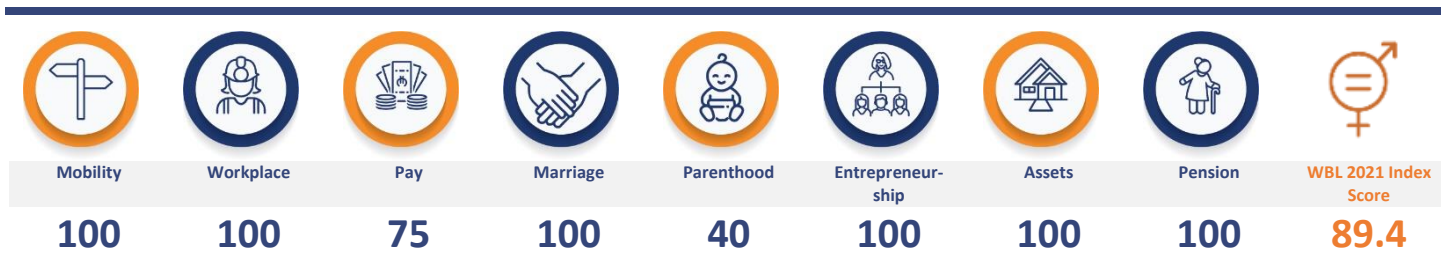


Hong Kong SAR, China

Women, Business and the Law 2021 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 (Hong Kong). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Hong Kong SAR, China scores 89.4 out of 100**. The overall score for Hong Kong SAR, China is higher than the regional average observed across East Asia & Pacific (71.9). Within the East Asia & Pacific region, the maximum score observed is 91.3 (Taiwan, China).

Hong Kong SAR, China - Scores for Women, Business and the Law 2021



Relative Strengths

When it comes to constraints on freedom of movement, laws affecting women's decisions to work, constraints related to marriage, constraints on women's starting and running a business, gender differences in property and inheritance, and laws affecting the size of a woman's pension, Hong Kong SAR, China gets a perfect score.

Areas for Improvement

However, when it comes to laws affecting women's pay, and laws affecting women's work after having children, Hong Kong SAR, China could consider reforms to improve legal equality for women.

For example, one of the lowest scores for Hong Kong SAR, China is on the indicator related to laws affecting women's work after having children (the WBL2021 Parenthood Indicator). To improve on the Parenthood Indicator, Hong Kong SAR, China may wish to consider making paid leave of at least 14 weeks available to mothers, making the government administer 100% of maternity leave benefits, and making paid parental leave available.

Recent Reforms

No reforms were observed during the past year.



Further data details for Hong Kong SAR, China are available at:
<https://wbl.worldbank.org/en/data/exploreconomies/hong-kong-sar-china/2021>



| | 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 Ordinance, Sec. 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 | Sex Discrimination Ordinance (Cap. 480), Part. 3, Sec. 11 |
| | Is there legislation on sexual harassment in employment? | Yes | Sex Discrimination Ordinance, Secs. 23, 23A and 24(3) |
| | Are there criminal penalties or civil remedies for sexual harassment in employment? | Yes | <i>Criminal:</i> No applicable provisions could be located <i>Civil:</i> Sex Discrimination Ordinance, Sec. 76(3A) |
| Pay | Does the law mandate equal remuneration for work of equal value? | No | No applicable provisions could be located |
| | Can a woman work at night in the same way as a man? | Yes | No restrictions could be located |
| | Can a woman work in a job deemed dangerous in the same way as a man? | Yes | No restrictions could be located |
| | Can a woman work in an industrial job in the same way as a man? | Yes | No restrictions could be located |
| Marriage | Is there no legal provision that requires a married woman to obey her husband? | Yes | No applicable provisions could be located |
| | 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 | Domestic and Cohabitation Relationships Violence Ordinance |
| | Can a woman obtain a judgment of divorce in the same way as a man? | Yes | No restrictions could be located |
| Parenthood | 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? | No | Employment Ordinance (Cap. 57), Secs. 12(2)(a) and 14(2) |
| | Does the government pay 100% of maternity leave benefits? | No | Employment Ordinance (Cap. 57), Sec. 14(4) |
| | Is paid leave available to fathers? | Yes | Employment Ordinance (Cap. 57), Secs. 15E, 15H and 15I; Employment (Amendment) (No.3) Ordinance 2018, Sec. 3 |
| | Is there paid parental leave? | No | No applicable provisions could be located |
| | Is dismissal of pregnant workers prohibited? | Yes | Employment Ordinance (Cap. 57), Sec. 15 |
| Entrepre. n. | Does the law prohibit discrimination in access to credit based on gender? | Yes | Sex Discrimination Ordinance, Secs. 28(1) and (2)(c) |
| | Can a woman sign a contract in the same way as a man? | Yes | Married Persons Status Ordinance, Secs. 3 and 10 |
| | 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 a man? | Yes | No restrictions could be located |
| Assets | Do men and women have equal ownership rights to immovable property? | Yes | Married Persons Status Ordinance, Secs. 3 and 4 |
| | Do sons and daughters have equal rights to inherit assets from their parents? | Yes | Intestates' Estates Ordinance of 1971, Sec. 5 |
| | Do female and male surviving spouses have equal rights to inherit assets? | Yes | Intestates' Estates Ordinance of 1971, Sec. 4 |
| | Does the law grant spouses equal administrative authority over assets during marriage? | Yes | Married Persons Status Ordinance, Sec. 4 |
| | Does the law provide for the valuation of nonmonetary contributions? | Yes | Matrimonial Proceedings and Property Ordinance, Sec. 7(1)(f) |
| Pension | Is the age at which men and women can retire with full pension benefits the same? | Yes | Women: Mandatory Provident Fund Schemes Ordinance (Cap. 485), Secs. 2 and 15 and Sch. 7 Men: Mandatory Provident Fund Schemes Ordinance (Cap. 485), Secs. 2 and 15 and Sch. 7 |
| | Is the age at which men and women can retire with partial pension benefits the same? | Yes | Women: No applicable provisions could be located Men: No applicable provisions could be located |
| | Is the mandatory retirement age for men and women the same? | Yes | Women: No applicable provisions could be located Men: No applicable provisions could be located |
| | Are periods of absence due to child care accounted for in pension benefits? | Yes | Mandatory Provident Fund Schemes Ordinance (Cap. 485) |