

**立法會**  
**Legislative Council**

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**Paper for the House Committee meeting on 24 May 2019**

**Report of Subcommittee on  
Registration of Persons (Application for New Identity Cards)  
Order 2018 (Amendment) Order 2019**

**Purpose**

This paper reports on the deliberations of the Subcommittee on Registration of Persons (Application for New Identity Cards) Order 2018 (Amendment) Order 2019 ("the Subcommittee").

**Background**

2. On 12 October 2018, the Secretary for Security ("S for S") made the Registration of Persons (Application for New Identity Cards) Order 2018 (Cap. 177J) ("the 2018 Order") under section 7B(1) of the Registration of Persons Ordinance (Cap. 177) ("the Ordinance") announcing the arrangement of the first cycle of the Territory-wide Identity Card Replacement Exercise ("the Replacement Exercise"). The 2018 Order directs certain categories of persons including, inter alia, certain public officers<sup>1</sup> (i.e. members of the Immigration Service, police officers and labour inspectors) and persons born in 1985 to 1986 or those in 1968 to 1969 to apply for new Hong Kong identity cards ("HKICs") at the Smart Identity Card Replacement Centres ("the Replacement Centres") during the first cycle of the Replacement Exercise. The first cycle of the Replacement Exercise commenced on 27 December 2018 and will end on 1 June 2019.

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<sup>1</sup> According to the Legislative Council ("LegCo") Brief on the 2018 Order issued by the Security Bureau in October 2018, such arrangement will allow these categories of public officers to get familiar with the new smart ID cards for execution of their duties in relation to fighting against illegal immigration and illegal employment.

3. According to the Administration, the Replacement Exercise, subject to actual progress, is expected to last for about four years. Amendment orders would be made during the Replacement Exercise to direct holders of target HKICs<sup>2</sup> to apply for new HKICs in the period specified for their age groups. To roll out the second cycle of the Replacement Exercise, S for S, on 25 March 2019, made the Registration of Persons (Application for New Identity Cards) Order 2018 (Amendment) Order 2019 (L.N. 50 of 2019) ("the Amendment Order") under section 7B(1) of the Ordinance.

### **The subsidiary legislation**

4. The Amendment Order amends Schedule 2 to the 2018 Order to the effect that holders of target HKICs born in 1955 to 1959 or those in 1964 to 1967 are directed to apply for new HKICs at a Replacement Centre within the specified periods from 3 June 2019 to 17 February 2020 (i.e. the second cycle of the Replacement Exercise).

### **The Subcommittee**

5. At the House Committee meeting on 12 April 2019, Members agreed to form a subcommittee to study the Amendment Order. The membership list of the Subcommittee is in the **Appendix**. Under the chairmanship of Hon CHAN Hak-kan, the Subcommittee has held one meeting with the Administration.

6. To allow more time for scrutiny, the Chairman of the House Committee gave notice to move a motion at the Council meeting of 17 April 2019 to extend the scrutiny period of the Amendment Order to 22 May 2019. However, the motion was not dealt with before adjournment of the said Council meeting. As such, the period for amending the Amendment Order expired at the Council meeting of 17 April 2019.

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<sup>2</sup> Target HKICs are those prepared under regulation 5(1)(a) of the Registration of Persons Regulations (Cap. 177A) and issued before 26 November 2018 (or issued on or after that date as a result of an application made before that date).

## **Deliberations of the Subcommittee**

### Facilitation measures in the Replacement Exercise

7. Members note that the 2018 Order provides for certain facilitation measures in the Replacement Exercise for the elderly and the needy groups, including:

- (a) applicants for HKICs within the period specified for their age groups may bring along up to two persons aged 65 or above (i.e. persons with HKICs showing a year of birth of 1954 or before) to replace their HKICs together during the same visit to a Replacement Centre ("the facilitation measure for elderly persons"); and
- (b) on-site HKIC replacement service would be provided to residents of the residential care homes for the elderly persons and persons with disabilities. These residents may choose to have their HKICs replaced on-site at the residential care homes, in addition to replacing HKICs at a Replacement Centre in the period specified for their age groups. ("the on-site replacement service").

8. Members have enquired about the implementation of the facilitation measures and whether any fine-tuning to these measures would be made in the light of the experience gained in the first cycle of the Replacement Exercise. The Administration has advised that on the premise that the Replacement Exercise would be implemented in a smooth and orderly manner, the Administration has all along been striving to enhance facilitation measures in the Replacement Exercise. As at the end of April 2019, about 100 000 elderly persons have applied for new HKICs making use of the facilitation measure for the elderly persons. The Administration has further advised that the on-site replacement service has been rolled out in early May 2019. In the light of the feedback received about the on-site replacement service, the Administration has enhanced the on-site replacement service by providing HKIC delivery service to those eligible residential care homes for elderly persons and persons with disabilities to providing further convenience.

9. Some Members have asked whether the Administration will consider providing any facilitation measures for the elderly persons living in outlying islands and remote areas. The Administration has advised that the Immigration Department ("ImmD") has accommodated applications for replacement of HKICs in groups for the elderly persons under the facilitation measures for the elderly or persons with disability during the period specified

for their age groups arranged by various organizations (e.g. non-governmental organizations and offices of District Council ("DC") members/LegCo Members, etc.). As at the end of April 2019, ImmD has received 11 groups for HKIC replacement with a total of about 600 applicants.

10. Some members consider that it is desirable if the facilitation measure for elderly persons can be extended to also cover persons with disabilities. They urge the Administration to introduce such facilitation measure as soon as possible. The Administration has responded that it is actively exploring the feasibility to extend the facilitation measure for elderly persons to also cover persons with disabilities. To this end, ImmD is conducting the preparatory work in consultation with the Social Welfare Department. Regarding the implementation timetable, the Administration has explained that similar to the facilitation measure for elderly persons provided for in the 2018 Order, legislative amendment would be required for implementing the new facilitation measure for the persons with disabilities. It is the Administration's plan to introduce further legislative amendments to the 2018 Order later in 2019 for implementation of the third cycle of the Replacement Exercise. Relevant legislative amendment for the new facilitation measure for the persons with disabilities could be made alongside in the same exercise.

11. The 2018 Order has provided the Chief Executive, members of the Executive Council and LegCo, and principal officials appointed pursuant to nominations under Article 48(5) of the Basic Law with an option to apply for the new HKICs at the same stage as those public officers specified under the 2018 Order (i.e. within the period from 27 December 2018 to 30 March 2019). There is a suggestion that DC members should be accorded a higher priority in the Replacement Exercise, so that they will be familiar with the relevant procedure at the earliest possible time and be able to provide assistance to the public during the Replacement Exercise when necessary. The Administration has responded that the HKIC replacement arrangement for certain public officers adopted in the first cycle of the Replacement Exercise is the same as that in the last Replacement Exercise, and the Administration had consulted LegCo on the arrangement of the first cycle of the Replacement Exercise. The requests for priority HKIC replacement for DC members were only made before the launch of the Replacement Exercise. That said, having regard to the role of DC members and their close liaison with the public, the Administration is of the view that the priority HKIC replacement for DC members may facilitate the smooth implementation of the Replacement Exercise. To this end, the Administration is actively considering taking on board the suggestion. It is the Administration's plan to introduce further legislative amendments to the 2018 Order later in 2019 for implementation of the third cycle of the Replacement Exercise. Relevant legislative amendment for the new arrangement for DC members could be made alongside in the same exercise.

Other issue raised

12. Pointing out that the microchip of the new generation of HKIC is placed on a different side than that of the existing HKIC, some members consider that the Administration should step up publicity efforts such that members of the public would be familiar with the use of new HKIC for automated immigration clearance at e-Channels. Members note the Administration's advice that holders of the new generation of HKIC can use e-channels through contactless interface apart from the existing contact interface. Promotional materials have been displayed at various Immigration Control Points and promotional videos will be put on various channels including television and the Internet to get the public familiar with the new features of the new generation of the HKIC.

**Recommendation**

13. The Subcommittee raises no objection to the Amendment Order, which will come into operation on 3 June 2019.

**Advice sought**

14. Members are invited to note the deliberations of the Subcommittee.

**Subcommittee on  
Registration of Persons (Application for New Identity Cards)  
Order 2018 (Amendment) Order 2019**

**Membership list**

**Chairman** Hon CHAN Hak-kan, BBS, JP

**Members** Hon Tommy CHEUNG Yu-yan, GBS, JP  
Hon MA Fung-kwok, SBS, JP  
Hon CHAN Han-pan, BBS, JP  
Dr Hon KWOK Ka-ki  
Hon Dennis KWOK Wing-hang  
Dr Hon Fernando CHEUNG Chiu-hung  
Hon Martin LIAO Cheung-kong, SBS, JP  
Ir Dr Hon LO Wai-kwok, SBS, MH, JP  
Hon Alvin YEUNG  
Hon CHU Hoi-dick

(Total : 11 members)

**Clerk** Ms Alice LEUNG

**Legal adviser** Ms Clara TAM