

**HONG KONG (CHINA):**  
**NGO Submission to**  
**the Committee on the Elimination of Discrimination against Women**

85 Session (08 May 2023 - 26 May 2023)

**Submitted by**  
Hong Kong Labour Rights Monitor  
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## **FOREWORD**

1. The Hong Kong Labour Rights Monitor (HKLRM) is a United Kingdom-based non-government organisation established in April 2022 by independent trade unionists, labour rights activists and researchers. The HKLRM makes the following observations to the Committee on the Elimination of Discrimination against Women (Committee) on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (Convention) by the HKSAR Government (HKG). The submission will focus on issues that have a direct bearing on women workers' rights and welfare in the HKSAR.

### **Article 2: Policy measures to be undertaken to eliminate discrimination**

#### *Inadequate protections from the Employment Ordinance (“EO”) for casual women workers*

2. The EO provides labour protection and benefit entitlement for employees working at least 18 hours a week for a continuous period of four weeks (4.18), therefore only “continuous contract employees” (hereafter “4-18 employees”) are entitled to employment benefits laid down by the EO. The survey conducted by the Census and Statistics Department between October 2019 and January 2020 found that there were some 203,500 non 4-18 employees in 2019-2020, of which 114,800 (56.4%) were female.<sup>1</sup> This means that casual women workers can never enjoy the benefits afforded to 4-18 employees. Many married women workers are displaced from the labour market or unable to engage into full-time employment due to the lack of childcare services.<sup>2</sup>

3. As the statutory provisions now stand, it is open to employers to adopt odd patterns of working hours to evade their statutory responsibilities. Employers may also avoid paying certain 4-18 benefits by way of a series of fixed-term contracts and a short break between each contract. For example, the Hong Kong Jockey Club had been accused of employing workers on a 17-hour week basis.<sup>3</sup> and a fast-food chain was found to arrange its employees to work for three consecutive 48-hour weeks followed by a 1-week break.<sup>4</sup> In 2006, the Court of Appeal sounded its dismay that “[t]he situation is clearly unsatisfactory when employers are able to adopt devices which relieve them of their obligation towards their employees” and suggested

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<sup>1</sup> [www.censtatd.gov.hk/en/EIndexbySubject.html?score=200&pcode=C0000016](http://www.censtatd.gov.hk/en/EIndexbySubject.html?score=200&pcode=C0000016) [retrieved 31 March 2023]

<sup>2</sup> Among the 155,800 non-418 workers working less than 18 hours per week in 2019-2020, one of the major reasons for them refusing jobs with longer hours was engagement in home duties (28%). <https://www.legco.gov.hk/research-publications/english/2022iss12-4-18-threshold-for-continuous-contracts-20220311-e.pdf> [retrieved 31 March 2023]

<sup>3</sup> [orientaldaily.on.cc/cnt/news/20140403/mobile/odn-20140403-0403\\_00176\\_053.html](http://orientaldaily.on.cc/cnt/news/20140403/mobile/odn-20140403-0403_00176_053.html) (in Chinese) [retrieved 31 March 2023]

<sup>4</sup> [www.inmediahk.net/勞工/零散工權益狀況調查報告：返工零保障-四成受訪零散工工時與全職工無異](http://www.inmediahk.net/勞工/零散工權益狀況調查報告：返工零保障-四成受訪零散工工時與全職工無異) (in Chinese) [retrieved 31 March 2023]

that changes should be introduced to the EO.<sup>5</sup> Regrettably, more than 16 years after the ruling, the HKG has failed to introduce any measures to plug the loopholes.

**4. The HKLRM invites the Committee to urge the HKG to review and amend the existing EO and the Employee Compensation Ordinance (ECO) with a view to extending their application, with adaptations where necessary, to all workers under non-standard forms of work arrangement, and take all necessary measures to ensure that all casual women workers can effectively enjoy the right to just and favourable conditions of work under Article 2 and Article 11 of the Convention.**

### **Article 3: Factors impeding the guarantee of basic human rights and fundamental freedoms**

#### *National Security Law posed serious threat to human rights and fundamental freedoms*

5. The Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (NSL) was promulgated on 30 June 2020. The United Nations Human Rights Committee (UNHRC), in its Concluding Observations on the Fourth Periodic Report of the HKSAR, expressed grave concerns of the new law's serious risks posed to the city's fundamental rights and freedoms.<sup>6</sup>

6. Freedom of assembly has been heavily restricted. A women workers organisation abruptly called off a police-approved Women's Day March scheduled on 5 March 2023 amid threats from police that they would arrest key activists.<sup>7</sup> This prompted concerns that the HKG not only failed to facilitate assembly and protest as specified in International Law and standards, but also continued to intimidate protest organisers to make demonstrations impossible.<sup>8</sup>

**7. HKLRM invites the Committee to urge the HKG to (a) repeal the NSL and, in the meantime, refrain from applying the law; and (b) take all necessary steps to ensure that civil society organisations and their members can carry out their legitimate functions and exercise their rights under the Convention and other international human right instruments in a climate free of fear and threats of any kind.**

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<sup>5</sup> Changes should be introduced to the EO "along the lines The Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002 of the United Kingdom which implemented the European Union Directive on Fixed Term Work (1999/70/EC)". Reported in [2007] 1 HKC 365 paras 6 & 9

<sup>6</sup> [www.cmab.gov.hk/doc/en/documents/policy\\_responsibilities/the\\_rights\\_of\\_the\\_individuals/CCPR\\_C\\_CHN-HKG\\_CO\\_4\\_49295\\_E.pdf](http://www.cmab.gov.hk/doc/en/documents/policy_responsibilities/the_rights_of_the_individuals/CCPR_C_CHN-HKG_CO_4_49295_E.pdf), paras 12-13 [retrieved 31 March 2023]

<sup>7</sup> The march aiming to advocate labour rights for women workers and gender equality would have been the first authorized rally in 3 years since COVID-19 and the lifting of the COVID restrictions. <https://hongkongfp.com/2023/03/04/hong-kong-womens-group-cancels-rally-night-before-demo-police-say-violent-groups-sought-to-attend/> [retrieved 31 March 2023]

<sup>8</sup> The Hong Kong Chief Executive John Lee commented on the cancellation of the march and said, anyone with no confidence or ability, or who has doubts, should not organised public events, since the organisers would ultimately bear legal liability. <https://www.rfa.org/english/news/china/hongkong-march-03072023145117.html> [retrieved 31 March 2023]

## *Inadequacies of the Equal Opportunities Commission (EOC)'s governance and complaint-handling process*

8. Hong Kong lacks a human rights commission to protect human rights. The EOC is a statutory body with a vital role to implement the four anti-discrimination laws in Hong Kong on the basis of sex, disability, family status and race. Nonetheless, the EOC lacks a transparent and independent process of appointments of the Chairperson and the commissioners,<sup>9</sup> which clearly violated the Paris Principles and is deemed to be negatively impacting the independence of the EOC.<sup>10</sup>

9. The HKLRM is concerned about the inadequacies of the EOC in addressing violations of women's rights and providing remedies. The EOC has a statutory duty to investigate and seek to resolve disputes arising in connection with Hong Kong's anti-discrimination ordinances.<sup>11</sup> According to two position papers on the reform of the EOC submitted to the Legislative Council by two civil society groups in 2018, the EOC was criticized for its tedious and complicated redress mechanism.<sup>12</sup> The complaint-handling process of the EOC overemphasizes conciliation but legal support for complainants to initiate litigation is insufficient. For instance, the EOC, on average, handled some 800 to 1,000 complaints annually between 2017/2018 and 2021/2022, but only an average of 20 cases were given legal assistance.<sup>13</sup> Regrettably, among them only approximately 11 cases went to the court, of which an average of 6 were related to the Sex Discrimination Ordinance (SDO). As a result, victims of sex discrimination were put through trying procedures and suffered from second trauma, but only a meagre proportion of them were provided with legal assistance. Many victims chose not to seek justice due to unaffordable legal costs.

**10. HKLRM invites the Committee to urge the HKG to (a) take reference from the Labour Tribunal system to set up an Equal Opportunities Tribunal, which should be operated based on principles of efficiency, cost-effectiveness and simplicity, and directly handle complaints from victims; (b) reform the EOC's complaint-handling process to ensure timely legal assistance is provided to complainants including legal consultation, assisting evidence gathering, and conducting mediation or litigation, to fulfil EOC's**

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<sup>9</sup> The current Board is comprised of a chairperson and 16 EOC members, all appointed by the Chief Executive of the HKSAR. In 2017, seven women's groups called on the then EOC chairperson Alfred Chan Cheung-ming to resign after he made "sexist" remarks at an event in celebration of International Women's Day. <https://hongkongfp.com/2017/03/14/equality-chief-faces-calls-resign-making-sexist-remarks-international-womens-day/> [retrieved 31 March 2023]

<sup>10</sup> As the EOC's structure and finances are not completely independent of the government, the Global Alliance of International Human Rights Institutions (GANHRI) have maintained the EOC rating as C status since 2000. [https://ganhri.org/wp-content/uploads/2022/11/StatusAccreditationChartNHRIs\\_29-Nov-2022.pdf](https://ganhri.org/wp-content/uploads/2022/11/StatusAccreditationChartNHRIs_29-Nov-2022.pdf) [retrieved 31 March 2023]

<sup>11</sup> Its complaint-handling process involves recourse to conciliation, investigation and litigation. If conciliation fails, the complainant must take further steps to apply for legal assistance, which is subject to the EOC's approval to support the case. The EOC may investigate and assist a person to pursue in court a complaint which is thought to merit further action.

<sup>12</sup> The position paper of the Coalition for Equal Opportunities: <https://www.legco.gov.hk/yr17-18/chinese/panels/ca/papers/ca20180214cb2-946-1-ec.pdf> (In Chinese) [retrieved 31 March 2023]; the position paper of the Society for Community Organization: [https://soco.org.hk/wp-content/uploads/2014/10/SoCO\\_position-paper-to-EOC\\_2018\\_12\\_27.pdf](https://soco.org.hk/wp-content/uploads/2014/10/SoCO_position-paper-to-EOC_2018_12_27.pdf) (In Chinese) [retrieved 31 March 2023]

<sup>13</sup> EOC Annual Reports 2017/2018 – 2021/2022 <https://www.eoc.org.hk/en/AnnualReport> [retrieved 31 March 2023]

**duties set out under the anti-discrimination ordinances; and c) reform the EOC's governance structure with a view to strengthening the organization in line with the Paris Principles.**

## **Article 7: Political and Public Life**

### *Arrest and persecution of women TU leaders*

11. Since the promulgation of the NSL, at least twelve trade union leaders have been arrested – six of which were women. As of 31 March 2023, three were sentenced to jail and released after serving sentence, two were remanded in custody and one was released on police bail.

12. C.N., former chairperson of one of the TU confederations in the HKSAR, and W.Y., former chairperson of a healthcare TU, were arrested on 6 January 2021 on suspicion of conspiracy to subversion over their participation in an unofficial primary election organised by the pro-democracy camp in July 2020. C.N. has been detained since 28 February 2021. The High Court (HC) declined her appeal for bail on 20 December, citing her international influence as a result of her TU work.<sup>14</sup> W.Y. was granted bail by the HC on 28 July 2021. However, she was arrested again on suspicion of violating bail conditions on 7 March 2022 and her bail was revoked next day by a magistrate.<sup>15</sup> Both of them has been remanded in custody.

13. L.L., M.Y. and S.N. were former women committee members of a speech therapist union charged in July and August 2021 respectively on suspicion of publishing and circulating seditious materials. The police accused the concerned publications of intending to bring into hatred or contempt, or to excite disaffection against the government and the administration of justice. They were convicted by the District Court on 2 September 2022 and were sentenced to 19 months each in prison. They were released after finished serving their jail terms on 10 October 2022.<sup>16</sup>

14. E.T., a prominent trade union leader both domestically and internationally, who currently serves as the general secretary of an international union federation, was arrested by the national security police for alleged "collusion with a foreign forces" on 9 March 2023.<sup>17</sup> In 2021, she was attacked by pro-Beijing newspaper for allegedly receiving funding from foreign organisations as a board member of a labour rights advocacy group.<sup>18</sup> After two days of

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<sup>14</sup> Reported in [2022] HKCFI 1061

<sup>15</sup> <https://www.rfa.org/english/news/china/hongkong-unionist-03102022105118.html> [retrieved 31 March 2023]

<sup>16</sup> <https://www.hongkongfp.com/2022/09/10/breaking-5-hong-kong-speech-therapists-jailed-for-19-months-each-for-sedition-over-childrens-books> [retrieved 31 March 2023]

<sup>17</sup> <https://hongkongfp.com/2023/03/09/hong-kong-activist-arrested-by-nat-security-police-after-visiting-ex-lawmaker-husband-in-prison-reports/> [retrieved 31 March 2023]

<sup>18</sup> <http://www.takungpao.com.hk/231106/2021/0918/633368.html> (in Chinese) [retrieved 31 March 2023]

detention, ET was released on March 11, on a bail amount of HKD 200,000 and ordered to hand over her passport as bail conditions.<sup>19</sup>

**15. The HKLRM contends that the above women TU leaders were arrested, prosecuted, convicted and/or sentenced solely for exercising their rights to freedom of association and expression. The HKLRM recommends that the Committee urge the PRC and HKG to (a) repeal the NSL, the sedition provisions under the Crimes Ordinance and the unauthorised assemblies offences under the Public Order Ordinance, and, in the meantime, refrain from applying these laws; and (b) immediately discontinue all pending cases against individuals charged for exercising the rights enshrined in the Convention, and provide them with adequate compensation.**

## **Article 11: Employment**

### *Gender pay gap and unequal job opportunities*

16. The HKLRM is concerned about the persisting gender pay gap and unequal job opportunities in Hong Kong. The median monthly employment earnings of female employees were \$15,000 in 2021 while that for males was \$20,000. The unadjusted gender pay gap in 2021 was 21%,<sup>20</sup> compared with that of 18% in 2011. The gender pay gap has de facto widened over a decade. The fact that a higher proportion of male employees working as managers, professionals, and associate professionals with higher monthly salaries demonstrated persistent trend of unequal job opportunities. In 2021, the proportion of female working as managers stood at 38%, much lower than the 62% for male. The median monthly earnings of female workers in elementary occupations excluding foreign domestic helpers were \$11,000 in 2021, as against \$13,000 for their male counterparts.<sup>21</sup> Female workers' income was much lower in comparing with that of the male workers for the same class, showing that the inequality of employment earnings between sexes has become more serious.

17. The SDO is insufficient to implement the principle of equal pay for work of equal value (EPEV). The limited provisions in the SDO pertinent to non-discrimination in employment provide no standards for the implementation of EPEV, such as the evaluation methodology to be used, the types of remedy or damages to be ordered, the categories of employees eligible for consideration, and the types of protection and defence that can be claimed by employers. Under the SDO, complaints would be individual-based but the present law is ambiguous and deficient without clear standards and concepts of EPEV to be applied.

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<sup>19</sup> <https://www.scmp.com/news/hong-kong/law-and-crime/article/3213186/hong-kong-national-security-law-unionist-wife-jailed-ex-opposition-politician-lee-cheuk-yan-released> [retrieved 31 March 2023]

<sup>20</sup> In May - June 2021, the median hourly wages of female and male employees (excluding government employees as well as student interns, work experience students and live-in domestic workers as exempted by the Minimum Wage Ordinance) were \$66.9 and \$84.4 respectively.

<sup>21</sup> [https://www.censtatd.gov.hk/en/data/stat\\_report/product/B1130303/att/B11303032022AN22B0100.pdf](https://www.censtatd.gov.hk/en/data/stat_report/product/B1130303/att/B11303032022AN22B0100.pdf) [retrieved 31 March 2023]

18. HKLRM invites the Committee to urge the HKG to (a) draft legislation or amend existing SDO to provide clarity to employers and employees in the implementation of EPEV; and (b) enhance women's participation in senior public positions, including by considering quotas.

*Lack of social security protection for casual workers and unpaid family carers*

19. There was a surge of casual women workers by 60% from 71,400 between October-December 2009<sup>22</sup> to 114,800 between October 2019 and January 2020. The Comprehensive Social Security Assistance (CSSA) is a means-tested scheme, which is not a universal scheme that provides adequate retirement protection to all citizens. While the final benefits gained by the Mandatory Provisional Fund (MPF) are totally dependent on the length and amount of contribution from both the employers and the employees, this gender insensitive scheme will only provide meagre or no retirement protection for unpaid women homemakers, elderly workers, low-income and casual workers. There are 605,800 economically inactive women in Hong Kong due to the need to engage in household duties without any earnings or retirement protection.<sup>23</sup>

**20. HKLRM invites the Committee to urge the HKG to (a) review the current MPF scheme and extend the overall retirement scheme to all retired persons, housewives as well as the low-income workers; (b) review and revise the CSSA system with a gender-sensitive perspective; and (c) take all necessary measures to create gender-friendly workplaces including provision of adequate childcare services and flexible work arrangements.**

*Discrimination against women employees on the grounds of pregnancy or maternity*

21. The EOC handled 1342 complaints under the SDO in 2019-22, 344 cases of which were related to pregnancy discrimination, accounting for 26% of the total. Pregnancy discrimination is one of the most common complaints under the SDO.<sup>24</sup> According to a 2016 EOC report, one in five women experienced workplace discrimination during pregnancy, maternity leave or in the first year after giving birth.<sup>25</sup> Nevertheless, the current SDO and EO is ambiguous and deficient in providing legal protection to pregnant employees at workplace. The remedy mechanism has been criticized for being complicated and tedious, and victims often receive little support from the EOC.

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<sup>22</sup> [https://www.censtatd.gov.hk/en/data/stat\\_report/product/C0000016/att/B11301552011XXXXB0100.pdf](https://www.censtatd.gov.hk/en/data/stat_report/product/C0000016/att/B11301552011XXXXB0100.pdf) [retrieved 31 March 2023]

<sup>23</sup> [https://www.censtatd.gov.hk/en/data/stat\\_report/product/B1130303/att/B11303032022AN22B0100.pdf](https://www.censtatd.gov.hk/en/data/stat_report/product/B1130303/att/B11303032022AN22B0100.pdf) [retrieved 31 March 2023]

<sup>24</sup> In addition, of the 47 Family Status Discrimination Ordinance (FSDO) complaint cases handled by the EOC in 2021-2022, 42 were employment related with a number of the allegations concerning dismissal on the grounds of family status.

[https://www.eoc.org.hk/Upload/annualreport/Complaint%20Handling\\_2122\\_95.pdf](https://www.eoc.org.hk/Upload/annualreport/Complaint%20Handling_2122_95.pdf) [retrieved 31 March 2023]

<sup>25</sup> The types of discrimination ranged from impolite treatment to being refused sick leave for pre-natal check-ups, getting laid off or being allocated more work. The situation was the worst for pregnant women in retail or the restaurant and hotel industries as approximately 33% of those in retail and 44% in the latter industry encountered discrimination during pregnancy. <https://www.eoc.org.hk/eoc/upload/ResearchReport/20169281137202878231.pdf> [retrieved 31 March 2023]

22. A common discrimination is dismissal due to employees' pregnancy. In 2019, C.L.N., who was a senior manager of a logistics company in Hong Kong, filed a lawsuit to her employer that she worked for a decade due to pregnancy discrimination. During her maternity leave in November 2017, C.L.N. received a message from the company that her contract would not be renewed from 2018.<sup>26</sup> Provisions relating to unfair dismissal under the EO does not apply to cases of non-renewal of fixed-term contract, hence the plaintiff was not protected under the EO but had to claim her rights under the SDO. It was a tedious and challenging process for her to start from the complaint process to the lawsuit, which took her 5 years to wait for the hearing to take place.

**23. HKLRM invites the Committee to urge the HKG to amend the EO and the SDO to protect women employees' right to return to work after giving birth, which shall stipulate that non-renewal of pregnant employees' fixed-term contracts is unlawful.**

#### *Workplace sexual harassment*

24. Workplace sexual harassment remains serious and prevalent. According to a survey conducted by the EOC in 2021, nearly one in eight individuals were sexually harassed at workplace in the past 24 months. Women were significantly more likely to have been sexually harassed at work, with the ratios standing at 14.6% for women and 8.8% for men.<sup>27</sup>

25. Protection for women employees at workplace and the remedy to seek justice remains insufficient. An EOC's study in 2021 indicates that 55.7% of respondents were not protected by any anti-sexual harassment policy or measures in their workplace. Presently, there are no legal liability for employers who ignore the EOC's recommendation to establish sexual harassment policies and staff training.

**26. With these remarks, HKLRM invites the Committee to urge the HHG to (a) introduce a positive duty on employers to take reasonable and proportionate steps to prevent and respond to workplace sexual harassment; (b) amend the SDO so that employers would be legally liable for third-party harassment; and (c) take all appropriate measures to provide victims of gender-based violence with timely and effective access to remedy.**

#### *Migrant domestic workers (MDW)' rights denied*

27. The Committee, in its Concluding Observations on the Combined Seventh and Eighth Periodic Report of the HKSAR, expressed the concerns about the "two-week rule" (TWR) and the "live-in policy" (LIP)<sup>28</sup> that put MDWs at high risk of abuse and exploitation.<sup>29</sup> The

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<sup>26</sup> [https://hk.on.cc/hk/bkn/cnt/news/20191115/bkn-20191115135559093-1115\\_00822\\_001.html](https://hk.on.cc/hk/bkn/cnt/news/20191115/bkn-20191115135559093-1115_00822_001.html) (In Chinese) [retrieved 31 March 2023]

<sup>27</sup> [https://www.eoc.org.hk/Upload/files/research-report/SurveyOnSexualHarassmentInHK2021\\_Report\\_E\\_11May2022.pdf](https://www.eoc.org.hk/Upload/files/research-report/SurveyOnSexualHarassmentInHK2021_Report_E_11May2022.pdf) [retrieved 31 March 2023]

<sup>28</sup> The "two-week rule" stipulates that MDWs have to leave Hong Kong 14 days after their employment contracts are terminated, and the "live-in policy" stipulates that MDWs are required to live in the employing household.

<sup>29</sup> [www.cmab.gov.hk/doc/en/documents/policy\\_responsibilities/ICESCR\\_Concluding\\_Observation.pdf\\_para\\_43](http://www.cmab.gov.hk/doc/en/documents/policy_responsibilities/ICESCR_Concluding_Observation.pdf_para_43) [retrieved 31 March 2023]



Committee regretted that the HKG had not taken any concrete measures to revise these rules and reiterated its recommendations.<sup>30</sup> The HKLRM is disappointed to note that the HKG welcomed the Court of Appeal's ruling made on 21 September 2020 upholding the legality of the LIP<sup>31</sup> and has never demonstrated any intention to repeal both the TWR and LIP.

28. The Immigration Department (ImmD) turned down 2,833 visa applications from MDWs who had prematurely terminated their employment contract allegedly without a valid reason (commonly known as “job-hopping”) in 2021.<sup>32</sup> The ImmD explains that save for the exceptional circumstances deemed reasonable, an application from a MDW for change of employer within the two-year contract period will normally not be approved. MDW who wishes to have a new employer must leave the territory and submit a fresh employment visa application.<sup>33</sup> Workers switching employers for better remunerations is a normal phenomenon in the operation of a market economy. The HKG's detrimental treatments of those MDWs exercising their right to choose their employers freely amount to a modern form of slavery.

**29. HKLRM invites the Committee to (a) urge the HKG to take all necessary steps to repeal the TWR and the LIP and implement other recommendations relating to the right of MDWs it previously made in previous Concluding Observations; (b) convey its concern about MDWs' right to choose their employers freely is jeopardised by the ImmD's normal practice; and (c) take all appropriate measures to ensure non-discrimination and the equal rights of MDWs with regard to General Recommendation 26.**

#### *Age discrimination against flight attendants*

30. Currently, there are no statutory provisions in Hong Kong specifically prohibiting age discrimination. Women in the workplace de facto suffer greater discrimination based on age than men. Age discrimination has long been a grave concern for flight attendants that are overrepresented by female in the city owing to unfair retirement age policies in the airline industry.

31. The retirement age of Cathay Pacific flight attendants rose from 45 to 55 in 2008, followed by another extension to 60 in 2019, owing to a long battle of the TU. Despite the significant achievement in Cathay Pacific's case, there is still no statutory provision to enforce a compulsory policy against age discrimination in Hong Kong. Flight attendants in other local airlines such as Hong Kong Airlines, must retire at 45.

**32. HKLRM invites the Committee to urge the HKSAR Government to (a) enact, as soon as reasonably practicable, age discrimination legislation to offer legal protection to**

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<sup>30</sup> The Committee's Concluding Observations on the Combined Seventh and Eighth Periodic Report of the HKSAR, para 65.

<sup>31</sup> [www.info.gov.hk/gia/general/202009/21/P2020092100923.htm](http://www.info.gov.hk/gia/general/202009/21/P2020092100923.htm) [retrieved 31 March 2023]

<sup>32</sup> [www.info.gov.hk/gia/general/202201/19/P2022011900499.htm](http://www.info.gov.hk/gia/general/202201/19/P2022011900499.htm) [retrieved 31 March 2023]

<sup>33</sup> Exceptional circumstances include the death or financial reasons of the original employer, or where there is evidence that the MDW has been abused or exploited. For MDWs suspected of job-hopping, the ImmD will not only refuse their employment visa applications, but also keep their application records in assessing any future applications they may make. <https://www.scmp.com/news/hong-kong/society/article/3156503/hong-kong-domestic-workers-abusing-post-contract-grace> [retrieved 31 March 2023]

**ensure equal opportunities for all, and women employees with high representation in certain industries in particular, to seek any remedy in relation to discriminatory conduct which occurs solely on the basis of age; and (b) regarding the condition in airline industry, set up a Tripartite Committee with representatives of the airline industry and the unions to work out an anti-age discrimination policy for the whole industry.**