



平等機會委員會  
EQUAL OPPORTUNITIES COMMISSION

## 性騷擾 — 《性別歧視條例》 對貨品、設施或服務提供者的保障

**Sexual Harassment —**  
The Sex Discrimination Ordinance  
Protects Providers of Goods,  
Facilities or Services



### 什麼是性騷擾？

性騷擾是向某人做出任何涉及性的不受歡迎行為，而一名合理的人在顧及所有相關的情況後，應預期該人會感到被冒犯、侮辱或威嚇。例如對某人作出不受歡迎的身體觸碰、發出含有性意味的電郵，或評論其身材等。

性騷擾亦可以是指某人做出涉及性的行為，而該行為會對他人造成一個有敵意或具威嚇性的環境。例如一名員工在工作場所張貼色情海報，或與其他同事高聲談及色情笑話或有性意味的粗言穢語，會對另一名在同一工作場所的同事構成具敵意或威嚇的環境。

### What is sexual harassment?

Sexual harassment is any unwelcome conduct of a sexual nature made to a person, in circumstances in which a reasonable person would have anticipated that the person would feel offended, humiliated or intimidated. Examples include unwelcomed body touch, sending emails with sexual overtones to someone, or comments on a person's body.

Sexual harassment can also refer to any conduct of a sexual nature creating a hostile or intimidating environment for a person. For example, displaying pornographic posters in office, or speaking sexual jokes or foul language with sexual overtones loudly with other colleagues may create a hostile or intimidating environment for another colleague in the same workplace.

手臂好粗呀！不如今晚來我家教我健身？  
Your arms are so strong!  
Come and teach me body-building at my home tonight!



銀行客戶服務部  
Bank Customer Service

顧客如向提供貨品、設施或服務的人作出性騷擾，即屬違法。  
Sexual harassment by customers against providers of goods, facilities or services is unlawful.



Candy，你身材真好...  
You have such a good figure...

根據陳先生在本銀行的存款，我們建議你作出幾類投資。  
Based on your deposit in our bank, we propose this investment plan for you.



如飛機乘客在香港境外的本地註冊飛機上性騷擾機艙服務員，屬違法行為。受性騷擾的空中服務員回港後可作出投訴。  
It is unlawful for a passenger to sexually harass a flight attendant on a locally registered aircraft outside Hong Kong. The affected flight attendant can lodge a complaint when he/she returns to Hong Kong.



在法例訂明的範疇出現性騷擾可被視為違法，有關範疇包括：

- 提供貨品、設施或服務：根據《條例》第40(1A)條，任何顧客如向提供或可能提供貨品、設施或服務的人士作出性騷擾，即屬違法。這包括在香港境外的本地飛機或船舶上發生的性騷擾。另一方面，顧客被服務提供者性騷擾亦屬違法行為。
- 僱傭：如僱員之間、僱員與僱主之間，或求職者與僱用機構僱員之間的性騷擾。

法例的涵蓋範疇亦包括教育、處所的管理及處置、職業介紹等。

### The Ordinance provides protection against sexual harassment in specified fields. Some specified fields include -

- Provision of goods, facilities or services – according to Section 40(1A) of the Ordinance, sexual harassment by customers against providers or prospective providers of goods, facilities or services is unlawful. This includes sexual harassment that occurs on a local aircraft or ship outside Hong Kong. It is also unlawful if a service provider sexually harasses a customer.
- Employment – this covers sexual harassment among employees; between an employee and an employer; and between a job seeker and employees of the organisation from which s/he is looking for a job.

Other specified fields include education; management and disposal of premises; employment agencies' services and etc.

### 被顧客性騷擾怎麼辦？ What to do if you are sexually harassed by customers?



詳細記錄事件，包括該顧客的姓名、日期、時間、地點、事情發生的經過、証人等。  
Write down what happened in details, including the customer's name, date, time, place, details of the incident, witnesses and etc.



與信任的人士討論。  
Discuss with the persons you trust.

向僱主作出投訴，要求僱主公平公正地處理投訴。  
Lodge a complaint with your employer. Request your employer to handle the complaint in a fair and impartial manner.



向平等機會委員會（平機會）投訴，或向區域法院提出民事訴訟。  
Lodge a complaint with the Equal Opportunities Commission (EOC), or institute civil proceedings at the District Court.



問：怎樣向平機會作出性騷擾的投訴？

答：投訴人可以在事發起的12個月內，以書面方式向平機會提出投訴。

Q：How to lodge a sexual harassment complaint with the EOC?

A：The complainant can lodge a complaint in writing with the EOC within 12 months of the occurrence of the incident.



問：平機會如何處理收到的性騷擾投訴？

答：平機會在接獲性騷擾的書面投訴後，將會就事件進行調查，並致力透過調停讓各方達致和解，除非平機會根據法例行使酌情權，不進行或終止有關調查。

假如調停不成功，投訴人可以向平機會申請法律協助，以便提出民事訴訟。所有法律協助申請均由平機會的法律及投訴專責小組審批。

Q：How does the EOC handle a sexual harassment complaint?

A：Once the EOC has received a sexual harassment complaint in writing, the EOC will investigate into the matter and endeavour to effect a settlement of the matter between the parties by conciliation, unless the EOC, in accordance with the law, exercises its discretion to not conduct, or to discontinue, the investigation.

If conciliation is unsuccessful, the complainant can apply to the EOC for legal assistance for instituting civil action against the respondent. All applications for assistance are considered by the Legal and Complaints Committee of the EOC.



問：怎樣聯絡平機會？

答：● 地址 香港黃竹坑香葉道41號16樓

● 電話：2511-8211

● 傳真：2511-8142

● 電郵：eoc@eoc.org.hk

● 電話短訊查詢服務(供聽障/有語言障礙人士使用)：6972566616538

● 網址：www.eoc.org.hk

Q：How to contact the EOC?

A：● Address: 16/F., 41 Heung Yip Road, Wong Chuk Hang, Hong Kong

● Tel: 2511-8211

● Fax: 2511-8142

● Email: eoc@eoc.org.hk

● Enquiries via SMS service (For people with hearing impairment / speech difficulties): 6972566616538

● Website: www.eoc.org.hk

