

Hong Kong SAR, China

WBL 2.0 legal frameworks score

75.0

WBL 2.0 supportive frameworks score

65.0











WBL 2.0 expert opinions score

86.3

Women, Business and the Law 2024 (WBL 2024) identifies barriers for women’s economic empowerment in three areas: women’s legal rights, policy instruments designed to support the implementation of these rights, and how these rights are realized in practice. For that purpose, three new *Women, Business and the Law 2.0* indexes are presented for ten indicators: (1) legal frameworks, (2) supportive frameworks, and (3) expert opinions. For the WBL 2.0 legal frameworks index, 40 questions are scored across the ten indicators for 190 economies. For the WBL 2.0 supportive frameworks index, 30 questions are scored across the ten indicators for 190 economies. Overall economy level legal and supportive frameworks scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. The WBL 2.0 expert opinions index is created for a total of 164 economies. Expert opinion scores are not available for 26 economies due to an insufficient number of responses received from those economies during data collection. Individual responses at the economy level for 15 expert opinions questions across the ten indicators are scored by taking the median value of all responses per question. The economy level expert opinions index is equal to the simple unweighted average of the ten indicator scores.

For Hong Kong SAR, China, data refer to the legal frameworks, supportive frameworks, and expert opinions that are applicable to the main business city (Hong Kong). The scores for Hong Kong SAR, China are shown in the table below.

Women, Business and the Law 2024 2.0 indicator scores

										
WBL 2.0 Legal frameworks score	25.0	100.0	50.0	75.0	100.0	75.0	75.0	50.0	100.0	100.0
WBL 2.0 Supportive frameworks score	100.0	66.7	100.0	0.0	66.7	33.3	50.0	66.7	66.7	100.0
WBL 2.0 Expert opinions score	75.0	100.0	75.0	75.0	100.0	100.0	37.5	100.0	100.0	100.0

In summary, the **WBL 2.0 legal frameworks score** for Hong Kong SAR, China (75.0 out of 100.0) is higher than the global average (64.2) and higher than the East Asia & Pacific regional average (57.8). When it comes to constraints on freedom of movement, constraints related to marriage, laws affecting women's property and inheritance and laws affecting the size of a woman's pension, Hong Kong SAR, China obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Hong Kong SAR, China is on the indicator measuring laws affecting women's safety. To improve on the Safety indicator, Hong Kong SAR, China may wish to consider putting in place legislation on domestic violence, introducing legislation on femicide and introducing legislation on child marriage.

The **WBL 2.0 supportive frameworks score** for Hong Kong SAR, China (65.0 out of 100.0) is higher than the global average (39.5) and higher than the East Asia & Pacific regional average (33.9). When it comes to supportive frameworks affecting women's safety, supportive frameworks affecting women's decisions to work and supportive frameworks affecting the size of a woman's pension, Hong Kong SAR, China obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Hong Kong SAR, China is on the indicator measuring supportive frameworks affecting women's pay. To improve on the Pay indicator, Hong Kong SAR, China may wish to consider putting in place pay transparency measures or enforcement mechanisms to address the gender pay gap and publishing sex-disaggregated data on employment in different industries or sectors at least on an annual basis.

The **WBL 2.0 expert opinions score** for Hong Kong SAR, China (86.3 out of 100.0) is higher than the global average (65.7) and higher than the East Asia & Pacific regional average (64.8). When it comes to expert opinions on freedom of movement, expert opinions on marriage, expert opinions on women's work after having children, expert opinions on women starting and running a business, expert opinions on women's property and inheritance and expert opinions on women's pensions, Hong Kong SAR, China obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Hong Kong SAR, China is on the indicator measuring expert opinions on childcare.

WBL 2.0 legal frameworks data

QUESTION	ANSWER	LEGAL BASIS
Safety		
Is there legislation on domestic violence?	No	No applicable provisions could be located
Is there legislation on femicide?	No	No applicable provisions could be located
Is there comprehensive legislation on sexual harassment?	Yes	Sex Discrimination Ordinance, Secs. 23, 23A, 24(3), 39 and 76(3A)
Is there legislation on child marriage?	No	No applicable provisions could be located
Mobility		
Can a woman travel internationally in the same way as a man?	Yes	Passport Ordinance, Sec. 7
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
Do women and men have equal rights to confer citizenship to their spouses and their children?	Yes	The Basic Law of the Hong Kong SAR, Art. 24; Immigration Ordinance, Schedule 1
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
Does the law prohibit discrimination in recruitment based on marital status, parental status, and age?	No	No applicable provisions could be located
Does the law allow employees to request flexible work?	No	No applicable provisions could be located
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 an industrial job 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
Marriage		
Can a woman be "head of household" or "head of family" in the same way as a man?	Yes	Married Persons Status Ordinance, Sec. 8, Art. 19
Is the law free of legal provisions that require a married woman to obey her husband?	Yes	Married Persons Status Ordinance; Hong Kong Bill of Rights Ordinance, Sec. 8, Art. 19

Can a woman obtain a judgment of divorce in the same way as a man?	Yes	Matrimonial Causes Ordinance, Sec. 11A; Marriage Reform Ordinance, Secs. 14-22
Does a woman have the same rights to remarry as a man?	Yes	Matrimonial Causes Ordinance, Sec. 18
Parenthood		
Is paid leave of at least 14 weeks available to mothers?	Yes	Employment Ordinance (Cap. 57), Secs. 12(2)(a) and 14(2)
Are leave benefits for mothers paid solely by the government?	No	Employment Ordinance (Cap. 57), Sec. 14(4); Reimbursement of Maternity Leave Pay Scheme by the Labour Department
Is there paid leave available to fathers?	Yes	Employment Ordinance (Cap. 57), Secs. 15E, 15H and 15I; Employment (Amendment) (No.3) Ordinance 2018, Sec. 3
Is dismissal of pregnant workers prohibited?	Yes	Employment Ordinance (Cap. 57), Sec. 15
Childcare		
Does the law establish provision of childcare services in center-based settings?	Yes	Child Care Services Ordinance, Secs. 2(1) and 3(1)
Does the law establish any form of support to families for childcare services?	Yes	Official Website of Working Family and Student Financial Assistance Agency, Child Care Center Fee Remission Scheme (KCFRS)
Does the law establish any form of support to non-state childcare providers?	No	No applicable provisions could be located
Does the law establish quality standards for the provision of childcare services in center-based settings?	Yes	Child Care Services Regulations, Secs. 6, 23(1), 45N and Part II of Schedule 1
Entrepreneurship		
Can a woman undertake entrepreneurial activities in the same way as a man?	Yes	Married Persons Status Ordinance, Secs. 3 and 10
Does the law prohibit discrimination in access to credit based on gender?	Yes	Sex Discrimination Ordinance, Secs. 28(1) and (2)(c)
Does the law prescribe a gender quota on corporate boards?	No	No applicable provisions could be located
Does the law include gender-sensitive procurement provisions for public procurement processes?	No	No applicable provisions could be located
Assets		
Do men and women have equal administrative power and ownership rights to immovable property, including land?	Yes	Married Persons Status Ordinance, Sec. 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 male and female surviving spouses have equal rights to inherit assets?	Yes	Intestates' Estates Ordinance of 1971, Sec. 4
Does the law provide for the valuation of nonmonetary contributions?	Yes	Matrimonial Proceedings and Property Ordinance, Sec. 7(1)(f)
Pension		
Are the ages at which men and women can retire with full pension benefits equal?	Yes	Mandatory Provident Fund Schemes Ordinance (Cap. 485), Secs. 2 and 15 and Sch. 7
Are the ages at which men and women can retire with partial pension benefits equal?	Yes	No applicable provisions could be located
Is the mandatory retirement age for men and women equal?	Yes	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)

WBL 2.0 supportive frameworks data

QUESTION	ANSWER	SOURCE
Safety		

Has the government developed comprehensive mechanisms to address violence against women?	Yes	Protecting Children from Maltreatment — Procedural Guide for Multi-disciplinary Co-operation; Framework for Corporate Policy on Anti-Sexual Harassment; Procedural Guide for Handling Intimate Partner Violence Cases, Ch. 6; Equal Opportunities Commission; Accident and Emergency Departments (AED); Medical Social Services Units of Social Welfare Department; Clinical Psychological Service of the Social Welfare Department
Are there special procedures for cases of sexual harassment?	Yes	Sex Discrimination Ordinance, Sec. 84
Is there a government entity responsible for the monitoring and implementation of national services, plans and programmes addressing violence against women?	Yes	Equal Opportunities Commission; Social Welfare Department
Is there an annual budgetary allocation towards violence against women risk mitigation, prevention and response programs?	Yes	Family and Child Protective Services Units (FCPSUs) of the Social Welfare Department (SWD); 2023-24 Estimates of Expenditure under Social Welfare Department

Mobility

Are passport application processes the same for women and men?	Yes	Passport application procedures
Are the application processes for official identity documents the same for women and men?	Yes	ID application procedures
Is there a current policy or plan that explicitly considers the specific mobility needs of women in public transportation?	No	Insufficient evidence located

Workplace

Has the government published guidelines on non-discrimination based on gender in recruitment?	Yes	Code of Practice on Employment under the Sex Discrimination Ordinance
Has the government published guidelines on flexible work arrangements?	Yes	Labour Department: Flexible Work Arrangements
Is there a specialized body that receives complaints about gender discrimination in employment?	Yes	Sex Discrimination Ordinance, Secs. 5, 63-64

Pay

Are there pay transparency measures or enforcement mechanisms to address the gender pay gap?	No	Insufficient evidence located
Is sex-disaggregated data on employment in different industries or sectors published at least on an annual basis?	No	Insufficient evidence located

Marriage

Is there a fast-track process or procedure for family law disputes?	No	Insufficient evidence located
Are there specialized family courts?	Yes	Hong Kong Family Court
Is legal aid available for family law disputes?	Yes	Legal Aid Department

Parenthood

Is it possible to apply for maternity benefits through a single government application process?	Yes	Reimbursement of Maternity Leave Pay Scheme
Are incentives in place to encourage fathers to take paternity leave on the birth of a child?	No	Insufficient evidence located
Has sex-disaggregated data on unpaid care work been published?	No	Insufficient evidence located

Childcare

Is there a publicly available registry or database of childcare providers?	Yes	Official Website of Social Welfare Department
Is there a clearly outlined application procedure to request financial support from the government for childcare services by parents?	Yes	Official Website of Working Family and Student Financial Assistance Agency, Child Care Center Fee Remission Scheme (KCFRS)
Is there a clearly outlined application procedure to request financial support from the government for childcare services by non-state childcare providers?	No	Insufficient evidence located
Has the government published any reports on quality of childcare services within the last 3 years?	No	Insufficient evidence located

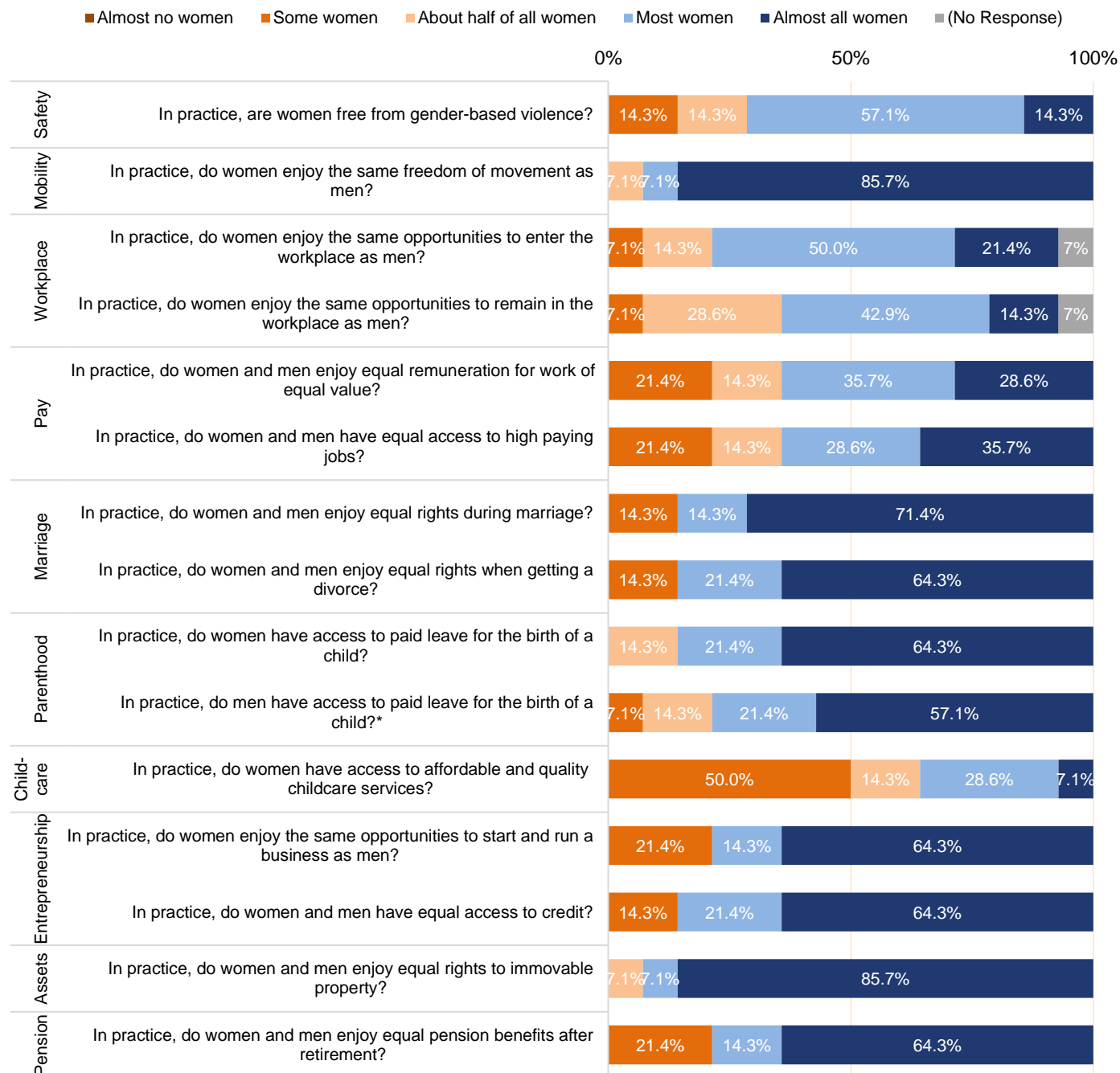
Entrepreneurship



Is sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses published on a regular basis?	Yes	Census and Statistics Department
Are there government-led programs that provide support to female entrepreneurs such as access to finance or regarding agency and empowerment?	Yes	Women Empower Fund; Women's Commission
Is there a current national government plan or strategy with a focus on women's access to financial services?	No	Insufficient evidence located
Assets		
Are there mechanisms or incentives to encourage women to register immovable property?	Yes	Land Titles Ordinance, Sec. 4(2)(vii)
Are there awareness measures in place to improve women's access to information about marital and inheritance rights?	No	Insufficient evidence located
Is anonymized sex-disaggregated data on property ownership published on a regular basis?	Yes	Census and Statistics Department
Pension		
Are there incentives in place to increase women's retirement benefits?	Yes	Mandatory Provident Fund Schemes Authority: Tax Deductible Voluntary Contributions (TVC)
Is there a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits?	Yes	Mandatory Provident Fund Schemes Ordinance, Sec. 17



WBL 2.0 distribution of expert opinion responses



*Note: The response options for the second Parenthood question above are formatted as almost no men, some men, about half of all men, most men, almost all men.