

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 | Safety | Mobility | Workplace | Pay | Marriage | Parenthood | Childcare | Entrepreneurship | Assets | Pension |
| Legal frameworks score | 25.0 | 100.0 | 50.0 | 75.0 | 100.0 | 75.0 | 75.0 | 50.0 | 100.0 | 100.0 |
| Supportive frameworks score | 100.0 | 66.7 | 100.0 | 0.0 | 66.7 | 33.3 | 50.0 | 66.7 | 66.7 | 100.0 |
| 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 | | |
| Does the law address child marriage? | No | No applicable provisions could be located |
| Does the law address sexual harassment? | Yes | Sex Discrimination Ordinance, Secs. 23, 23A, 24(3), 39 and 76(3A) |
| Does the law address domestic violence? | No | No applicable provisions could be located |
| Does the law address femicide? | No | No applicable provisions could be located |
| 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 internationally in the same way as a man? | Yes | Passport Ordinance, Sec. 7 |
| Can a woman travel outside her home in the same way as a man? | Yes | No restrictions could be located |
| Do a woman and a man have equal rights to confer citizenship on 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 explicitly prohibit discrimination in recruitment based on marital status, parental status, and age? | No | No applicable provisions 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 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 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 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 be "head of household" or "head of family" in the same way as a man? | Yes | Married Persons Status Ordinance, Sec. 8, Art. 19 |

| | | |
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| 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 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 the provision of center-based childcare services? | Yes | Child Care Services Ordinance, Secs. 2(1) and 3(1) |
| Does the law establish any form of support for 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 for nonstate childcare providers? | No | No applicable provisions could be located |
| Does the law establish quality standards for the provision of center-based childcare services? | 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 for 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 a woman and a man 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? | 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 a woman and a man can retire with full pension benefits the same? | Yes | Mandatory Provident Fund Schemes Ordinance (Cap. 485), Secs. 2 and 15 and Sch. 7 |
| Are the ages at which a woman and a man can retire with partial pension benefits the same? | Yes | No applicable provisions could be located |
| Is the mandatory retirement age for a woman and a man the same? | 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 special procedures in place for cases of sexual harassment? | Yes | Sex Discrimination Ordinance, Sec. 84 |
| Is a government entity responsible for monitoring and implementing national services, plans and programs addressing violence against women? | Yes | Equal Opportunities Commission; Social Welfare Department |
| Is an annual budgetary allocation devoted to 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 a woman and a man? | Yes | Passport application procedures |
| Are the application processes for official identity documents the same for a woman and a man? | Yes | ID application procedures |
| Does a current policy or plan explicitly consider the specific mobility needs of women in public transportation? | No | Insufficient evidence located |

Workplace

| | | |
|--|-----|---|
| Does a specialized body receive complaints about gender discrimination in employment? | Yes | Sex Discrimination Ordinance, Secs. 5, 63-64 |
| Has the government published guidelines on nondiscrimination 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 |

Pay

| | | |
|--|----|-------------------------------|
| Are pay transparency measures or enforcement mechanisms in place to address the pay gap? | No | Insufficient evidence located |
| Have sex-disaggregated data on employment in different industries or sectors been published? | 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 |
| Have sex-disaggregated data on unpaid care work been published? | No | Insufficient evidence located |

Childcare

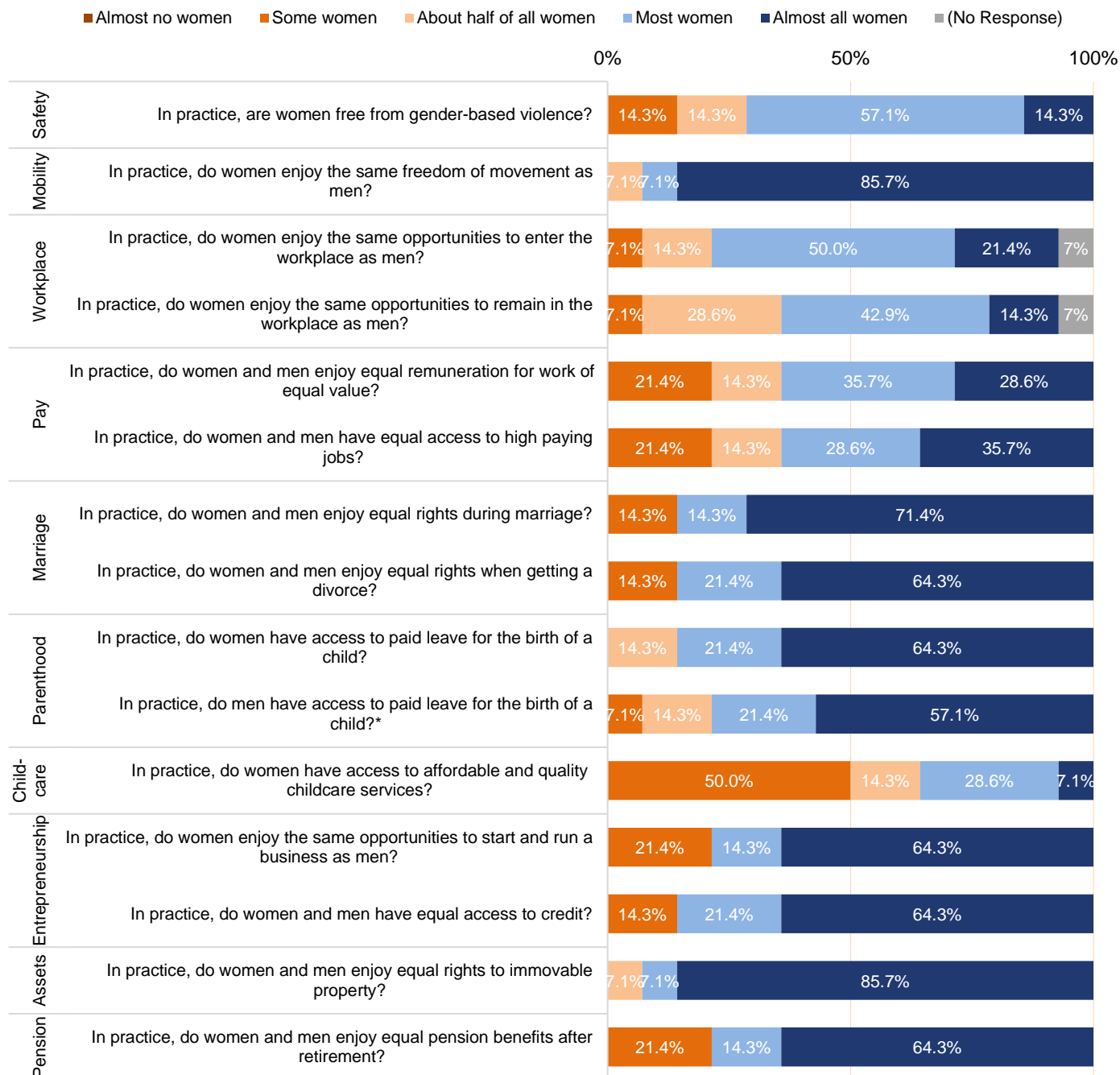
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|--|-----|--|
| Is there a publicly available registry or database of childcare providers? | Yes | Official Website of Social Welfare Department |
| Is there a clearly outlined application procedure to request financial support from the government 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 nonstate childcare providers? | No | Insufficient evidence located |
| Has the government published any reports on the quality of childcare services? | No | Insufficient evidence located |

Entrepreneurship



| | | |
|--|-----|--|
| Have sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses been published? | Yes | Census and Statistics Department |
| Are government-led programs supporting female entrepreneurs providing access to finance and training, coaching, or business development? | Yes | Women Empower Fund; Women's Commission |
| Does a current national government plan or strategy focus on women's access to financial services? | No | Insufficient evidence located |
| Assets | | |
| Are mechanisms or incentives in place to encourage women to register immovable property (including joint titling)? | Yes | Land Titles Ordinance, Sec. 4(2)(vii) |
| Are awareness measures in place to improve women's access to information about marital and inheritance rights? | No | Insufficient evidence located |
| Have anonymized sex-disaggregated data on property ownership been published? | Yes | Census and Statistics Department |
| Pension | | |
| Are incentives in place to increase women's retirement benefits? | Yes | Mandatory Provident Fund Schemes Authority: Tax Deductible Voluntary Contributions (TVC) |
| Is 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.