

Information paper on
21 February 2003

**Bills Committee of the Legislative Council
Registration of Persons (Amendment) Bill 2001**

Particulars Furnished under Regulation 4(1)(b)

INTRODUCTION

This paper explains the need for a person to furnish to a registration officer the particulars set out in regulation 4(1)(b) of the Registration of Persons (ROP) Regulations, Cap. 177 (see **Annex**).

DETAILS

2. Apart from helping to identify persons in Hong Kong who are required to be registered, the particulars collected under regulation 4(1)(b) also serves the following purposes:

(a) Name, date/year of birth and sex

They are useful in considering the form of identity card (adult, juvenile or minor) to be issued to the registrant and whether the registrant is within the age to serve as a juror¹ or to register as an elector².

¹ Section 4A of the Jury Ordinance empowers the Commissioner of Registration to require any person to supply him with such information as he considers necessary to enable him to determine whether any person is qualified as a juror.

² Regulation 6(1) of the Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap.541A) stipulates that the Electoral Registration Officer (“ERO”) may require a public authority to furnish information which is necessary for the purpose of preparing a electoral register. Regulation 6(2) further states that the ERO may require a public authority to furnish the name, identity document number, sex and principal residential address of a person who appears to the ERO to be eligible to be registered as an elector.

(b) Place of birth/nationality claimed

This is useful in assessing the registrant's application for a Hong Kong permanent identity card.

(c) Previous country/place of residence

This is useful in assessing whether and where a person can be repatriated if such a need arises.

(d) Residential and business address

This provides a point of contact with the registrant or his family members in case of emergency. It is also required by the Registration and Electoral Office to update the electoral roll³.

(e) Marital status, name and identity card number of spouse

This facilitates contact with the registrant's spouse in case of emergency.

(f) Particulars of children

This facilitates contact with the registrant's children in case of emergency. Subject to the legal requirements of the PDPO, in processing applications for emigration from Hong Kong residents, foreign governments sometimes use them to consider the claimed parent/child relationship, especially where, for example, the child has not registered for a birth certificate.

(g) Profession, occupation, trade or employment

³ See footnote 2

This is useful in assessing whether the registrant is qualified to serve as a juror.⁴ Subject to the legal requirements in the PDPO, foreign governments sometimes use the information to help them consider the eligibility for a person to emigrate.

(h) Travel document or document issued under the Immigration Ordinance authorizing the registrant's stay

Under regulation 5(1A) of the ROP Regulations, the registration officer shall not cause an identity card to be prepared in the case of an applicant who has landed in Hong Kong unlawfully or is in breach of a limit of stay. It is therefore necessary for a registrant to produce his travel document or any other document to show his immigration status upon his first registration for an identity card. The registration officer will also rely on the travel document to ascertain the person's identity and to cross check the accuracy of personal particulars furnished by him for identity card registration.

(i) Other particulars as the registration officer may consider necessary

This provision provides the registration officer with discretion to obtain further particulars as he deems necessary but such further particulars must be related to any of the particulars mentioned in paragraphs (a) – (h) above. At present, the registration officer has used this discretion to obtain the “educational level” of the registrant concerned. This information is required for determining whether the registrant is qualified or exempt from jury services.

Security Bureau
21 February 2003

⁴ See footnote 1

**Regulation 4(1)(b) of the Registration of Persons Regulations
Cap. 177**

4. Registration, issue and renewal requirements

(1) Subject to subregulation (1D), every person who applies for registration under regulation 3 or for an identity card under any of these regulations shall-

- (a)
- (b) furnish to a registration officer, in such form as the registration officer may require, particulars of-
 - (i) the full personal name and surname of the applicant;
 - (ii) his residential and business addresses in Hong Kong, if any, and the address to which correspondence should be directed;
 - (iii) the nationality which he claims;
 - (iv) his place of birth;
 - (v) the date (if known) or the year of his birth and the number of his birth certificate or adoption certificate (if applicable);
 - (vi) his sex;
 - (vii) in the case of a person entering Hong Kong, every country or place in which he has resided continuously for a period of 6 months or more, prior to his entering Hong Kong;
 - (viii) whether he is married or unmarried and, if he is married, the full personal name and surname and the number of the identity card (if any) of his spouse;
 - (ix) the full personal names and surnames, ages and sex of his children (if any);
 - (x) his profession, occupation, trade or employment;
 - (xi) any travel document, or document issued under the Immigration Ordinance (Cap.115) authorizing him to remain in Hong Kong, held by him;
 - (xii) such further particulars relating to any of the particulars furnished under this paragraph as the registration officer may consider necessary,

and shall acknowledge the correctness of the contents of the particulars by signing in such place in the form as may be indicated.