

A BILL

To

Amend the Sex Discrimination Ordinance to render unlawful any sexual harassment against providers or prospective providers of goods, facilities or services; and to apply the provisions relating to sexual harassment occurring in offering to provide, seeking to provide or providing goods, facilities or services to sexual harassment of this kind occurring on local ships or aircraft outside Hong Kong.

Enacted by the Legislative Council.

1. Short title

This Ordinance may be cited as the Sex Discrimination (Amendment) Ordinance 2014.

2. Sex Discrimination Ordinance amended

The Sex Discrimination Ordinance (Cap. 480) is amended as set out in sections 3 and 4.

3. Section 40 amended (other sexual harassment)

After section 40(1)—

Add

“(1A) It is unlawful for a person to sexually harass a woman in the course of—

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- (a) seeking to be provided with goods, facilities or services by her; or
 - (b) being provided with goods, facilities or services by her.”.

4. Section 41 amended (extent of Part 4)

After section 41(5)—

Add

- “(6) Section 40(1) and (1A) does not apply to sexual harassment that occurs outside Hong Kong except as provided in subsection (7).
 - (7) Section 40(1) and (1A) applies to sexual harassment that occurs on a ship, aircraft or dynamically supported craft referred to in subsection (3) even if it is outside Hong Kong.”.
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Explanatory Memorandum

This Bill amends the Sex Discrimination Ordinance (Cap. 480) to—

- (a) make it unlawful to sexually harass providers or prospective providers of goods, facilities or services; and
 - (b) apply the provisions relating to sexual harassment occurring in offering to provide, seeking to provide or providing goods, facilities or services to sexual harassment of this kind occurring on local ships or aircraft outside Hong Kong.
2. Clause 3 adds a new subsection (1A) to section 40 of the Ordinance. This is to extend the protection against sexual harassment to providers or prospective providers of goods, facilities or services.
 3. Clause 4 adds new subsections (6) and (7) to section 41 of the Ordinance. This is to apply section 40(1) and (1A) to sexual harassment that occurs on local ships or aircraft outside Hong Kong.