

Government respects Court of Final Appeal's judgment concerning inheritance rights of same-sex spouses under Intestates' Estates Ordinance (Cap 73) and Inheritance (Provision for Family and Dependants) Ordinance (Cap 481)

Today (November 26), the Court of Final Appeal (CFA) handed down the judgment in *Li Yik Ho (in substitution for Ng Hon Lam Edgar, deceased) v Secretary for Justice (SJ)* (FACV No. 4 of 2024). The case is a judicial review lodged by the applicant concerning the inheritance rights of same-sex couples lawfully married overseas under the Intestates' Estates Ordinance (Cap 73) (IEO) and the Inheritance (Provision for Family and Dependants) Ordinance (Cap 481) (IPO). The CFA dismissed the SJ's appeal, maintaining the lower courts' judgments holding that the exclusion of same-sex couples lawfully married overseas from certain provisions of the IEO and the IPO amounts to unlawful discrimination and is unconstitutional.

"The Government respects the CFA's judgment. We will study the judgment thoroughly and seek legal advice from the Department of Justice for appropriate follow-up actions," a spokesman for the Government said.