

# The Bank that Said No

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*When a person is treated less favourably than another under comparable circumstances because of his/her race, it is considered as direct discrimination under the Race Discrimination Ordinance (RDO).*

### The Complaint

Adnan, a Pakistani, submitted an application to a bank to open a bank account. Although he provided all the required documents, the assistant manager of the bank who handled his application informed him that his application could not be accepted because he was not a permanent resident of Hong Kong. However, Adnan knew that some of his friends who were not permanent residents of Hong Kong had successfully opened accounts at the same bank. He felt that his application was rejected on the ground of his race. He later lodged a complaint with the EOC against the bank's discriminatory practice.

### What the EOC did

The EOC case officer contacted the bank after receiving the complaint and explained the provisions under the RDO. The complaint was eventually settled through conciliation after the bank agreed to arrange for Adnan to re-apply for a bank account and to handle his application by applying the bank's usual internal procedures and criteria in handling such applications.

### ★ Points to Note:

- A study conducted by the EOC in 2015 found that it is common for ethnic minorities in Hong Kong to come across discrimination when they are obtaining goods and service, especially when they are looking for accommodation and using financial services, such as opening a bank account and applying for a credit card.
- Under the RDO, it is unlawful to refuse to provide goods, services or facilities on the ground of a person's race. By race, it means the race, colour, descent, national origin or ethnic origin of a person. Both permanent residents and non-permanent residents are protected under the RDO.