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**Subcommittee on Registration of Persons (Application for  
New Identity Cards) Order 2018 and the Registration of Persons  
(Application for New Identity Cards) Order (Repeal) Order**

**Background brief prepared by the Legislative Council Secretariat**

**Purpose**

This paper provides background information and summarizes past discussions of the Panel on Security ("the Panel") on the new smart identity ("ID") card and the territory-wide ID card replacement exercise.

**Background**

Introduction of the smart identity card

2. The existing smart ID card was introduced in June 2003 to replace the old computerized paper form ID card, the design and supporting computer system of which had become aged and outdated after a decade of use. According to the Administration, the smart ID card employed state-of-the-art technologies to make it more secure and fraud-resistant. To combat forgery, the smart ID card has incorporated a number of sophisticated security features, including optical variable ink, multiple laser image, kineprint with colour-changing images when viewed at different angles and high-quality laser engraved photograph on the polycarbonate card body. The relevant funding proposal was approved by the Finance Committee ("FC") at its meeting on 9 March 2001.

Legislative framework for the introduction of a smart ID card and the last ID card replacement exercise

3. To provide for the introduction of the smart ID card, the Administration introduced the Registration of Persons (Amendment) Bill 2001 ("the Bill") into the Legislative Council ("LegCo") in December 2001. When the Bill was considered by the relevant Bills Committee, members expressed concern about the inclusion of personal data beyond the purposes of the Registration of Persons Ordinance (Cap. 177) ("ROPO") in the smart ID card. Having

considered members' concern, the Administration moved amendments to the Bill to expressly provide that the inclusion of non-registration of personal data in the smart ID card required the consent of the cardholder and to provide for the removal of such data stored in the smart ID card if so requested by the cardholder concerned. The Bill as amended was passed in March 2003.

4. A territory-wide exercise for replacement of ID cards with smart ID cards commenced in August 2003 and was completed in March 2007. According to the Administration, the Immigration Department ("ImmD") had issued more than 11 million smart ID cards between June 2003 and December 2013. During the period, there were about 55 000 cases involving card replacement, representing approximately 0.49% of the total number of cards issued.

#### New smart Hong Kong identity card

5. In January 2015, the Panel was briefed on the Administration's proposal to implement the Next Generation Smart ID System and to introduce the next generation smart ID card through a one-off territory-wide ID card replacement exercise from 2018 to 2022. Members were advised that the Smart ID Card System was designed for optimal use for about 10 years. Being developed in the early 2000s, its hardware and software were becoming obsolete. It was becoming increasingly difficult to secure system maintenance and technical support due to limited and dwindling market supply of the outdated technologies. The core software packages supporting the Smart ID Card System had become obsolete and ultimate support from the manufacturers had ceased. The funding proposal was subsequently approved by FC at its meeting on 15 May 2015.

#### **Deliberations of the Panel on Security**

6. The Panel was briefed on issues relating to the new smart ID card replacement exercise at its meeting on 5 December 2017. The major deliberations are summarized in the following paragraphs.

#### Territory-wide identity card replacement exercise

7. Members were concerned that with some 8.8 million ID cards to be replaced at nine smart ID card replacement centres ("SIDCCs") within a period of 4.25 years, each SIDCC would have to handle the replacement of about 700 ID cards per day and the issue of a large number of new smart ID cards. There was a view that the nine SIDCCs should be established at locations convenient to members of the public and the floor area should be sufficiently large. Some

members were concerned whether additional manpower would be required for the upcoming smart ID card replacement exercise.

8. According to the Administration, the nine SIDCCs would be established at locations convenient to members of the public. SIDCCs would be opened for longer hours than those of the last ID card replacement exercise. ImmD would adopt facilitation measures in the upcoming card replacement exercise, including:

- (a) the adoption of a "Dual-Track-Parallel-Run" approach<sup>1</sup> in the call-up programme;
- (b) the provision of on-site smart ID card replacement service at residential care homes ("RCHs") for elderly persons and persons with disabilities ("PWDs"); and
- (c) better use of information technology such as allowing form-prefilling on the Internet or through a mobile application, as well as the establishment of self-service registration kiosks and self-service collection kiosks.

9. Members were concerned about the timetable and manpower for the provision of on-site smart ID card replacement service for elderly persons and PWDs residing in RCHs. Some members enquired about the card replacement arrangement for elderly persons and PWDs living in the community with low mobility.

10. According to the Administration, on-site smart ID card replacement service was expected to commence in the first quarter of 2019. Officers of ImmD would visit RCHs registered with the Social Welfare Department under relevant laws to provide PWDs and elderly persons residing therein with the choice of having their smart ID cards replaced on-site. ImmD would ensure the availability of sufficient manpower for the upcoming card replacement exercise, including the on-site smart ID card replacement service at RCHs. For elderly persons and PWDs living in the community with low mobility, the Administration advised that ImmD would provide other facilitation measures, such as providing help-through services in SIDCCs and arranging special time slots for group visits organized by non-governmental organizations, etc.

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<sup>1</sup> In addition to calling up persons to have their smart ID cards replaced by phases in accordance with their year of birth, a second track will be introduced for persons aged 65 or above (with the year of birth in 1954 or before). A holder of ID card showing a year of birth of 1954 or before may, if accompanied by another person who is applying for a new ID card at a SIDCC within the specified period, apply for a new ID card during the same visit.

11. Some members asked whether a cardholder whose existing ID card was lost or damaged would be required to pay the replacement fee, if his card replacement application was submitted when his age group was called up for smart ID card replacement. The Administration advised that a cardholder would be required to pay the card replacement fee unless the card damage was due to natural wear and tear.

12. Some members were concerned that a number of Hong Kong permanent residents had emigrated and resided in other countries and some of these persons were too old for travelling to Hong Kong for smart ID card replacement. These members asked whether such persons should be allowed to replace their smart ID cards at the Hong Kong Economic and Trade Offices located at major cities of overseas countries. Members were advised that according to ROPO, cardholders who were absent from Hong Kong, such as those residing in the Mainland or overseas, at the time when the respective age group was called up for smart ID card replacement could apply for an ID card within 30 days of their return to Hong Kong, without being regarded as contravening the requirements for persons of the respective age group to replace their ID cards in SIDCCs.

#### Non-immigration applications of the new smart identity card

13. Some members were concerned about the security of non-immigration applications of a new smart ID card.<sup>2</sup> According to the Administration, information stored in the chip of a smart ID card was encrypted and access to such information required authorization under relevant legislation. Only card face data would be stored in the card face data compartment in the chip of a smart ID card, other non-card face information such as those relating to the ID card holder's bank accounts or health records, were not stored in the chip of a smart ID card. The relevant non-immigration applications only provided the key for access, which required the consent of the cardholder, to such information.

14. Noting that the Office of the Government Chief Information Officer ("OGCIO") had conducted a technical study to review other possible uses of smart ID cards, members had sought information on the results of the study. Members were advised that following a technical study to review other possible uses of smart ID cards, OGCIO had, in response to proposals from the Financial Services and the Treasury Bureau and the Food and Health Bureau, proposed to

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<sup>2</sup> Currently, a smart ID card holder can opt to use various non-immigration applications under the Multi-application Smart Identity Card scheme coordinated by the Office of the Government Chief Information Officer.

include digital photograph and sex in the card face data compartment in the chip of a new smart ID card.

15. Some members also sought information on whether various cards and monthly tickets issued by different government departments would be incorporated into the new smart ID card. Members were advised that before introducing any new non-immigration applications for the new smart ID card, the Administration would consult the relevant Panels and consider the need for relevant legislative amendments.

#### Security of the new smart identity card

16. Some members were concerned whether it would be possible for someone with a suitable device to read information stored in the chip of a new smart ID card from a short distance without being noticed by the ID card holder. According to the Administration, the proposed new smart ID card would adopt a bi-level encryption mechanism. To enable access to information in a new smart ID card, it would be necessary to physically place the smart ID card on top of an authorized optical card reader to initiate the authentication process. To access data stored in the chip of a new smart ID card, further mutual authentication between the chip and the card reader would be required.

17. In response to some members' concern about the possibility of alteration of the photo in a new smart ID card and theft of information stored in the chip of a new smart ID card, the Administration advised that the new smart ID card would incorporate sophisticated security features and strong protection against photo substitution and counterfeiting.

#### **Relevant papers**

18. A list of the relevant papers on the LegCo website is in the **Appendix**.

**Relevant papers on the Registration of Persons (Application for New Identity Cards) Order 2018 and the Registration of Persons (Application for New Identity Cards) Order (Repeal) Order**

<b>Committee</b>	<b>Date of meeting</b>	<b>Paper</b>
Panel on Security	6.1.2015 (Item IV)	<a href="#">Agenda</a> <a href="#">Minutes</a>
Panel on Security	3.2.2015 (Item IV)	<a href="#">Agenda</a> <a href="#">Minutes</a>
Panel on Security	3.3.2015 (Item VI)	<a href="#">Agenda</a> <a href="#">Minutes</a>
Finance Committee	8.5.2015	<a href="#">Agenda</a> <a href="#">Minutes</a>
Finance Committee	15.5.2015	<a href="#">Agenda</a> <a href="#">Minutes</a>
Panel on Security	1.3.2016 (Item IV)	<a href="#">Agenda</a> <a href="#">Minutes</a>
Panel on Security	5.12.2017 (Item V)	<a href="#">Agenda</a> <a href="#">Minutes</a>  <a href="#">LC Paper No. CB(2)148/18-19(01)</a>