

Hong Kong SAR, China

Women, Business and the Law 2022 (WBL2022) presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across 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 91.9 out of 100**. The overall score for Hong Kong SAR, China is higher than the regional average observed across East Asia and the Pacific (71.9). Within the East Asia and the Pacific region, the maximum score observed is 91.9 (Hong Kong SAR, China).

Hong Kong SAR, China - Scores for Women, Business and the Law 2022



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 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 measuring laws affecting women's work after having children (the WBL2022 Parenthood indicator). To improve on the Parenthood indicator, Hong Kong SAR, China may wish to consider making the government administer 100% of maternity leave benefits, and making paid parental leave available.

Recent Reforms

During the past year (October 2nd, 2020 – October 1st, 2021), Hong Kong SAR, China increased the duration of paid maternity leave to at least 14 weeks.



Further data details for Hong Kong SAR, China are available at:
<https://wbl.worldbank.org/en/data/exploreconomies/hong-kong-sar-china/2022>



	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	Married Persons Status Ordinance, Sec. 8, Art. 19
	Can a woman be head of household in the same way as a man?	Yes	Married Persons Status Ordinance, Sec. 8, Art. 19
	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	Matrimonial Causes Ordinance, Sec. 1 and 11A; Married Persons Status Ordinance, Sec. 8, Art. 19
Parenthood	Does a woman have the same rights to remarry as a man?	Yes	Matrimonial Causes Ordinance, Sec. 18
	Is paid leave of at least 14 weeks available to mothers?	Yes	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); Reimbursement of Maternity Leave Pay Scheme by the Labour Department
	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
Entrepreneurship	Is dismissal of pregnant workers prohibited?	Yes	Employment Ordinance (Cap. 57), Sec. 15
	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	Married Persons Status Ordinance, Secs. 3 and 10
Assets	Can a woman open a bank account in the same way as a man?	Yes	No restrictions could be located
	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 childcare accounted for in pension benefits?	Yes	Mandatory Provident Fund Schemes Ordinance (Cap. 485)