

LEGISLATIVE COUNCIL BRIEF

REGISTRATION OF PERSONS (APPLICATION FOR NEW IDENTITY CARDS) ORDER

REGISTRATION OF PERSONS (APPLICATION FOR NEW IDENTITY CARDS)(REPEAL) ORDER 2003

INTRODUCTION

The Registration of Persons (Application for New Identity Cards) Order has been issued under section 7B(1) of the Registration of Persons (ROP) Ordinance, Cap.177 to direct certain categories of persons to apply for new identity cards within a specified period at smart identity card centres. The Registration of Persons (Application for New Identity Cards) (Repeal) Order 2003 has also been made to repeal orders issued for the last territory-wide replacement exercise.

BACKGROUND

2. The Commissioner of Registration has appointed 23 June 2003 as the specified date on which the Smart Identity Card System (SMARTICS) starts operation. From this date onwards, applicants for new identity cards¹ or applicants for replacement of lost, destroyed, damaged or defaced identity cards will be issued new identity cards embodying chips.

3. Holders of Hong Kong identity cards (some 6.9 million) will be invited to come forward by age groups to have their old identity cards applied or issued before 23 June 2003 replaced. Such a territory-wide identity card replacement exercise will commence on 18 August 2003, two months after the SMARTICS starts operation. Similar to previous

¹ These applicants include for instance, children reaching the age of 11, young people reaching the age of 18 and other new arrival residents eligible for applying for new identity cards.

exercises, the current exercise will last for about four years. Since the Automated Passenger Clearance System and the Automated Vehicle Clearance System to be introduced at our control points by phases at end 2004 will exploit the smart card technology, frequent travellers, i.e. those aged 34 to 55, will be invited to apply for new identity cards during the first four cycles of the exercise (from September 2003 to June 2005). Other age groups will be invited to participate in the latter four cycles. Separately, we will make arrangement for all cross-boundary drivers to apply for the new identity cards before end 2004 so that they may benefit from the Automated Vehicle Clearance System nearer the time. Details of the full replacement exercise are at **Annex A**.

4. The Secretary for Security has issued the Registration of Persons (Application for New Identity Cards) Order (“the ROP Order”) (**Annex B**) under section 7B(1) of the ROP Ordinance, Cap. 177 announcing details of the first cycle of the exercise. The ROP Order has directed holders of identity cards born between 1964 to 1969, members of the Immigration Service, police officers and labour inspectors to apply for identity cards within the specified periods. There is a practical need for the above law enforcement officers to familiarize with the features of the new identity cards as early as possible so as to facilitate them to fight crimes relating to illegal immigration and illegal employment.

5. The ROP Order has also provided the Chief Executive, members of the Executive Council and the Legislative Council and Principal Officials with an option to apply for the new identity cards at an early stage as the important public office they hold put them in a unique position to promote the use of information technology in the community and Hong Kong as a leading digital city in the region.

6. The Secretary for Security has also made the Registration of Persons (Application for New Identity Cards) (Repeal) Order 2003 (“the Repeal Order”) (**Annex C**) to repeal orders issued for the last territory-wide replacement exercise held from July 1987 to October 1991, which have already lapsed.

THE ORDERS

7. **Section 1** of the ROP Order provides for its commencement date and **Section 2** the interpretation of terms. **Section 3** specifies the application arrangements for certain categories of persons. **Schedule 1** specifies the names and locations of the smart identity card centres while **Schedule 2** specifies the application periods for holders of identity cards born between 1964 and 1969. The Repeal Order repeals orders that were issued for the last replacement exercise.

LEGISLATIVE TIMETABLE

8. The legislative timetable will be –

Publication in the Gazette	16 May 2003
Commencement of the Legal Notice	10 July 2003

PUBLIC CONSULTATION

9. Since the launch of the HKSAR Identity Card Project, the public and members of the Legislative Council have been informed of our intention to conduct the replacement exercise in mid-2003.

IMPLICATIONS OF THE PROPOSAL

10. The Orders are in conformity with the Basic Law, including the provisions concerning human rights.

BINDING EFFECT OF THE LEGISLATION

11. The ROP Order will not affect the current binding effect of the ROP Ordinance (Cap. 177) and the ROP Regulations (Cap. 177, sub. leg.) made thereunder.

PUBLICITY

12. Immigration Department will hold a press conference on 16 May 2003 to announce details of the replacement exercise.

ENQUIRY

13. For any enquiry on this brief, please contact Mr Alan K M Chu, Principal Assistant Secretary for Security at 2810 2506 or Mr WONG Tat-po, Deputy Director of Immigration at 2829 3828.

Security Bureau
16 May 2003

Territory-wide Identity Card Replacement Exercise (2003-2007)

Annex A

Cycle	Phase	Year of Birth	Age (note 1)	Designated Period for Replacement (note 2)	
A	1	The Chief Executive	-	Mon 18 Aug 03	to Sat 15 Nov 03
		Members of the Executive Council & the Legislative Council	-		
		Principal Officials appointed pursuant to a nomination under Article 48(5) of the Basic Law	-		
		Members of the Immigration Service	-		
		Police Officers Labour Inspectors	-		
		1968-69	34-35	Mon 15 Sep 03	to Sat 15 Nov 03
A	2	1966-67	36-37	Mon 17 Nov 03	to Sat 10 Jan 04
A	3	1964-65	38-39	Mon 12 Jan 04	to Sat 13 Mar 04
B	4	1962-63	40-41	Mon 15 Mar 04	to Sat 22 May 04
B	5	1960-61	42-43	Mon 24 May 04	to Sat 24 Jul 04
B	6	1958-59	44-45	Mon 26 Jul 04	to Sat 25 Sep 04
C	7	1956-57	46-47	Mon 27 Sep 04	to Sat 27 Nov 04
		cross-boundary drivers	-		
C	8	1954-55	48-49	Mon 29 Nov 04	to Sat 22 Jan 05
C	9	1952-53	50-51	Mon 24 Jan 05	to Sat 12 Mar 05
D	10	1950-51	52-53	Mon 14 Mar 05	to Sat 30 Apr 05
D	11	1948-49	54-55	Mon 2 May 05	to Fri 10 Jun 05
D	12	1970-71	32-33	Mon 13 Jun 05	to Sat 6 Aug 05
E	13	1972-73	30-31	Mon 8 Aug 05	to Fri 30 Sep 05
E	14	1974-75	28-29	Mon 3 Oct 05	to Sat 19 Nov 05
E	15	1976-77	26-27	Mon 21 Nov 05	to Sat 7 Jan 06
E	16	1978-79	24-25	Mon 9 Jan 06	to Sat 25 Feb 06
F	17	1980-81	22-23	Mon 27 Feb 06	to Sat 8 Apr 06
F	18	1982-83	20-21	Mon 10 Apr 06	to Fri 19 May 06
F	19	1984-85	18-19	Mon 22 May 06	to Sat 24 Jun 06
G	20	1945-47	56-58	Mon 26 Jun 06	to Sat 5 Aug 06
G	21	1942-44	59-61	Mon 7 Aug 06	to Sat 9 Sep 06
G	22	1939-41	62-64	Mon 11 Sep 06	to Sat 14 Oct 06
G	23	1936-38	65-67	Mon 16 Oct 06	to Sat 18 Nov 06
G	24	1933-35	68-70	Mon 20 Nov 06	to Sat 23 Dec 06
H	25	1928-32	71-75	Wed 27 Dec 06	to Sat 10 Feb 07
H	26	1923-27	76-80	Mon 12 Feb 07	to Sat 17 Mar 07
H	27	1990-91	12-13	Mon 19 Mar 07	to Sat 21 Apr 07
H	28	1922 & before	81 & over	Mon 23 Apr 07	to Sat 30 Jun 07
		1992, 1997 & after	11 & below		
				Mon 18 Aug 03	to Sat 30 Jun 07

Note : (1) The age is calculated as at year 2003.

(2) The designated period for replacement is for indicative purpose only. The dates may be adjusted in the light of actual experience.

**REGISTRATION OF PERSONS (APPLICATION FOR NEW
IDENTITY CARDS) ORDER**

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

1. Commencement

This Order shall come into operation on 10 July 2003.

2. Interpretation

In this Order, unless the context otherwise requires -

“smart identity card centre” (智能身分證中心) means a smart identity card centre specified in Schedule 1;

“valid identity card to be replaced” (有待取代的有效身分證) means a valid identity card issued before 23 June 2003 or issued on or after that date on an application made before that date.

3. Applications for new identity cards

(1) This section applies to -

- (a) the Chief Executive;
- (b) any member of the Executive Council;
- (c) any member of the Legislative Council;
- (d) any principal official appointed pursuant to a nomination under Article 48(5) of the Basic Law;
- (e) any member of the Immigration Service;
- (f) any police officer; and
- (g) any public officer at the rank of Chief Labour Inspector, Senior Labour Inspector, Labour Inspector I or Labour Inspector II.

(2) A person to whom this section applies who holds a valid identity card to be replaced shall apply for a new identity card at a smart identity card centre –

- (a) within the period from 18 August 2003 to 15 November 2003; or
- (b) in the case of a person referred to in subsection (1)(a), (b), (c) or (d), within the period directed from time to time under subsection (3) which is applicable to him.

(3) Subject to subsection (2), a person who holds a valid identity card to be replaced bearing a year of birth specified in column 1 of Schedule 2 shall apply for a new identity card within the period specified opposite thereto in column 2 of that Schedule at a smart identity card centre.

SCHEDULE 1

[s. 2]

SMART IDENTITY CARD CENTRES

Name of smart identity card centre	Location
1. Hong Kong Smart Identity Card Centre	Room 601, 6 th Floor Elizabeth House 250-254 Gloucester Road Causeway Bay, Hong Kong
2. East Kowloon Smart Identity Card Centre	Shop 102-3 & 104-5, 1 st Floor World Trade Square 123 Hoi Bun Road Kwun Tong, Kowloon
3. West Kowloon Smart Identity Card Centre	Shop No. LG2, Lower Ground Floor Tsim Sha Tsui Centre 66 Mody Road

- Tsim Sha Tsui, Kowloon
4. Tsuen Wan Smart Identity Card Centre
Shop S201-S205 & S211-S212
2nd Floor, East Asia Gardens
36-60 Texaco Road
3-21 Tsuen Fu Street
16 & 24 Tsuen Wah Street
Tsuen Wan, New Territories
 5. Tuen Mun Smart Identity Card Centre
Shop A, 1st Floor
Rosedale Gardens
133 Castle Peak Road
San Hui
Tuen Mun, New Territories
 6. Yuen Long Smart Identity Card Centre
Shop No. B02, Basement 1
Kingswood Ginza (Shopping Arcade)
18 Tin Yan Road (Phase 2)
Tin Shui Wai
New Territories
 7. Sheung Shui Smart Identity Card Centre
Unit Nos. 1313-22, Level 13
Landmark North
39 Lung Sum Avenue
Sheung Shui, New Territories
 8. Sha Tin Smart Identity Card Centre
Unit Nos. 1301-12 & 1319-21
Level 13
Tower II, Grand Central Plaza

138 Sha Tin Rural Committee Road
Sha Tin, New Territories

9. Tseung Kwan O Smart Identity Card Centre
- Shop No. B7-B10 & B26-B55
Podium Level 1
Nan Fung Plaza
8 Pui Shing Road
Tseung Kwan O, New Territories

SCHEDULE 2

[s. 3(3)]

Year of birth	Specified period
1964 or 1965	From 12 January 2004 to 13 March 2004
1966 or 1967	From 17 November 2003 to 10 January 2004
1968 or 1969	From 15 September 2003 to 15 November 2003

Secretary for Security

May 2003

Explanatory Note

This order –

- (a) directs that applications for new identity cards be made by certain categories of persons within a specified period at the smart identity card centres;
- (b) specifies the names and locations of the smart identity card centres.

**REGISTRATION OF PERSONS (APPLICATION FOR NEW
IDENTITY CARDS)(REPEAL) ORDER 2003**

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

1. Commencement

This Order shall come into operation on 10 July 2003.

2. Repeal

The following Orders are repealed –

- (a) Registration of Persons (Application for New Identity Cards)(Consolidation) Order (Cap. 177 sub. leg. D);
- (b) Registration of Persons (Application for New Identity Cards) Order 1990 (L.N. 4 of 1990);
- (c) Registration of Persons (Application for New Identity Cards) (No. 2) Order 1990 (L.N. 13 of 1990);
- (d) Registration of Persons (Application for New Identity Cards) (No. 3) Order 1990 (L.N. 43 of 1990);
- (e) Registration of Persons (Application for New Identity Cards) (No. 4) Order 1990 (L.N. 53 of 1990);
- (f) Registration of Persons (Application for New Identity Cards) (No. 5) Order 1990 (L.N. 90 of 1990);
- (g) Registration of Persons (Application for New Identity Cards) (No. 6) Order 1990 (L.N. 98 of 1990);
- (h) Registration of Persons (Application for New Identity Cards) (No. 7) Order 1990 (L.N. 116 of 1990);
- (i) Registration of Persons (Application for New Identity Cards) (No. 8) Order 1990 (L.N. 158 of 1990);
- (j) Registration of Persons (Application for New Identity Cards) (No. 9) Order 1990 (L.N. 165 of 1990);

- (k) Registration of Persons (Application for New Identity Cards) (No. 10) Order 1990 (L.N. 198 of 1990);
- (l) Registration of Persons (Application for New Identity Cards) (No. 11) Order 1990 (L.N. 206 of 1990);
- (m) Registration of Persons (Application for New Identity Cards) (No. 12) Order 1990 (L.N. 241 of 1990);
- (n) Registration of Persons (Application for New Identity Cards) (No. 13) Order 1990 (L.N. 266 of 1990);
- (o) Registration of Persons (Application for New Identity Cards) (No. 14) Order 1990 (L.N. 279 of 1990);
- (p) Registration of Persons (Application for New Identity Cards) (No. 15) Order 1990 (L.N. 291 of 1990);
- (q) Registration of Persons (Application for New Identity Cards) (No. 16) Order 1990 (L.N. 311 of 1990);
- (r) Registration of Persons (Application for New Identity Cards) (No. 17) Order 1990 (L.N. 327 of 1990);
- (s) Registration of Persons (Application for New Identity Cards) (No. 18) Order 1990 (L.N. 362 of 1990);
- (t) Registration of Persons (Application for New Identity Cards) (No. 19) Order 1990 (L.N. 387 of 1990);
- (u) Registration of Persons (Application for New Identity Cards) (No. 20) Order 1990 (L.N. 433 of 1990);
- (v) Registration of Persons (Application for New Identity Cards) Order 1991 (L.N. 21 of 1991);
- (w) Registration of Persons (Application for New Identity Cards) (No. 2) Order 1991 (L.N. 24 of 1991);
- (x) Registration of Persons (Application for New Identity Cards) (No. 3) Order 1991 (L.N. 45 of 1991);
- (y) Registration of Persons (Application for New Identity Cards) (No. 4) Order 1991 (L.N. 105 of 1991);

- (z) Registration of Persons (Application for New Identity Cards) (No. 5) Order 1991 (L.N. 117 of 1991);
- (za) Registration of Persons (Application for New Identity Cards) (No. 6) Order 1991 (L.N. 148 of 1991);
- (zb) Registration of Persons (Application for New Identity Cards) (No. 7) Order 1991 (L.N. 183 of 1991);
- (zc) Registration of Persons (Application for New Identity Cards) (No. 8) Order 1991 (L.N. 206 of 1991);
- (zd) Registration of Persons (Application for New Identity Cards) (No. 9) Order 1991 (L.N. 234 of 1991);
- (ze) Registration of Persons (Application for New Identity Cards) (No. 10) Order 1991 (L.N. 238 of 1991);
- (zf) Registration of Persons (Application for New Identity Cards) (No. 11) Order 1991 (L.N. 350 of 1991).

Secretary for Security

May 2003

Explanatory Note

This Order repeals the Registration of Persons (Application for New Identity Cards)(Consolidation) Order (Cap. 177 sub. leg. D) and certain Orders made under section 7B(1) of the Registration of Persons Ordinance (Cap. 177).