please briefly describe the main function of the workplace at the time of the accident.

Note 9: Please give details on the injury sustained, e.g. while working on a working platform, an employee twisted his ankle and fell 3 m onto the ground.

In the above example, the following boxes in sections J, K and L should be marked —

- In section J *Nature of injury*: Sprain & strain (box 14).
- In section J *Part of body injured*: Ankle (box 55).
- In section K *Type of accident*: Fall of person from 3 m (box 04).
- In section L *Agents involved*: Ladder or working at height (box 05).
- In the description of the agents indicated: A platform constructed of a plank which measured 5 m long by 2 m wide and by 5 mm thick.

Note 10: If none of the machinery provided is suitable, please tick box 14 and specify the name of the machinery or briefly describe the type of machinery involved.

Supplementary Information on Accidents on Construction Sites

Explanatory note :

This is **not** a statutory form required to be submitted under the Employees' Compensation Ordinance for reporting accident. However, the co-operation of employers is sought to complete Sections I and II below for accidents occurred on construction sites. The supplementary information will be used for the purpose of accident analysis within Government and by the public bodies concerned.

I. Particulars of worksite

Commencement of construction work: _____ / _____ <div style="text-align: center;">Month / Year</div>	Expected Date of Completion: _____ / _____ <div style="text-align: center;">Month / Year</div>
Contractor Name: _____ _____ Site Address: _____ _____ Contract No. (if available): _____ Date of Accident: _____ Contact Telephone: _____	_____ Chop of Company

II. Particulars of Project

(A) Nature of Project <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <input type="checkbox"/> Civil Engineering <input type="checkbox"/> Superstructure <input type="checkbox"/> Maintenance and Repair </div>	
(B) Private Project <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> If Yes, please give name and contact telephone no. of authorized person or project manager Name: _____ Position: _____ Tel. No.: _____ </div> <div style="width: 45%;"> If No, please indicate below the type of public works/government project _____ </div> </div>	
(C) Public Works or Government Project <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 48%;"> <input type="checkbox"/> 01 Architectural Services Department <input type="checkbox"/> 02 Buildings Department <input type="checkbox"/> 03 Civil Engineering Department <input type="checkbox"/> 04 Drainage Services Department <input type="checkbox"/> 05 Electrical & Mechanical Services Department <input type="checkbox"/> 06 Highways Department <input type="checkbox"/> 07 Territory Development Department <input type="checkbox"/> 08 Water Supplies Department </div> <div style="width: 48%;"> <input type="checkbox"/> 09 Housing Department <input type="checkbox"/> 10 Kowloon-Canton Railways Corporation <input type="checkbox"/> 11 Mass Transit Railways Corporation <input type="checkbox"/> 12 Airport Authority <input type="checkbox"/> 13 Others (please specify) _____ </div> </div>	

Please '✓' in the appropriate box.

FORM 2B
EMPLOYEES' COMPENSATION ORDINANCE
(CAP. 282)

SECTION 15(1A)(b)

**NOTICE BY EMPLOYER OF AN ACCIDENT TO AN EMPLOYEE
RESULTING IN INCAPACITY FOR A PERIOD
NOT EXCEEDING 3 DAYS**

To the Commissioner for Labour

I declare that the information given in this form is, to the best of my knowledge, true and accurate.	
Name (in block letters) : _____	
Position : <input type="checkbox"/> Sole proprietor <input type="checkbox"/> Partner <input type="checkbox"/> Manager <input type="checkbox"/> Officer	
Signature : _____ Date : _____	
<input type="checkbox"/> (for and on behalf of the employer)	Chop of Company

A. Particulars of employee

Name of employee (Surname first)		Identity Card/Passport No.
Tel. No.	Address	

B. Particulars of employer

Name of employing company/person		Business Registration Certificate No.
Tel. No.	Address	Industry
Fax No.		

C. Particulars of accident

Date of accident _____/_____/_____ day / month / year	Address of the place of accident
Total number of days of temporary incapacity : _____ day(s)	

D. Particulars of compensation

Monthly earnings of the injured employee for the purpose of calculating compensation : \$ _____	
Amount of compensation : \$ _____	<input type="checkbox"/> paid <input type="checkbox"/> to be paid on ____/____/____ day/month/year

EMPLOYEES' COMPENSATION ORDINANCE
(CAP. 282)

SECTION 15(1A)(b)

**NOTICE BY EMPLOYER OF AN ACCIDENT TO AN EMPLOYEE
RESULTING IN INCAPACITY FOR A PERIOD
NOT EXCEEDING 3 DAYS**

FORM 2B

Important Notes

- (1) This form shall be completed and returned in DUPLICATE to the Commissioner for Labour within 14 days of the accident, irrespective of whether the accident gives rise to any liability to pay compensation, which results in incapacity to an employee for a period not exceeding 3 days.
- (2) If the period of incapacity in respect of the employee extends beyond 3 days after submitting this form, the employer shall report the accident again in the prescribed form (Form 2) under S. 15(1A)(a) of the Employees' Compensation Ordinance.
- (3) An employer who fails to give notice as required or who gives any false or misleading information to the Commissioner for Labour may be prosecuted.
- (4) Please '✓' in the appropriate box.
- (5) For the purpose of calculating compensation to the injured employee, the monthly earnings shall be taken as the earnings of the employee for the month immediately preceding the date of the accident, or the average monthly earnings for the previous 12 months of employment (or any lesser period if the employee has not been so long employed), whichever calculation is more favourable to the employee.

Earnings include :

- (a) cash wages;
- (b) the value of any privilege or benefit which can be estimated in cash, e.g. food, fuel or quarters supplied to the employee if, as a result of the accident, he is deprived of any of them;
- (c) overtime or other special remuneration for work done, whether in the form of bonus, allowance or otherwise, if it is of a constant nature; and
- (d) customary tips.

But remuneration for intermittent overtime, casual payments of a non-recurrent nature, the value of travelling allowances or concession and the employer's contributions to provident funds are not included.