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白仲安先生
Mr. John Robertson BUDGE
M.B.E., J.P.
委員 Member



洪雪蓮女士
Ms. HUNG Suet-lin, Shirley
委員 Member



胡紅玉女士
Ms. WU Hung-yuk, Anna
S.B.S., J.P.
主席 Chairperson



陳少瓊女士
Ms. CHAN Siu-king, Cammy
J.P.
委員 Member



高寶齡女士
Ms. KO Po-ling
委員 Member



朱佩瑩女士
Ms. CHU Pui-ying, Bebe
J.P.
委員 Member



郭鍵勳博士
Dr. KWOK Kin-fun, Joseph
J.P.
委員 Member



馮漢源教授
Prof. Stevenson FUNG
B.B.S., D.Sc.
委員 Member



林貝聿嘉女士
Mrs. LAM Pei Yu-dja, Peggy
S.B.S., O.B.E., J.P.
委員 Member



李文彬先生
Mr. LEE Man-ban, S.B.S.
M.B.E., J.P.
委員 Member



孫大倫博士
Dr. SUN Tai-lun, Dennis
B.B.S.
委員 Member



李業廣先生
The Hon. LEE Yeh-kwong, Charles
G.B.S., J.P.
委員 Member



鄔維庸醫生
Dr. WU Wai-yung, Raymond
G.B.S., O.B.E., J.P.
委員 Member



梁君彥先生
Mr. LEUNG Kwan-yuen, Andrew
M.B.E., J.P.
委員 Member



楊港興先生
Mr. YEUNG Kong-hing, Peter
J.P.
委員 Member



李鳳英女士
The Hon. LI Fung-ying
M.B.E., J.P.
委員 Member



余秀珠女士
Ms. YU Sau-chu, Jessie
委員 Member

平等機會委員會專責小組成員及職權範圍 (截至二零零一年三月三十一日)

Membership & Terms of Reference of the Committees of the Equal Opportunities Commission (as at 31.3. 2001)

行政及財務專責小組 Administration and Finance Committee

成員 Membership

1. 李業廣先生 The Hon. LEE Yeh-kwong, Charles (召集人 Convenor)
2. 林貝聿嘉女士 Mrs. LAM Pei Yu-dja, Peggy
3. 李文彬先生 Mr. LEE Man-ban
4. 李鳳英女士 The Hon. LI Fung-ying
5. 孫大倫博士 Dr. SUN Tai-lun, Dennis
6. 楊港興先生 Mr. YEUNG Kong-hing, Peter

職權範圍

1. 審核委員會的年度開支預算初稿。
2. 考慮和批准委員會接受的捐款。
3. 審核委員會的帳目報表初稿及核數師報告書。
4. 審核委員會活動的年度報告初稿。
5. 審核行政安排備忘錄及其後的任何建議修訂。
6. 就委員會有關工作的事項設立招標小組，以及通過招標小組作出的建議。
7. 就聘請總薪級表第45點或以上的僱員設立招聘小組，以及通過招聘小組作出的建議。
8. 就續聘或終止聘請總薪級表第45點或以上的僱員的事宜給予意見。
9. 通過行政安排備忘錄內的每季工作進度回顧報告。
10. 就委員會委任核數師提出建議。
11. 定期檢討委員會的僱員及行政政策。
12. 就有關租賃、續租或購買委員會辦公室的建議給予意見及作出批准。

Terms of Reference

1. To review the draft Annual Estimates of Expenditure of the Commission.
2. To consider and approve donations to the Commission.
3. To review the draft statements of accounts of the Commission and the auditor's reports.
4. To review the draft annual report on the activities of the Commission.
5. To review the Memorandum of Administrative Arrangements and any proposed amendments thereof.
6. To set up tender boards in relation to matters connected with the work of the Commission and to approve such recommendations as are made by these boards.
7. To set up recruitment boards in relation to staff employed at MPS Point 45 and above and to approve such recommendations as are made by these boards.
8. To advise on matters related to further employment or termination of service in relation to staff employed at MPS point 45 and above.
9. To approve reports for quarterly reviews under the Memorandum of Administrative Arrangements.
10. To make recommendations to the Commission in respect of the appointment of an auditor.
11. To keep the staffing and administrative policies of the Commission under review.
12. To advise and to approve recommendations in relation to the leasing, renewal or acquisition of the Commission's office accommodation.

社會參與及宣傳專責小組 Community Participation and Publicity Committee

成員 Membership

1. 林貝聿嘉女士 Mrs. LAM Pei Yu-dja, Peggy (召集人 Convenor)
2. 陳少瓊女士 Ms. CHAN Siu-king, Cammy
3. 洪雪蓮女士 Ms. HUNG Suet-lin, Shirley
4. 高寶齡女士 Ms. KO Po-ling
5. 郭鍵勳博士 Dr. KWOK Kin-fun, Joseph
6. 李鳳英女士 The Hon. LI Fung-ying
7. 余秀珠女士 Ms. YU Sau-chu, Jessie
8. 陳彩英女士 Ms. CHAN Choi-ying, Virginia (增選委員Co-opted Member)
9. 黎秀玲女士 Ms. LAI Sau-ling (增選委員Co-opted Member)
10. 李靜雲女士 Ms. LEE Ching-wan, Betty (增選委員Co-opted Member)

職權範圍

1. 就推動平等機會和消除歧視的措施給予意見，以推動社會各界投入活動。
2. 就與政府及非政府組織(包括僱主機構及關注團體)的聯絡工作給予意見。
3. 就與機構建立夥伴關係並共同推動平等機會的措施給予意見。
4. 就加強委員會的宣傳工作及與傳媒的關係的措施給予意見。
5. 審閱委員會就上述 (1)、(2)、(3) 和 (4) 項所採取的行動的報告。
6. 在民政事務局批准的預算範圍之內，考慮和批准各界社團舉辦宣傳及推廣活動的資助申請。
7. 監察公眾對委員會工作的反應，及向委員會建議前瞻的路向。

Terms of Reference

1. To advise on measures to foster community participation in promoting equal opportunities and eliminating discrimination.
2. To advise on measures for liaison with government bodies and non-government organizations including employment establishments and concern groups.
3. To advise on measures for developing corporate partnership in promoting equal opportunities policy.
4. To advise on measures to strengthen publicity and media relations of the Commission.
5. To receive reports on actions taken by the EOC office in pursuance of (1), (2), (3) and (4) above.
6. To consider and approve funding applications in connection with promotion and publicity projects to be undertaken by community organizations within the budgetary confines as approved by the Home Affairs Bureau from time to time.
7. To monitor community response to the Commission's work and make recommendations to the Commission on the way forward.

公眾教育及研究專責小組 Public Education and Research Committee

成員 Membership

- | | |
|--|--|
| 1. 郭鍵勳博士 Dr. KWOK Kin-fun, Joseph (召集人 Convenor) | 6. 鄺維庸醫生 Dr. WU Wai-yung, Raymond |
| 2. 陳少瓊女士 Ms. CHAN Siu-king, Cammy | 7. 余秀珠女士 Ms. YU Sau-chu, Jessie |
| 3. 馮漢源教授 Prof. Stevenson FUNG | 8. 莊陳有先生 Mr. CHONG Chan-yau (增選委員 Co-opted Member) |
| 4. 洪雪蓮女士 Ms. HUNG Suet-lin, Shirley | 9. 麥肖玲博士 Dr. MAK Chiu-ling, Grace (增選委員 Co-opted Member) |
| 5. 高寶齡女士 Ms. KO Po-ling | |

職權範圍

1. 為委員會對關注的事項進行公眾教育時所採取的措施給予意見。
2. 在委員會已確立的預算範圍之內，審議和通過製作委員會的教材資料套。
3. 在委員會已確立的預算範圍之內，審議和通過委員會的研究計劃。
4. 審閱委員會辦事處有關公眾教育和研究計劃的委託事宜的工作報告。
5. 審閱委員會負責或委託進行的公眾教育和研究計劃的工作進展報告。

Terms of Reference

1. To advise on measures to be taken in conducting public education on issues of concern to the Commission.
2. To consider and approve training modules of the Commission within the budgetary confines as determined by the Commission from time to time.
3. To consider and approve research projects of the Commission within the budgetary confines as determined by the Commission from time to time.
4. To receive reports from the EOC office on the commissioning of projects in public education and research.
5. To receive progress reports on public education and research undertaken or commissioned by the Commission.

法律及投訴專責小組 Legal and Complaints Committee

成員 Membership

- | | |
|--|--------------------------------------|
| 1. 胡紅玉女士 Ms. WU Hung-yuk, Anna (召集人 Convenor) | 6. 李文彬先生 Mr. LEE Man-ban |
| 2. 朱佩瑩女士 Ms. CHU Pui-ying, Bebe (副召集人 Deputy Convenor) | 7. 梁君彥先生 Mr. LEUNG Kwan-yuen, Andrew |
| 3. 白仲安先生 Mr. John Robertson BUDGE | 8. 李鳳英女士 The Hon. LI Fung-ying |
| 4. 陳少瓊女士 Ms. CHAN Siu-king, Cammy | 9. 楊港興先生 Mr. YEUNG Kong-hing, Peter |
| 5. 洪雪蓮女士 Ms. HUNG Suet-lin, Shirley | |

職權範圍

1. 對須由平等機會委員會根據《性別歧視條例》第88條、《殘疾歧視條例》第85條及《家庭崗位歧視條例》第66條訂立的規則作出建議。
2. 審閱有關調解員給予根據《性別歧視條例》第84條、《殘疾歧視條例》第80條及《家庭崗位歧視條例》第62條而向平等機會委員會提出書面申訴的人以調解方式提供協助的報告，並知會平等機會委員會。
3. 審閱有關根據《性別歧視條例》第84(4)條、《殘疾歧視條例》第80(4)條及《家庭崗位歧視條例》第62(4)條由主席作出對某項申訴不進行調查或終止調查的決定的報告，並知會平等機會委員會。
4. 審閱調解員有關根據《性別歧視條例》第84條、《殘疾歧視條例》第80條及《家庭崗位歧視條例》第62條提出的，但不能經調解達致和解的申訴個案的報告。
5. 考慮根據《性別歧視條例》第85條、《殘疾歧視條例》第81條及《家庭崗位歧視條例》第63條要求調解以外的協助的申請；並在認為適合時，給予該等協助。

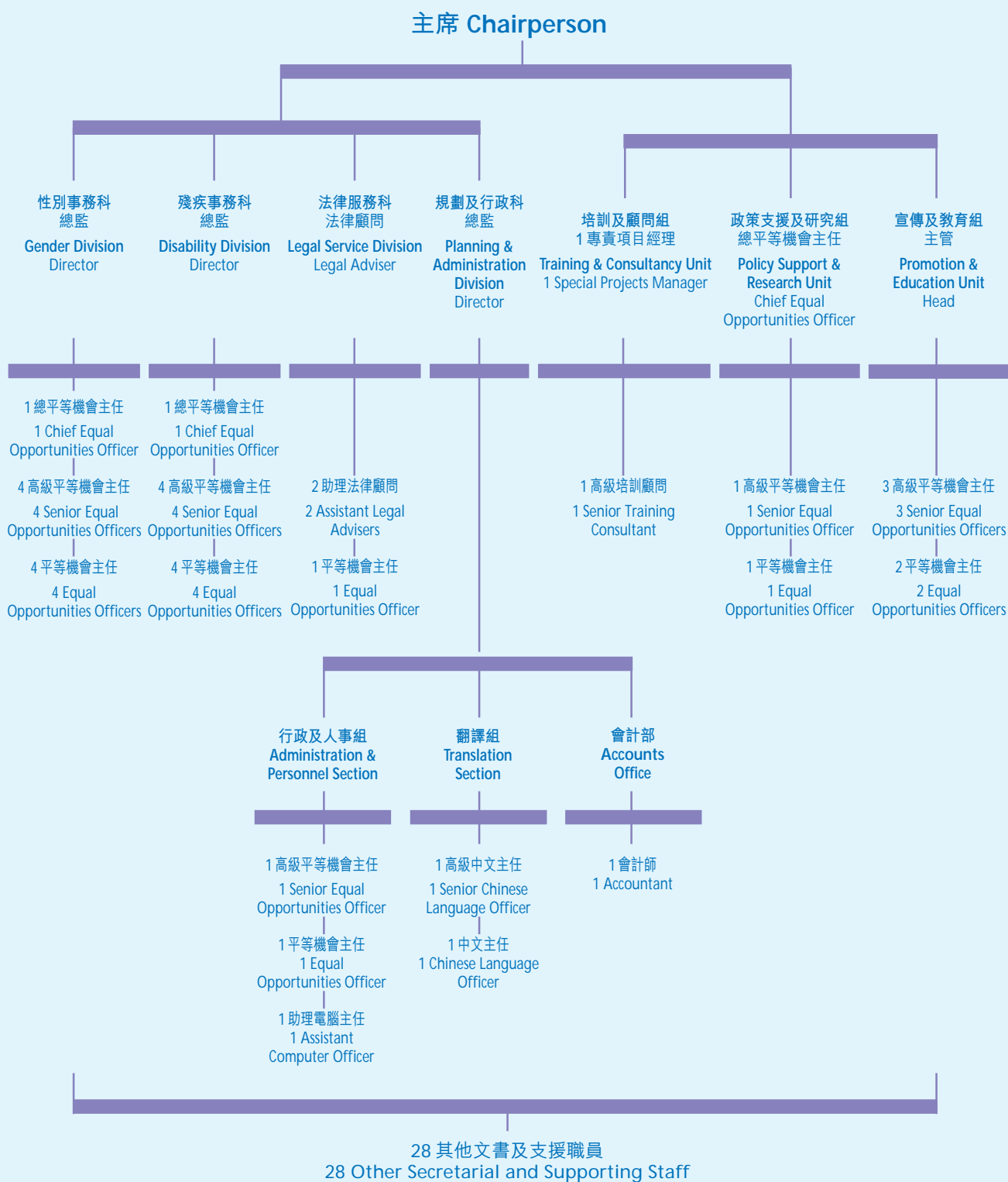
6. 建議平等機會委員會有關進行正式調查的調查範圍。
7. 就正式調查提供初步調查結果，並擬備報告供平等機會委員會考慮，包括向平等機會委員會作建議。
8. 就發出執行通知，向平等機會委員會作建議。
9. 審閱有關遵守執行通知的報告，並向平等機會委員會就不遵守執行通知的事作建議，看是否需要作正式調查。
10. 決定對《性別歧視條例》第 81 條所指的持續的歧視或性騷擾、《殘疾歧視條例》第 77 條所指的持續的歧視、騷擾或中傷及《家庭崗位歧視條例》第 59 條所指的持續的歧視採取何種行動。
11. 分別根據《性別歧視條例》第 82 條、《殘疾歧視條例》第 78 條及《家庭崗位歧視條例》第 60 條，決定對違反《性別歧視條例》第 43，44 或 45 條、《殘疾歧視條例》第 42，43，44 或 45 條及《家庭崗位歧視條例》第 31，32 及 33 條的作為提出何種法律程序。
12. 分別根據《性別歧視條例》第 66 條、《殘疾歧視條例》第 63 條及《家庭崗位歧視條例》第 45 條，檢討《性別歧視條例》附表 3 和附表 5，《殘疾歧視條例》附表 2，3 和 5 及《家庭崗位歧視條例》附表 2，有需要時，向平等機會委員會提交修訂附表的建議。
13. 分別根據《性別歧視條例》第 64(1)(e)條、《殘疾歧視條例》第 62(1)(e)條及《家庭崗位歧視條例》第 44(1)(d)條，檢討《性別歧視條例》、《殘疾歧視條例》及《家庭崗位歧視條例》的施行情況，有需要時，向平等機會委員會提交修訂條例的建議。

Terms of Reference

1. To recommend to the EOC rules to be made under section 88 of SDO, section 85 of DDO and section 66 of FSDO.
2. To receive reports on the assistance by way of conciliation provided by conciliators to persons lodging complaints in writing with the EOC pursuant to section 84 of SDO, section 80 of DDO and section 62 of the FSDO and to keep the EOC informed accordingly.
3. To receive reports on the decisions made by the Chairperson, pursuant to section 84(4) of SDO, section 80(4) of DDO and section 62(4) of the FSDO, not to conduct or to discontinue an investigation into an act the subject of a complaint and to keep the EOC informed accordingly.
4. To receive reports from conciliators in respect of cases where there has not been a settlement of the matter to which an act the subject of a complaint lodged pursuant to section 84 of SDO, section 80 of DDO and section 62 of the FSDO relates.
5. To consider applications made under section 85 of SDO, section 81 of DDO and section 63 of the FSDO for assistance other than by way of conciliation and to grant such applications it thinks fit.
6. To advise the EOC on terms of reference to conduct a formal investigation.
7. To make preliminary findings in a formal investigation and prepare a report of such for the consideration of the EOC, including making recommendations to the EOC.
8. To make recommendations to the EOC in respect of the issue of enforcement notices.
9. To receive reports on compliance with enforcement notices and recommend to the EOC whether a formal investigation should be conducted in the event of non-compliance.
10. To decide on actions to be taken in respect of persistent discrimination or sexual harassment under section 81 of SDO, in respect of persistent discrimination, harassment or vilification under section 77 of DDO and in respect of persistent discrimination under section 59 of FSDO.
11. To decide on the proceedings to be brought in respect of a contravention of sections 43, 44 or 45 of SDO, sections 42, 43, 44 or 45 of DDO and sections 31, 32 and 33 of FSDO, pursuant to section 82 of SDO, section 78 of DDO and section 60 of FSDO respectively.
12. To keep under review Schedules 3 and 5 of SDO, Schedules 2, 3 and 5 of DDO and Schedule 2 of FSDO and when necessary, recommend to the EOC proposals for amending the schedules, in accordance with section 66 of SDO, section 63 of DDO and section 45 of FSDO respectively.
13. To keep under review the working of SDO, DDO and FSDO and when necessary, recommend to the EOC proposals for amending the Ordinances in accordance with section 64(1)(e) of SDO, section 62(1)(e) of DDO and section 44(1)(d) of FSDO.

平等機會委員會的組織架構及編制（截至 2001 年 3 月 31 日）

Organizational Structure and Establishment of the Equal Opportunities Commission as at 31.3.2001



總編制：69（不包括主席）

Total establishment: 69 (excluding Chairperson)

平等機會委員會辦事處管理小組（截至 2001 年 3 月 31 日）

Management Team of the Equal Opportunities Commission as at 31.3.2001

主席

胡紅玉

Chairperson

WU Hung-yuk, Anna

總監（殘疾事務科）

唐建生

Director (Disability)

TONG Kin-sang, Frederick

總監（性別事務科）

秦家德博士

Director (Gender)

Dr. CHUNG Ka-tak, Priscilla

法律顧問

彭佩蘭

Legal Adviser

Alexandra PAPADOPOULOS

總監（規劃及行政科）

陳奕民

Director (Planning & Administration)

CHAN Yick-man, Michael

法律協助

Legal Assistance

根據《性別歧視條例》第 85 條、《殘疾歧視條例》第 81 條和《家庭崗位歧視條例》第 63 條，凡曾經向委員會作出書面投訴，而調解失敗，委員會可給予申請人不同形式的協助，以助申請人提出法律訴訟。2000/2001 年度委員會共接到 44 宗法律協助申請，其中 27 宗獲得批准。協助形式包括：由委員會律師給予法律意見，為申請人取得進一步資料或證據；以至由委員會律師或由委員會聘請的私人執業大律師，在法律訴訟中擔任申請人的法律代表。要求委員會提供協助和獲給予協助的個案統計數字如下：

The Equal Opportunities Commission is empowered under section 85 of the Sex Discrimination Ordinance (SDO), section 81 of the Disability Discrimination Ordinance (DDO) and section 63 of the Family Status Discrimination Ordinance (FSDO) to grant various forms of assistance to any person who wishes to take legal proceedings in respect of a complaint lodged but for which conciliation has been unsuccessful. During 2000/2001, the Commission received 44 applications for assistance and granted assistance in 27 of them. The assistance granted by the Commission may take the form of legal advice by the Commission's lawyers, services for obtaining further information or evidence, or representation in legal proceedings by the Commission's lawyers, or by barristers in private practice briefed by the Commission. A general breakdown of the numbers by type of case appears below:

個案 Cases	獲給予法律協助 Assistance Granted	不獲給予法律協助 Assistance Not Granted	考慮中 Under Consideration
殘疾歧視或騷擾（僱傭範疇） Disability Discrimination or Harassment (Employment)	4	5	0
殘疾歧視或騷擾 （其他範疇，如貨品及服務的提供） Disability Discrimination or Harassment (Other Fields e.g. Provision of Goods and Services)	6	2	0
性別歧視或騷擾（僱傭範疇） Sex Discrimination or Harassment (Employment)	12	9	0
性別歧視或騷擾 （其他範疇，如貨品及服務的提供） Sex Discrimination or Harassment (Other Fields, e.g. Provision of Goods and Services)	4	0	0
婚姻狀況歧視（貨品及服務的提供） Marital Status Discrimination (Provision of Goods and Services)	1	1	0
總數 Total	27	17	0

獲法律協助的個案

Cases in which Assistance was Granted

在 2000/2001 年度，有九宗個案經委員會的律師與答辯人一方進行商議後，毋需展開法律訴訟而得以解決：

The following nine cases were resolved without commencing legal proceeding after negotiation conducted by lawyers of the Commission in 2000/2001: –

個案 Cases	和解條件 Settlement Terms
與處所及設施之通道有關的歧視 Discrimination in relation to accessibility of premises and facilities	已進行改裝工程，受助人亦接受有關改裝。 Alteration works were done and accepted by the assisted person.
性騷擾 Sexual harassment	受助人決定不展開法律訴訟。 The assisted person decided not to commence legal proceedings.
紀律部隊在招聘方面的殘疾歧視 Disability discrimination in recruitment by a disciplinary service	受助人接受醫療評估後，委員會不再給予法律協助。 Legal assistance was withdrawn by the Commission after medical assessment of the assisted person.
在提供設施、貨品及服務上的殘疾歧視：受助人的照料者不獲許進入康樂設施 Disability discrimination in the provision of facilities, goods and services: access to recreational facilities was refused to the carer of the assisted person	已准許照料者進入有關設施，並作出賠償。 Access was allowed to carer and compensation was also paid.
基於家庭崗位而被解僱 Dismissal in employment on the ground of family status	協助受助人向答辯人進一步查詢。經查詢後，委員會並未協助展開法律訴訟。 Assistance in the form of further enquiry was given. After further enquiry, the Commission did not proceed to give further assistance to commence legal proceedings.
僱傭範疇中的懷孕歧視 Discrimination in employment on the ground of pregnancy	雙方達成和解，條款內容保密。 Parties settled on confidential terms.
在「中學學位分配」中受性別歧視 Discrimination on the ground of sex in SSPA	受助人代表女兒撤銷申索。 The assisted person withdrew the claim on behalf of his daughter.
與處所通道有關的歧視 Discrimination in relation to accessibility of premises	申請人沒有接受委員會提供的法律協助，撤銷申索。 The Commission's offer of legal assistance was not accepted by the applicant who had withdrawn his claim.
在招聘方面的殘疾歧視 Discrimination on the ground of disability in recruitment	委員會給予有限度的法律協助，以評估個案證據是否足夠。經評估後，委員會沒有進一步給予協助展開法律訴訟。 Limited legal assistance was granted to assess the strength of the case. After assessment, no further assistance was granted to commence legal proceedings.

截至 2000/2001 年度結束為止，仍有 14 宗獲委員會給予法律協助的個案尚在處理中。

There were 14 other on-going cases in which legal assistance had been given being handled by the Commission at the end of 2000/2001.

獲法律協助的個案

Cases in which Assistance was Granted

在 2000/2001 年度，區域法院聆訊了兩宗由委員會給予原告人法律協助的案件。

In 2000/2001, the District Court heard two cases in which the plaintiffs were granted legal assistance by the Commission. Details of these cases appear in the table below.

案件 Cases	法庭判決 Judgment
懷孕歧視 — 一名經理在遞交懷孕通知書後被要求自動辭職或接受降職 Discrimination on the grounds of pregnancy — A manager was asked to resign or accept demotion after giving notice of pregnancy	區域法院於2001年2月26日裁定被告人的行為屬違法歧視。雙方其後就補償問題達成和解，條款內容保密。 The District Court on 26 February 2001 found the defendant liable for unlawful discrimination and the parties subsequently reached a settlement on confidential terms in respect of remedies.
武術教練性騷擾 Sexual harassment by martial arts teacher	法院於2001年3月8日駁回原告人的申索。 The plaintiff's claim was dismissed by the Court on 8 March 2001.

在2000/2001年度展開審前法律程序的案件：

EOC assisted legal proceedings which commenced in 2000/2001:

案件 Cases	情況 Status
酒樓女侍應遭其經理性騷擾 Sexual harassment of a waitress by her manager in a restaurant	於2001年6月12日開始聆訊。原告人在審訊期間撤回申索，因此，區域法院於2001年6月13日撤銷該案。 Trial commenced on 12 June 2001. The plaintiff withdrew her claim in the course of the trial and her case was thereby dismissed by the District Court on 13 June 2001.
有關退休政策的性別歧視 Sex discrimination with regard to a discriminatory retirement policy	於2001年1月發出令狀，程序仍進行中。 Writ issued in January 2001, proceedings on-going.
僱傭範疇中的懷孕歧視 Discrimination in employment on the ground of pregnancy	雙方庭外和解，條款內容保密。 The parties settled out of court on confidential terms.

在 2000/2001 年度前已展開法律訴訟的案件：

EOC assisted legal proceedings which commenced before 2000/2001:

案件 Cases	情況 Status
涉及的士司機的殘疾歧視 Disability discrimination involving a taxi driver	終審法院於2001年10月5日宣判，駁回原告人的上訴，但確定在適當情況下，即使被告人不願意，區域法院仍有權命令其向原告人道歉。 Judgment delivered by the Court of Final Appeal on 5 October 2001, dismissing the plaintiff's appeal but confirming that the District Court has power to order an apology even from an unwilling defendant in appropriate circumstances.
紀律部隊在招聘時基於應徵者的家庭有精神病病歷而作出殘疾歧視 Disability discrimination in recruitment by a disciplinary service on the ground of family history of mental illness	於2001年5月發出令狀。正等待區域法院進行聆訊。 Writ issued in May 2001. Pending further proceedings in the District Court.

委員會在2000/2001年進行的法律訴訟：

Legal proceedings undertaken by the EOC in 2000/2001:

案件 Cases	法庭判決 Judgment
「中學學位分配辦法」司法覆核 Judicial review of the Secondary School Places Allocation System (SSPA)	高等法院於2001年6月22日裁定「中學學位分配辦法」違反《性別歧視條例》。 The High Court found that the SSPA contravened the SDO on 22 June 2001.
委員會委任法庭之友出席在終審法院舉行的鄉村選舉司法覆核聆訊 EOC instructed <i>amicus curiae</i> to appear in the hearing of judicial review appeal relating to rural elections in the Court of Final Appeal	終審法院於2000年12月22日維持原訟庭和上訴庭的判決，即有關鄉村選舉的規則含歧視成分，屬於違法。 The Court of Final Appeal on 22 December 2000 upheld the decision of the Court of First Instance and the Court of Appeal, that the rules relating to rural elections were unlawfully discriminatory.