

**立法會**  
***Legislative Council***

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**Paper for the House Committee Meeting  
of the Legislative Council  
on 11 January 2002**

**Legal Service Division Report on  
Registration of Persons (Amendment) Bill 2001**

**Object of the Bill**

To provide for the issue of a new smart identity card with multi-application capacity.

**LegCo Brief Reference**

2. SBCR 1/1486/91 issued by the Security Bureau and dated 20 December 2001.

**Date of First Reading**

3. 9 January 2002.

**Comments**

4. The Bill amends the Registration of Persons Ordinance and the Registration of Persons Regulations to provide the legislative framework for the plan to introduce a new smart identity (ID) card with multi-application capacity. The main feature of the new ID card will be a chip with data-storage capacity. This will extend the capacity of the card far beyond its traditional functions to other applications. The multiple applications that the new card will have may be broadly divided into immigration and non-immigration applications.

5. The Bill deals with 3 main areas -

(a) provisions necessitated by the "smart" element of the new ID cards and

revisions to the existing processes of registration of persons;

- (b) protection of data privacy; and
- (c) the launching of an ID card replacement exercise.

The Bill will also empower the Chief Executive in Council to set out in a new Schedule the non-immigration applications that require the storage of additional data in the chip or engraving on the card surface.

6. Members should note that the specification of non-immigration applications will be dealt with in a separate legislative exercise, as pointed out in paragraph 12 of the LegCo Brief. According to the information paper issued by the Information Technology and Broadcasting Bureau in December 2001 for the LegCo Panels on Information and Technology and Broadcasting and on Security, the non-immigration applications proposed include digital certificate, driving licence and library card.

7. The more important provisions of the Bill include -

- (a) expanding the scope of the principal ordinance as reflected in its long title to enable other value-added, non-immigration applications to ride on the new ID card;
- (b) empowering the CE in Council to make regulations to cater for changes arising from the new work process (e.g. the scanning and capturing of images instead of photographing), the new card design (e.g. storing of data in the chip), the use of biometrics (i.e. fingerprint-matching technology) for secure authentication of the card-holder's identity;
- (c) restricting the use or disclosure of particulars collected and to prohibit unauthorised handling of such particulars; and
- (d) empowering authorised officers or persons to verify a person's identity by fingerprint matching.

### **Public Consultation**

8. A public consultation campaign was conducted between November 2000 and February 2001 (paragraphs 23 and 24 of LegCo Brief).

### **Consultation with LegCo Panels etc.**

9. The LegCo (at its Council meeting on 6 December 2000), its Finance

Committee, the Establishment Subcommittee and the Panels on Security and on Information Technology and Broadcasting have at various times and on various occasions expressed views on the new ID card project. The last occasion when consultation on the draft legislative proposals was conducted was at a joint meeting of the Panels on Security and on Information Technology and Broadcasting on 20 December 2001.

### **Conclusion**

10. In view of the widespread concern over various aspects of the new ID card, it is recommended that a Bills Committee be set up to study the legislative proposals and any related policy issues.

11. Scrutiny of the legal and drafting aspects of the Bill is continuing.

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