

香港特別行政區政府
保安局



The Government of the
Hong Kong Special Administrative Region
Security Bureau

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Miss Betty Ma
Clerk to Panel on Security
Legislative Council
Legislative Council Complex
1 Legislative Council Road
Central
Hong Kong

24 February 2015

Dear Miss Ma,

**Additional Information
on the Proposed Next Generation Smart Identity Card System**

Further to the Supplementary Paper on the Proposed Next Generation Smart Identity Card System (SMARTICS-2) (Legislative Council Paper No. CB(2)654/14-15(03)) (Supplementary Paper) which we provided to the Panel on Security (Panel) on 3 February 2015, additional information as further requested by Members of the Panel at its meeting on 3 February 2015 is provided below.

Proposed New Chip Interface

2. The consultant commissioned by the Immigration Department (ImmD) completed a feasibility study on SMARTICS-2 in October 2014. The consultant recommended that while a contactless interface should be introduced to the new smart Hong Kong Identity Card (HKIC), the existing contact interface should be maintained to ensure smooth transition from the existing to the new system. Please refer to paragraphs 2 and 3 of the Supplementary Paper for details.

3. Currently, under the Multi-application Smart ID Card, a contact interface card reader is required to access data from the chip when cardholders use relevant government services, including public library service and booking of leisure facilities of the Leisure and Cultural Services Department, eHealth

System of the Food and Health Bureau and Department of Health, as well as the electronic patient record sharing project of the Hospital Authority and private doctors. As not all card readers will be replaced immediately by new ones at the launch of SMARTICS-2 and the new smart HKIC, the contact interface will need to be maintained. Please refer to footnote 2 of the Supplementary Paper for details.

Feasibility Study and Comments from the Privacy Commissioner for Personal Data

4. The scope of study and assessment of the feasibility study covers recommendations for the entire SMARTICS-2 and the new smart HKIC, including system design, security technology and the detailed workflow of processing new smart HKICs. Disclosing the report in its entirety may lead to severe adverse impacts on system security, as well as the upcoming tendering exercise. That being the case, we have extracted the summary of the assessment and recommendations on the card interface, card materials and card security features, which covered issues of particular concerns by Members, at Annex B to the Supplementary Paper.

5. As for the views of the Privacy Commissioner for Personal Data (PCPD), the ImmD has submitted the first Privacy Impact Assessment Report and the relevant parts of the feasibility study to the PCPD for comment. We will report to the Panel on Security in due course after receiving PCPD's comments.

Statutory Provisions

6. The existing Registration of Persons (ROP) Ordinance (Cap. 177) and the ROP Regulations (Cap. 177A) provide stringent safeguards against unlawful access to the chip embodied in the smart HKIC. We understand that the relevant provisions apply to the Hong Kong Special Administrative Region (HKSAR). They are not applicable outside the HKSAR. Technical details of means to prevent unauthorised access to personal data stored in the proposed new smart HKIC are set out in paragraphs 4 to 18 of the Supplementary Paper.

Relevant Provisions in Member Countries of Organisation for Economic Co-operation and Development

7. A summary of information which we obtained through different channels (including relevant consulates in Hong Kong and the Internet) on relevant provisions in member countries of the Organisation for Economic Co-operation and Development (OCED) where compulsory identity cards are issued is at Annex.

Cap on Visitor Arrivals

8. Pursuant to Regulation 25(d)(iii) of the ROP Regulations, any persons who have been granted permission to remain in Hong Kong by the Director of Immigration for a period of not more than 180 days shall not be required to register and apply for the issue of an identity card under Regulation 3 of the ROP Regulations. As visitors are normally not granted permission to remain in Hong Kong for more than 180 days, they are not required to register and apply for the issue of an identity card. The matter falls outside the scope of SMARTICS-2.



(Billy WOO)
for Secretary for Security

**Relevant provisions in OECD member countries where
compulsory identity cards are issued
(Updated)**

| Country | Authorised persons may inspect identity cards under statutory provisions | Not bringing the proof of identity is unlawful |
|----------------------------------|---|--|
| Belgium ^{Note 1} | Yes | Yes |
| Chile ^{Note 1} | Yes | No |
| Czech Republic ^{Note 1} | Yes | Yes |
| Estonia ^{Note 1} | No | No |
| Germany ^{Note 1} | Yes | Yes |
| Greece ^{Note 2} | Yes | Information unavailable |
| Hungary ^{Note 1} | Yes | Yes |
| Israel ^{Note 3} | Yes | Information unavailable |
| Korea ^{Note 1} | Yes | No |
| Luxembourg ^{Note 1} | Yes | Yes |
| Netherlands ^{Note 4} | Yes | Yes |
| Poland ^{Note 1} | Yes | No |
| Portugal ^{Note 5} | Yes | Yes |
| Slovakia ^{Note 1} | Yes | No |
| Slovenia ^{Note 6} | Yes | Yes |
| Spain ^{Note 1} | Yes | Yes |
| Turkey ^{Note 1} | Yes | Yes |

- Note 1 Information from the respective consulates in Hong Kong
- Note 2 UK Parliament by the Secretary of State for the Home Department (2002).
“Entitlement Cards and Identity Fraud: A Consultation Paper” Annex 3.
www.parliament.uk
- Note 3 The Ministry of Aliyah and Immigration Absorption of Israel (2015)
Absorption – First Steps 10th Edition.
<http://www.moia.gov.il/english/pages/default.aspx>
- Note 4 Netherlands Embassy in China
<http://china.nlembassy.org/you-and-the-netherlands/life/compulsory-identification.html>
- Note 5 UK Foreign & Commonwealth Office (2013) Hints on taking up residence in Portugal: prepared by British Consulate in Lisbon.
www.gov.uk/world/portugal
- Note 6 Republic of Slovenia Ministry of the Interior Police website: www.policija.si