

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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2 November 2018

Ms Wendy KAN
Assistant Legal Adviser
Legal Service Division
Legislative Council Secretariat
Legislative Council Complex,
1 Legislative Council Road,
Central, Hong Kong

Dear Wendy,

**Registration of Persons (Application for New Identity Cards) Order 2018
(the “ROP Order 2018”)**

Our reply to your letter of 29 October 2018 is as follows.

Definition of “residential care home” in section 2 of the ROP Order 2018

2. To make the territory-wide identity card replacement exercise (“replacement exercise”) more convenient to the public, in particular the elderly and needy groups, the Immigration Department (ImmD) will, amongst others, introduce the on-site identity card replacement service at residential care homes for elderly persons and persons with disabilities (RCHs). Residents of RCHs specified in the ROP Order 2018 may choose to have their Hong Kong identity cards (HKICs) replaced on-site at RCHs, in addition to replacing their HKICs at a smart identity card centre in the period specified for their age groups.

3. Section 2 of the ROP Order 2018 specifies that RCHs include those under the Residential Care Homes (Elderly Persons) Ordinance (Cap. 459), the Residential Care Homes (Persons with Disabilities) Ordinance (Cap. 613), and institutions specified in Schedule 3 to the ROP Order 2018. The 11 institutions specified in Schedule 3 to the ROP Order 2018 are those nursing homes registered under the Hospitals, Nursing Homes and Maternity Homes Registration Ordinance (Cap. 165) which provide residential care services for elderly persons and persons with disabilities, but are not concurrently registered under Cap. 459 and Cap. 613. It is also noted that the Food and Health Bureau has introduced a legislative exercise under which the 11 institutions specified in Schedule 3 to the ROP Order 2018 may be registered under Cap. 459 or Cap. 613, as the case may be, in due course¹.

4. The RCHs specified in the ROP Order 2018 have been drawn up by ImmD in consultation with the Social Welfare Department and the Department of Health, and have already covered all RCHs which ImmD's facilitation measure in the replacement exercise mentioned paragraph 2 is intended to cover.

Definition of "target identity card" in section 2 of the ROP Order 2018

5. The ROP Order 2018 is intended to underpin the implementation of the replacement exercise for holders of HKICs prepared under regulation 5(1)(a) of the Registration of Persons Regulations ("ROPR", Cap 177A) in an orderly manner. The existing ROPR have set out specific arrangements on card registration, issue or renewal² for holders of HKICs prepared under regulation 5(1)(b) of ROPR, namely the Consular Corps Identity Cards (CCICs). In view of this and given the very limited number of CCICs involved³, ImmD will arrange for their replacement outside the current replacement exercise. ImmD has been in touch with the Consular Corps on this and is making plans for the replacement of CCICs which will tentatively start at the end of this year / early next year.

¹ See paragraphs 20 to 22 of the Legislative Council Brief on the Private Healthcare Facilities Bill (the "PHFs Bill"), and Schedule 9 to the PHFs Bill.

² See regulation 4 of ROPR.

³ As of 2018, there are some 1 300 CCICs in circulation.

6. Accordingly, the definition of “target identity card” in the ROP Order 2018 has not included HKICs prepared under regulation 5(1)(b) of the ROPR.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Alvis Tsui', written over a horizontal line.

(Alvis TSUI)

for the Secretary for Security

c.c. Clerk to the Subcommittee
DoJ (Attn: Miss Celia HO)