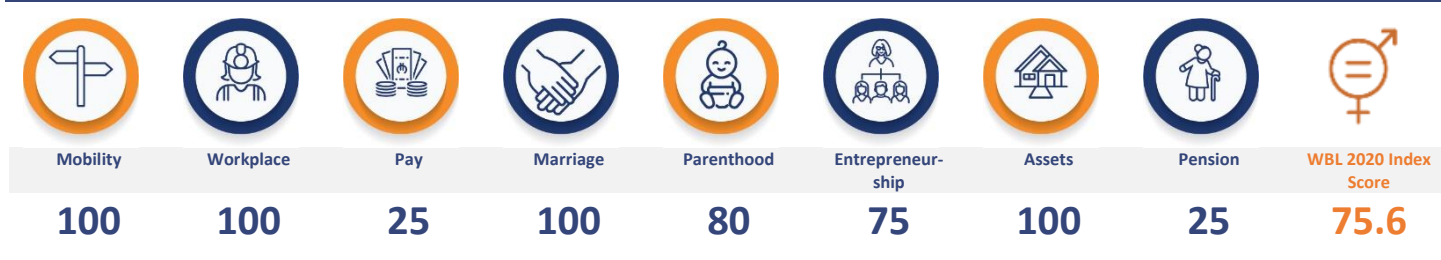


China

Women, Business and the Law 2020 presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across the eight indicators. Overall scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. Data refer to the laws and regulations that are applicable to the main business city (Shanghai). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **China scores 75.6 out of 100**. The overall score for China is higher than the regional average observed across East Asia & Pacific (71.3).

China - Scores for Women, Business and the Law 2020



Relative Strengths

When it comes to constraints on freedom of movement, laws affecting women's decisions to work, constraints related to marriage, and gender differences in property and inheritance, China gets a perfect score.

Areas for Improvement

However, when it comes to laws affecting women's pay, laws affecting women's work after having children, constraints on women's starting and running a business, and laws affecting the size of a women's pension, China could consider reforms to improve legal equality for women.

For example, one of the lowest scores for China is on the indicator related to laws affecting women's pay (the WBL2020 Pay Indicator). To improve on the Pay Indicator, China may wish to consider mandating equal remuneration for work of equal value, allowing women to work in jobs deemed dangerous in the same way as men, and allowing women to work in all the same industries as men.

Recent Reforms (2018-2019)

No reforms impacting the WBL2020 indicators have been observed during the past two years.

	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	Yes	No restrictions could be located
	Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
	Can a woman apply for a passport in the same way as a man?	Yes	Passport Law of the People's Republic of China, Arts. 6 and 7; Passport application form
	Can a woman travel outside the country in the same way as a man?	Yes	No restrictions could be located
Workplace	Can a woman get a job in the same way as a man?	Yes	No restrictions could be located
	Does the law prohibit discrimination in employment based on gender?	Yes	Employment Promotion Act, Art. 27; Labor Law, Art. 13
	Is there legislation on sexual harassment in employment?	Yes	Special Provisions on Labor Protection of Female Employees, Art. 11
	Are there criminal penalties or civil remedies for sexual harassment in employment?	Yes	<i>Criminal:</i> Law of the People's Republic of China on the Protection of Rights and Interests of Women, Art. 56; Special Provisions on Labor Protection of Female Employees, Art. 15 <i>Civil:</i> Law of the People's Republic of China on the Protection of Rights and Interests of Women, Art. 56; Special Provisions on Labor Protection of Female Employees, Art. 15
Pay	Does the law mandate equal remuneration for work of equal value?	No	No applicable provisions could be located
	Can women work the same night hours as men?	Yes	No restrictions could be located
	Can women work in jobs dangerous in the same way as men?	No	Jobs deemed hazardous: No restrictions could be located Jobs deemed arduous: Special Provisions on Labor Protection of Female Workers, Art. 4 and Annex Jobs deemed morally inappropriate: No restrictions could be located
	Are women able to work in the same industries as men?	No	Mining: Labor Law, Art. 59 Construction: No restrictions could be located Factories: No restrictions could be located Agriculture: No restrictions could be located Energy: No restrictions could be located Water: Labor Law, Art. 60 Transportation: No restrictions could be located Other: No restrictions could be located
	Is there no legal provision that requires a married woman to obey her husband?	Yes	Marriage Law of the People's Republic of China, Arts. 4 and 9
Marriage	Can a woman be head of household in the same way as a man?	Yes	No restrictions could be located
	Is there legislation specifically addressing domestic violence?	Yes	Law of the People's Republic of China on the Protection of Rights and Interests of Women, Art. 46; Anti-Domestic Violence Law of the People's Republic of China
	Can a woman obtain a judgment of divorce in the same way as a man?	Yes	No restrictions could be located
	Does a woman have the same rights to remarry as a man?	Yes	No restrictions could be located
	Is paid leave of at least 14 weeks available to mothers?	Yes	Regulations of Shanghai Municipality on Population and Family Planning, Art. 31
Parenthood	Does the government pay 100% of maternity leave benefits?	Yes	Social Security Law of the People's Republic of China, Arts. 53 and 54
	Is there paid paternity leave?	Yes	Regulations of Shanghai Municipality on Population and Family Planning, Art. 31
	Is there paid parental leave?	No	No applicable provisions could be located
	Is dismissal of pregnant workers prohibited?	Yes	Labor Contract Law of the People's Republic of China, Art. 42(4); Special Provisions on Labor Protection of Female Workers, Art. 5
	Entrepren.	Does the law prohibit discrimination in access to credit based on gender?	No
Can a woman sign a contract in the same way as a man?		Yes	No restrictions could be located
Can a woman register a business in the same way as a man?		Yes	No restrictions could be located
Can a woman open a bank account in the same way as man?		Yes	No restrictions could be located
Assets	Do men and women have equal ownership rights to immovable property?	Yes	Marriage Law of the People's Republic of China, Arts. 13 and 17
	Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Law of Succession, Arts. 9 and 10
	Do female and male surviving spouses have equal rights to inherit assets?	Yes	Law of Succession, Arts. 9 and 10
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Marriage Law of the People's Republic of China, Art. 17
	Does the law provide for the valuation of nonmonetary contributions?	Yes	Marriage Law of the People's Republic of China, Arts. 17, 39 and 40
Pension	Are the ages at which men and women can retire with full pension benefits equal?	No	Women: Interim Measures of the State Council on Workers' Retirement and Resignation of 24 May 1978, Arts. 1.1 and 2.1. Men: Interim Measures of the State Council on Workers' Retirement and Resignation of 24 May 1978, Arts. 1.1 and 2.1.
	Are the ages at which men and women can retire with partial pension benefits equal?	Yes	Women: No applicable provisions could be located Men: No applicable provisions could be located
	Are the mandatory retirement ages for men and women equal?	No	Women: New Labor Contract Law of 29 June 2007, Art. 44(2) Men: New Labor Contract Law of 29 June 2007, Art. 44(2)
	Are periods of absence due to child care accounted for in pension benefits?	No	No applicable provisions could be located

