

## **LEGISLATIVE COUNCIL BRIEF**

### **REGISTRATION OF PERSONS (INVALIDATION OF IDENTITY CARDS) ORDER 2007**

#### **INTRODUCTION**

The Secretary for Security has made the Registration of Persons (Invalidation of Identity Cards) Order 2007 (“Third 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 Third 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 completed by end March 2007. To tidy up the replacement exercise, the Secretary for Security has made similar orders in May 2006 and September 2006 to declare old ID cards whose holders born between and including 1958 and 1969, and between and including 1943 and 1957 to be invalid respectively. 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 last invalidation order was issued on 6 October 2006 to take effect on 15 January 2007.

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 THIRD INVALIDATION ORDER**

6. The Third Invalidation Order covers the third phase of the invalidation exercise, i.e. persons born between and including 1970 and 1979<sup>1</sup>. It will take effect as from 17 September 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	18 May 2007
Commencement of the Legal Notice	12 July 2007

## **IMPLICATIONS OF THE PROPOSAL**

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

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

9. The Third 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  
16 May 2007

## **REGISTRATION OF PERSONS (INVALIDATION OF IDENTITY CARDS) ORDER 2007**

(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 12 July 2007.

### **2. Invalidation of identity cards**

All identity cards that are issued –

- (a) before 23 June 2003; or
- (b) on or after 23 June 2003 as a result of an application made  
before that date,

and bear a date of birth in 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977,  
1978 or 1979, shall cease to be valid on 17 September 2007.

Secretary for Security

2007

### **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, bearing in both cases, a date of birth between and including  
1970 and 1979.

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

Invalidation Order	Cycle	Phase	Year of birth	Specified period for replacement		Effective date of invalidation
				from	to	
1	A	1	1958 to 1969	15-9-03 Mon	15-11-03 Sat	16.10.06 Mon
		2		17-11-03 Mon	10-1-04 Sat	
		3		12-1-04 Mon	13-3-04 Sat	
	B	4	15-3-04 Mon	22-5-04 Sat		
		5	24-5-04 Mon	24-7-04 Sat		
		6	26-7-04 Mon	25-9-04 Sat		
2	C	7	1943 to 1957	27-9-04 Mon	27-11-04 Sat	15.1.07 Mon
		8		29-11-04 Mon	22-1-05 Sat	
		9		24-1-05 Mon	12-3-05 Sat	
	D	10	14-3-05 Mon	23-4-05 Sat		
		11	25-4-05 Mon	18-6-05 Sat		
		12	20-8-05 Mon	6-8-05 Sat		
3	D	13	1970 to 1979	8-8-05 Mon	24-9-05 Sat	17.9.07 Mon
		14		26-9-05 Mon	12-11-05 Sat	
		15		14-11-05 Mon	24-12-05 Sat	
	E	16	28-12-05 Wed	11-2-06 Sat		
		17	13-2-06 Mon	25-3-06 Sat		
		4	E	18	1980 to 1985	
19	29-5-06 Mon			8-7-06 Sat		
20	10-7-06 Mon			11-11-06 Sat		
F	21		4-9-06 Mon	11-11-06 Sat		
	22		13-11-06 Mon	23-12-06 Sat		
	23		27-12-06 Wed	10-2-07 Sat		
	24	12-2-07 Mon	31-3-07 Sat			