

Hong Kong businesses say same-sex spousal visa ruling will attract fresh talent to the city

While many believe court decision is a giant step forward for equality in Hong Kong, some still have reservations

PUBLISHED : Thursday, 05 July, 2018, 8:01am

UPDATED : Thursday, 05 July, 2018, 1:50pm

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Hong Kong businesses and headhunters have welcomed a top court's decision to grant gay couples spousal visas, with some suggesting that it is set to put the city ahead of the game in Asia, including [Singapore](#), in the global talent hunt.

The Hong Kong Court of Final Appeal on Wednesday [ruled in favour of a lesbian expatriate](#), known as QT, in a landmark decision, which in effect would make dependant visas normally granted to heterosexual married couples also available to same-sex couples who have taken their vows overseas.

The ruling sets the city apart from its usual competitors such as Singapore, mainland China and [Japan](#).

While international banks and law firms in the city praised the decision for making Hong Kong a more competitive city, headhunters said it would provide those who are offered jobs in the city one less thing to worry about.

Life without a dependant visa felt like being a "second-class citizen", QT said on Wednesday, who was also denied the opportunity to work and access cheaper public hospital services.

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ALLAN ZEMAN, HUMAN RESOURCES PLANNING COMMISSION

"This will show the world that Hong Kong is one of the cities around the world that accepts everyone," he said.

Assistant professor Suen Yiu-tung, who specialises in gender studies, said the significance of the judgment was that it had put in place a solid system to require dependant visas to be granted to expatriates' spouses regardless of their sexual orientation.

In Singapore, Hong Kong's major rival, sex between two men is still illegal, and it does not always issue dependant visas to same-sex spouses.

He said while the visas would be granted to same-sex spouses in places such as Singapore and mainland China on a discretionary basis, the matter was not "as black and white as it is now in Hong Kong".

Alexa Chow Yee-ping, managing director of AMAC Human Resources Consultants, said it was natural for people to be concerned when they had to separate from their spouses to work abroad and that the ruling would make the decision a lot easier.

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Lancy Chui, senior vice-president for Greater China at human resources firm ManpowerGroup, said although there might be other factors at play, such as the local culture, taxation and living expenses, at least visa issuance would make life easier for those affected.

But the ruling came too late for Ben Lloyd, a gay man who began working as an executive director at a bank in Hong Kong in 2011 but decided to leave in 2016 after his partner was denied a dependant visa.

“We made huge sacrifices. We have a lot of friends in Hong Kong ... I had a great job that I enjoyed ... We were effectively leaving our whole life behind,” he said, now living in the UK.

Asked if he would consider moving back following the ruling, he said: “We are very happy here in Edinburgh now, both working for companies who value our skills, among a hugely diverse and interesting people, in the beautiful city where we got married, and looking to build a family together.”



Tommy Chen, co-founder and spokesman for sexual minorities' rights group Rainbow Action, said the ruling came late but that he still found it “very welcome”.

Roger Wong Wai-ming, convenor of the Family School Sexual Orientation Discrimination Ordinance Concern Group, said his group disagreed with the court's decision. He believed Hong Kong officials had no duty to recognise gay marriages registered in foreign countries.

“Now [the ruling] is an indirect recognition which may bring many bad consequences, including that people might ask why we don't just legalise same sex marriage.”

Wong said he did not want to see gay marriage being systematically recognised in Hong Kong, calling it “a very controversial lifestyle”.

<https://www.scmp.com/news/hong-kong/hong-kong-law-and-crime/article/2153810/hong-kong-businesses-say-same-sex-spousal>