



THE
LAW SOCIETY
OF HONG KONG
香港律師會

Practitioners Affairs

3/F WING ON HOUSE · 71 DES VOEUX ROAD
CENTRAL · HONG KONG DX-009100 Central 1
香港中環德輔道中71號
永安集團大廈3字樓

TELEPHONE (電話) : (852) 2846 0500
FACSIMILE (傳真) : (852) 2845 0387
E-MAIL (電子郵件) : sg@hklawsoc.org.hk
WEBSITE (網頁) : www.hklawsoc.org.hk

Our Ref :
Your Ref :
Direct Line :

EL/14/1977847

President
會長

Stephen W.S. Hung
熊運信

30 September 2014

Vice-Presidents
副會長

Thomas S.T. So
蘇紹聰
Melissa K. Pang
彭韻僊

Clerk to Bills Committee on
Sex Discrimination (Amendment) Bill 2014
Legislative Council Secretariat,
Legislative Council Complex,
1 Legislative Council Road,
Central, Hong Kong.

BY EMAIL
(ftsang@legco.gov.hk)

Council Members
理事

Ambrose S.K. Lam
林新強
Dieter Yih
葉禮德
Junius K.Y. Ho
何君堯
Huen Wong
王桂瓊
Peter C.L. Lo
羅志力
Michael J. Lintern-Smith
史密夫
Billy W.Y. Ma
馬華潤
Sylvia W.Y. Siu
蕭詠儀
Cecilia K.W. Wong
黃吳潔華
Kenneth S.Y. Ng
伍成業
Joseph C.W. Li
李超華
Amirali B. Nasir
黎雅明
Angela W.Y. Lee
李慧賢
Brian W. Gilchrist
喬柏仁
Gavin P. Nesbitt
倪廣恒
Denis Brock
白樂德
Charles C.C. Chau
周致聰

Dear Sir/Madam,

Re: Sex Discrimination (Amendment) Bill 2014 (“the Bill”)

The Law Society has reviewed the Bill and has the following comments:

1. The Law Society agrees that there is a lacuna in the current sex discrimination law regime, in that the Sex Discrimination Ordinance (Cap.480) does not render unlawful any sexual harassment of a service provider by a customer.
2. We in principle support the Bill, as we consider that provisions should be made available to the victims of such harassment.
3. We have considered the issue of jurisdiction as provided for under the Bill. Under the proposed section 41(7), the proposed section 40(1A) could be applied to cover service providers and customers who are sexually harassed on board Hong Kong registered ships or aircraft while outside Hong Kong. The extension of scope of application is welcome.

Secretary General
秘書長

Heidi K.P. Chu
朱潔冰

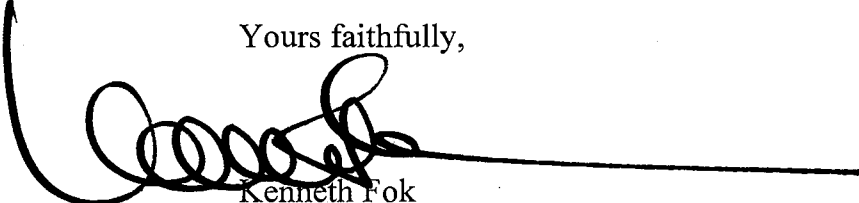
Deputy Secretary General
副秘書長

Christine W.S. Chu
朱穎雪

The Law Society of Hong Kong

4. The Law Society notes that the proposed amendment refers to a “woman” being sexually harassed by a person (section 40(1A)). We believe that this would be equally applicable to a “man”. The Administration might wish to harmonize the gender being canvassed in the proposed amendment legislation.

Yours faithfully,



Kenneth Fok
Director of Practitioners Affairs
The Law Society of Hong Kong