# Hong Kong government proposes limited recognition of same-sex partnerships



The Hong Kong government has announced plans to introduce a bill establishing a registration system for same-sex partnerships that have been legally registered overseas. This move aims to comply with a landmark Court of Final Appeal ruling from September 2023, which directed the government to create a legal framework recognising certain rights of same-sex couples. However, the government maintains that this framework will not alter the city’s established monogamous and heterosexual marriage system, and same-sex marriage will remain unrecognised locally.

The proposed Registration of Same-sex Partnerships Bill, set for its first legislative reading next week, would afford same-sex couples rights primarily related to medical and after-death arrangements—such as hospital visitation, medical decision participation, and handling the deceased partner’s body identification and burial procedures. It stops short of granting full marriage rights or broader legal protections like adoption or inheritance. The government emphasises that the bill seeks to balance court obligations with preserving traditional family structures.

The bill follows a lengthy legal battle led by pro-LGBTQ+ activist Jimmy Sham, who took up the cause after completing a prison sentence in Hong Kong’s largest national security case. The ruling cited provisions in Hong Kong’s mini-constitution concerning equality, finding previous exclusions of same-sex couples from public housing and inheritance rights unconstitutional. The court has acknowledged the need for an alternative legal framework distinct from marriage, which the government is now attempting to implement.

The government’s approach, however, has drawn sharp criticism from LGBTQ+ advocates and some lawmakers. Critics argue that requiring overseas registration places financial and logistical burdens on couples who cannot afford to marry abroad, rendering the proposal inadequate. Activist groups describe the bill as a “minuscule step,” failing to address core partnership rights, while others condemn it for falling short of equality. Some pro-Beijing legislators have also expressed opposition, fearing the measure equates to covert recognition of same-sex marriage and contradicts traditional values, calling for delayed implementation and broader public consultation.

Despite the limited scope of Hong Kong’s current LGBTQ+ legal protections and absence of anti-discrimination laws, public opinion increasingly favours marriage equality, with surveys showing around 60% support in recent years. Courts have gradually expanded legal recognitions in areas such as spousal visas, civil service benefits, and tax arrangements for same-sex couples married abroad, indicating a slow but notable shift in legal precedents. Source: [Noah Wire Services](https://www.noahwire.com)

## Bibliography

1. <https://hongkongfp.com/2025/07/11/monogamous-heterosexual-marriage-not-compromised-by-same-sex-union-framework-hong-kong-govt-says/> - Please view link - unable to able to access data
2. <https://www.reuters.com/world/china/hong-kong-legislative-council-considers-local-registration-same-sex-couples-2025-07-03/> - On July 3, 2025, Hong Kong's Legislative Council began reviewing a government proposal to establish a system for local recognition of same-sex couples who have legally married or registered their partnership overseas. The initiative follows a 2023 court ruling that required the government to develop a framework to address same-sex couples' basic social needs, without endorsing same-sex marriage constitutionally. Pro-Beijing legislators strongly oppose the proposal, fearing it indirectly sanctions same-sex marriages and undermines traditional values. They urge delaying the legislation and initiating public consultations. LGBTQ activist Jimmy Sham, who spearheaded the legal appeal, criticized the requirement for overseas registration as financially and logistically restrictive for many couples. In response, Secretary for Constitutional and Mainland Affairs Erick Tsang insisted the government must comply with the court's order but emphasized it does not equate to legally recognizing same-sex marriage. Activists and surveys suggest growing public support for marriage equality, with Sham highlighting the community's desire for legal safeguarding, not the dismantling of traditional family structures.
3. <https://www.apnews.com/article/ad09f4280d718b6718aba98025293c33> - On Tuesday, Hong Kong's top court upheld earlier rulings granting subsidized housing benefits and equal inheritance rights to same-sex married couples, marking a significant win for the LGBTQ+ community. The Court of Final Appeal dismissed government appeals, ending protracted legal battles over discriminatory policies affecting same-sex couples married overseas. Chief Justice Andrew Cheung noted that exclusionary housing policies lacked evidence of their purported benefits to opposite-sex couples. Judges Roberto Ribeiro and Joseph Fok deemed similar inheritance law provisions discriminatory and unconstitutional. Currently, Hong Kong recognizes same-sex marriages only for specific purposes like taxation and civil service benefits, with most legal concessions secured through legal challenges. The government expressed respect for the court's decisions and plans to seek legal advice. This victory came after a top court ruling in 2023 that directed the government to create a framework for recognizing same-sex partnerships. The case highlights ongoing struggles for equality, with activists urging the government to end marriage exclusion for same-sex couples.
4. <https://www.reuters.com/world/china/top-hong-kong-court-dismisses-government-appeal-gay-rights-housing-case-2024-11-26/> - Hong Kong's Court of Final Appeal upheld rulings granting public housing and inheritance rights to same-sex married couples, citing the city's mini-constitution's equality provisions. The judges rejected the government's arguments differentiating same-sex and opposite-sex couples in terms of rights to public housing. The case involved several individuals, including Nick Infinger and Edgar Ng, whose legal battles centered around their marriages not being recognized in Hong Kong. This ruling is a significant victory for Hong Kong's LGBTQ+ community, marking progress in recognizing same-sex relationships. The court had also ruled against same-sex marriage earlier but acknowledged the need for alternative legal frameworks, which the government has yet to produce.
5. <https://www.time.com/5335404/hong-kong-lgbt-rights-landmark-decision/> - Hong Kong's top court recently ruled in favor of granting a spousal visa to a British lesbian woman, QT, in a landmark case that signals a significant step forward for LGBTQ rights in the city. Originally denied the visa because Hong Kong does not recognize same-sex marriages or partnerships, QT launched a legal battle in 2014, backed by major firms who argued that such discriminatory policies hindered talent recruitment. The court's unanimous decision has been hailed as a major win for the LGBTQ community, with many hoping it will pave the way for greater equality and fewer discriminatory practices. Despite this progress, local LGBTQ residents still face numerous challenges, including lack of anti-discrimination laws and exclusion from adoption, inheritance, and marriage rights. Public opinion is increasingly supportive of same-sex marriage, but government action lags behind. The ruling primarily benefits expatriates and does not change Hong Kong's stance on same-sex marriage or directly improve rights for local residents. However, it is seen as a step towards potential future advancements in LGBTQ rights in the region.
6. <https://en.wikipedia.org/wiki/Recognition_of_same-sex_unions_in_Hong_Kong> - Hong Kong does not recognise same-sex marriages or civil unions. However, same-sex couples are afforded limited legal rights as a result of several court decisions, including the right to apply for a spousal visa, spousal benefits for the partners of government employees, and guardianship rights and joint custody of children. On 5 September 2023, the Hong Kong Court of Final Appeal ordered the government in Sham Tsz Kit v Secretary for Justice to introduce a legal framework allowing same-sex civil unions. Polling suggests that support for same-sex marriage is rising in Hong Kong, with a 2023 survey estimating that 60% of residents supported same-sex marriage.