

## **LEGISLATIVE COUNCIL BRIEF**

### **REGISTRATION OF PERSONS (INVALIDATION OF IDENTITY CARDS) (No.2) ORDER 2006**

#### **INTRODUCTION**

The Secretary for Security has made the Registration of Persons (Invalidation of Identity Cards) (No.2) Order 2006 (“Second Invalidation Order”) under section 7C of the Registration of Persons Ordinance (Cap. 177) to declare that identity cards issued before 23 June 2003 or issued on or after that date as a result of an application made before that date (“old ID cards”) to certain categories of persons invalid. A copy of the Second Invalidation Order is at **Annex A**.

#### **BACKGROUND**

2. The Commissioner of Registration has appointed 23 June 2003 as the specified date on which ID cards embodying chips may be issued under Cap. 177 on and after that date. By the issue of Registration of Persons (Application for New Identity Cards) Orders (“Application Orders”) made under section 7B(1) of Cap. 177, holders of valid old ID cards born in the specified years are directed to apply for new ID cards by phases during the territory-wide Smart Identity Cards Replacement Exercise (“the replacement exercise”). For those residents who are not in Hong Kong during the concerned specified periods of the replacement exercise, they can apply for their ID cards within 30 days of their return to Hong Kong.

3. The replacement exercise has been making good progress. As of 8 July 2006, 19 phases out of 24 had been completed. To tidy up the replacement exercise, the Secretary for Security has made the Registration of Persons (Invalidation of Identity Cards) Order 2006 (“First Invalidation Order”) in May 2006 to declare old ID cards whose holders born between and including 1958 and 1969 to be invalid. The invalidation exercise will help deter and detect the unlawful use of old ID cards by impersonators, holders of forged old ID cards and illegal immigrants.

## **THE INVALIDATION EXERCISE**

4. In line with the arrangements for the last two replacement exercises, old ID cards will be declared invalid by batches in accordance with the “first apply, first invalidated” principle. An invalidation schedule comprising four phases to cover all holders of old ID cards is attached at **Annex B**. The First Invalidation Order has been issued on 19 May 2006 to take effect on 16 October 2006.

5. The invalidation of old ID cards will not affect the holder’s right of abode in Hong Kong unless the holder has lost his permanent resident status under paragraph 7 of Schedule 1 to the Immigration Ordinance, Cap. 115.

## **THE SECOND INVALIDATION ORDER**

6. The Second Invalidation Order covers the second phase of the invalidation exercise, i.e. persons born between and including 1943 and 1957<sup>1</sup>. It will take effect as from 15 January 2007 to allow time for holders of old ID cards to replace their ID cards before the old cards are invalidated.

## **LEGISLATIVE TIMETABLE**

7. The legislative timetable will be –

Publication in the Gazette	6 October 2006
Commencement of the Legal Notice	30 November 2006

## **IMPLICATIONS OF THE PROPOSAL**

8. The Second Invalidation Order is in conformity with the Basic Law, including the provisions concerning human rights.

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<sup>1</sup> These persons are covered by the third and fourth Application Orders to apply for new ID cards during the replacement exercise.

9. The Second Invalidation Order will not affect the current binding effect of the Registration of Persons Ordinance (Cap. 177) and the regulations (Cap. 177, sub. leg.) made thereunder.

## **PUBLICITY**

10. The public will continue to be informed of the invalidation exercise through posters, advertisements, press releases, telephone enquiry system and homepages of the Immigration Department. Besides, our network of Hong Kong Economic and Trade Offices overseas and in the Mainland, as well as the Office of the Government of the HKSAR in Beijing will disseminate the above information to Hong Kong residents living outside Hong Kong.

## **ENQUIRY**

11. For enquiry, please contact Mr Alan KM Chu, Principal Assistant Secretary for Security, on 2810 2506 or Mrs W Chung, Assistant Director of Immigration, on 2829 3839.

Security Bureau  
6 October 2006

**REGISTRATION OF PERSONS (INVALIDATION OF  
IDENTITY CARDS) (NO. 2) ORDER 2006**

(Made by the Secretary for Security under section 7C of the Registration of  
Persons Ordinance (Cap. 177))

**1. Commencement**

This Order shall come into operation on 30 November 2006.

**2. Invalidation of identity cards**

All identity cards issued before 23 June 2003, or issued on or after that date as a result of an application made before that date, and which cards bear a date of birth in 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956 or 1957 shall cease to be valid on 15 January 2007.

Secretary for Security

2006

**Explanatory Note**

The object of this Order is to invalidate identity cards issued before 23 June 2003, or issued on or after that date as a result of an application made before that date, and which cards bear a date of birth between and including 1943 and 1957.

**Schedule for invalidation of ID cards  
by order made under Section 7C of the ROP Ordinance, Cap. 177**

Invalidation Order	Application Order Cycle	Phase in Replacement Exercise	Year of birth		Specified period for replacement		Effective date of the Invalidation Order
					from	to	
1	A	1	1968, 69	1958	15-9-03	15-11-03	16-10-06 (Mon)
		2	1966, 67		17-11-03	10-1-04	
		3	1964, 65		12-1-04	13-3-04	
	B	4	1962, 63	1969	15-3-04	22-5-04	
		5	1960, 61		24-5-04	24-7-04	
		6	1958, 59		26-7-04	25-9-04	
2	C	7	1956, 57	1943	27-9-04	27-11-04	15-1-07 (Mon)
		8	1954, 55		29-11-04	22-1-05	
		9	1952, 53		24-1-05	12-3-05	
	D	10	1950, 51	1957	14-3-05	23-4-05	
		11	1947 - 49		25-4-05	18-6-05	
		12	1943 - 46		20-6-05	6-8-05	
3	D	13	1970, 71	1970	8-8-05	24-9-05	Expected effective date: Latter half of 2007
		14	1972, 73		26-9-05	12-11-05	
	E	15	1974, 75	to	14-11-05	24-12-05	
		16	1976, 77	1979	28-12-05	11-2-06	
		17	1978, 79		13-2-06	25-3-06	
4	E	18	1980 - 82	1980 to 1985,	27-3-06	27-5-06	Expected date on which Invalidation order be issued: after mid 2008. It will also cover persons born in 1986 - 89 and 1993 - 96 whose ID card replacements are processed at the ROP Offices when attaining the age of 18 or 11 during 2004 - 2007.
		19	1983 - 85		29-5-06	8-7-06	
	F	20	1990 - 92, 97 - 03	1990 to 1992,	10-7-06	11-11-06	
		21	1927 or before	1997 to 2003,	4-9-06	11-11-06	
		22	1928 - 32	1942 or before	13-11-06	23-12-06	
		23	1933 - 37		27-12-06	10-2-07	
		24	1938 - 42		12-2-07	31-3-07	