

LEGISLATIVE COUNCIL BRIEF

REGISTRATION OF PERSONS (APPLICATION FOR NEW IDENTITY CARDS) ORDER 2018 (AMENDMENT) ORDER 2019

INTRODUCTION

The Registration of Persons (Application for New Identity Cards) Order 2018 (Amendment) Order 2019 (“the Amendment Order”), has been made under section 7B(1) of the Registration of Persons Ordinance (Cap. 177) (“the Ordinance”) to direct persons born in 1955 to 1959 or those in 1964 to 1967 to apply for new Hong Kong identity cards (“HKICs”) within specified periods at the Smart Identity Card Replacement Centres (“Replacement Centres”) during the second cycle of the Territory-wide Identity Card Replacement Exercise (“Replacement Exercise”). The Amendment Order is at [Annex](#).

BACKGROUND

2. On 12 October 2018, the Secretary for Security made the Registration of Persons (Application for New Identity Cards) Order 2018 (Cap. 177 sub. leg. J) (“the ROP Order 2018”) under section 7B(1) of the Ordinance. Under the ROP Order 2018, certain categories of persons including, inter alia, certain public officers¹ and persons born in 1985 to 1986 or those in 1968 to 1969 are directed to apply for HKICs at the Replacement Centres within specified periods during the first cycle of the Replacement Exercise. The first cycle commenced on 27 December 2018 and will end on 1 June 2019.

3. To roll out the second cycle of the Replacement Exercise, the Secretary for Security made the Amendment Order under section 7B(1) of the Ordinance. The Amendment Order amends the ROP Order 2018 to direct holders of target HKICs² born in 1955 to 1959 or those in 1964 to

¹ These include members of the Immigration Service, police officers and labour inspectors.

² Target identity cards 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).

1967 to apply for new HKICs within specified periods from 3 June 2019³ to 17 February 2020.

THE AMENDMENT ORDER

4. **Section 1** of the Amendment Order provides for its commencement date. **Section 3** of the Amendment Order amends Schedule 2 of the ROP Order 2018 by adding the specified periods for holders of target HKICs born in 1955 to 1959 or those in 1964 to 1967 to apply for new HKICs.

LEGISLATIVE TIMETABLE

5. The legislative timetable will be –

Publication in the Gazette	29 March 2019
Tabling at the Legislative Council for negative vetting	3 April 2019
Commencement of the Amendment Order	3 June 2019

IMPLICATIONS OF THE PROPOSAL

6. The Amendment Order is in conformity with the Basic Law, including the provisions concerning human rights and does not affect the current binding effect of the Ordinance and the Registration of Persons Regulations (Cap. 177A).

PUBLIC CONSULTATION

7. On 5 December 2017, the Panel on Security was briefed on the new form of HKIC and the framework of the Replacement Exercise. Members raised no objection to the framework of the Replacement

³ The first working day upon the end of the first cycle.

Exercise. The public and Members of the Legislative Council have been informed of the launch of the Replacement Exercise as set out in the Legislative Council Brief on the ROP Order 2018 tabled at the Legislative Council on 24 October 2018.

PUBLICITY

8. The Immigration Department will issue a press release on the arrangement for the second cycle of the Replacement Exercise on 27 March 2019. Publicity will continue to be put up through various channels, such as television and the Internet, etc., throughout the Replacement Exercise.

ENQUIRY

9. Any enquiry on this brief can be addressed to Mr Parson CW LAM, Principal Assistant Secretary for Security at 2810 2506, or Mr Timothy TC CHAN, Assistant Director of Immigration at 2829 3883.

Security Bureau
March 2019

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

(Made by the Secretary for Security under section 7B(1) of the Registration of Persons Ordinance (Cap. 177))

1. Commencement

This Order comes into operation on 3 June 2019.

2. Registration of Persons (Application for New Identity Cards) Order 2018 amended

The Registration of Persons (Application for New Identity Cards) Order 2018 (Cap. 177 sub. leg. J) is amended as set out in section 3.

3. Schedule 2 amended (years of birth and specified periods)

Schedule 2, before the following—

“1968 or 1969 From 1 April 2019 to 1 June 2019”

Add

“1955 or 1956 From 24 September 2019 to 15
November 2019

1957, 1958 or 1959 From 16 November 2019 to 17
February 2020

1964 or 1965 From 27 July 2019 to 23 September
2019

1966 or 1967 From 3 June 2019 to 26 July 2019”.



Secretary for Security

28 MARCH 2019

Explanatory Note

This Order amends Schedule 2 to the Registration of Persons (Application for New Identity Cards) Order 2018 (Cap. 177 sub. leg. J) such that the holder of an identity card that falls within both of the following descriptions must apply for a new identity card at a smart identity card replacement centre within the period specified for that holder—

- (a) the identity card is a valid identity card that is prepared under regulation 5(1)(a) of the Registration of Persons Regulations (Cap. 177 sub. leg. A) and—
 - (i) issued before 26 November 2018; or
 - (ii) issued on or after that date as a result of an application made before that date;
- (b) the identity card shows a year of birth of 1955, 1956, 1957, 1958, 1959, 1964, 1965, 1966 or 1967.