

Legal Rights & Protections

Disability Discrimination Ordinance,
EOC Remedies & Employment Rights

Hugill & Ip

The Ability Bridges Seminar

30 May 2026 | Café 8, Central Pier 8, Hong Kong

Know Your Rights. Protect Your Family.



HUGILL & IP
ATTORNEYS AT LAW

THE ABILITY BRIDGES SEMINAR

Know Your Rights. Protect Your Family.

Saturday, 30 May 2026 10:00 am – 12:00 noon Café 8, Central Pier 8, HK
Free Event · Presented in support of Love21 Foundation, The Nesbitt Centre and Sensational Foundation

SEMINAR PROGRAMME

- 10:00 am** Welcome & Introduction
- 10:10 am** Legal Rights & Protections — Disability Discrimination Ordinance, EOC remedies & employment rights
- 11:00 am** Divorce, Custody & Access — Family court, custody, care & control, visitation, maintenance & legal aid
- 11:20 am** Real Estate & Housing — Special Needs Trusts, property planning & housing access
- 11:40 am** Open Q&A with our panel of lawyers
- 12:00 noon** Close

TOPICS AT A GLANCE

Legal Rights & Remedies	Divorce, Custody & Access	Real Estate & Housing
<ul style="list-style-type: none">Disability Discrimination Ordinance (Cap. 487)Rights in employment, education & servicesEOC complaints & court remedies	<ul style="list-style-type: none">Best interests of the child — special needs focusCustody, care & control, and visitation rightsMaintenance beyond 18 & Legal Aid eligibility	<ul style="list-style-type: none">Wills, EPAs & private trust structuresGovernment SNT — eligibility & asset limitsPublic housing priority & adaptation works

RSVP
Reserve your on-site or virtual attendance — spaces are limited
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Access to justice and legal knowledge is a fundamental right, not a privilege.
The Ability Bridges — a landmark 6-month pro bono campaign empowering individuals with disabilities and their families.

What We Will Cover Today

01

The Disability Discrimination Ordinance

Understanding Cap. 487 and its fundamental protections.

02

Employment Rights & Accommodations

Navigating hiring, dismissal, and the duty to accommodate.

03

EOC Complaints Process

A structured path to justice through conciliation.

04

Court Remedies

Seeking redress, damages, and injunctions in the District Court.

The DDO Renders Disability Discrimination Unlawful

The Disability Discrimination Ordinance (Cap. 487) provides fundamental legal protections against unfair treatment. It renders three key acts unlawful:

Discrimination

Treating a person with a disability less favourably than another person without that disability in comparable circumstances.

Harassment

Unwelcome conduct on account of a person's disability that is offensive, humiliating, or intimidating to that person.

Vilification

Any activity in public that incites hatred, serious contempt, or severe ridicule towards persons with a disability.

The DDO ensures that individuals with disabilities have equal opportunities to participate fully in society.

What Constitutes a “Disability” Under the Law?

The DDO applies a broad and inclusive definition of disability, recognising that barriers take many forms.

Types of Disability Covered

- Physical
- Mental
- Intellectual
- Learning difficulties
- Chronic illness

Extended Protections

Associates

Protection extends to associates of persons with disabilities (e.g., spouses, parents, carers, relatives). It is unlawful to discriminate against someone because of their association with a disabled person.

Imputed Disability

Covers discrimination based on a mistaken belief that someone has a disability, even if they do not.

Six Protected Areas of Activity Under the DDO

The protections under the DDO apply to specific areas of public life:

1 Employment

Recruitment, promotion, dismissal, and vocational training.

2 Education

Admission and access to educational facilities.

3 Goods & Services

Access to everyday services like transport, banking, and retail.

4 Access to Premises

Management and accessibility of public buildings.

5 Government Activities

Provision of public services and programs.

6 Clubs & Sports

Membership and participation in sporting activities.

The law aims to eliminate barriers across all major aspects of daily life.

Employers Cannot Discriminate — But Must Also Accommodate

The DDO places clear obligations on all employers in Hong Kong (unless the employee works wholly outside HK)

Unlawful Discrimination

It is unlawful for employers to discriminate against persons with disabilities in:

- Hiring and recruitment
- Setting terms and conditions of employment
- Dismissal or termination

The Inherent Requirements Exception

An employer may lawfully refuse employment if the person cannot perform the **inherent requirements** of the job, even after reasonable accommodations have been considered.

Reasonable Accommodation

Before concluding a person cannot perform the job, employers **must** consider providing reasonable accommodation to enable the performance of job duties.

Examples of Accommodation:

- Modifying workspace or equipment
- Adjusting work hours or providing flexible schedules
- Reallocating minor job duties

** Accommodations must be provided unless doing so would impose an "unjustifiable hardship" on the employer.*

The EOC Provides a Structured Path to Justice

The Equal Opportunities Commission (EOC) provides an accessible mechanism for resolving discrimination disputes.

Filing a Complaint

- Must be a **written complaint** filed within **12 months** of the discriminatory act.
- A representative may lodge a complaint on behalf of the aggrieved person (with authorisation).

Protection Against Retaliation

Victimisation (retaliation for lodging a complaint or assisting in an investigation) is expressly unlawful under the DDO.

The Process

1. Investigation & Conciliation

The EOC investigates the allegations and attempts to resolve the matter amicably through conciliation between the parties.

2. Legal Assistance

If conciliation fails and a settlement cannot be reached, the complainant may apply to the EOC for legal assistance to pursue court action.

Court Remedies Provide Meaningful Redress

When conciliation is unsuccessful, legal action may be necessary to secure redress and enforce rights under the DDO.

Strict Time Limit

Civil proceedings must be brought in the District Court within **2 years** of the discriminatory act. Delays can result in claims being time-barred.

Available Remedies

Declaration

A formal legal statement by the court confirming that unlawful discrimination occurred.

Damages

Financial compensation for financial loss, which crucially can also include damages for **injury to feelings**.

Injunction

A binding court order compelling the respondent to stop the discriminatory conduct or take specific actions.

Court action not only provides redress for the victim but also sets important legal precedents that protect others.

Empowering Individuals Through Legal Knowledge

The DDO

Prohibits discrimination, harassment, and vilification on the ground of disability.

Scope

Broad definition, including associates and imputed disability.

Employment

Unlawful to discriminate; duty to provide reasonable accommodation.

EOC Complaints

File within 12 months; focuses on conciliation and resolution.

Court Remedies

File within 2 years; remedies include damages for injury to feelings.

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