

立法會
Legislative Council

LC Paper No. LS24/19-20

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 22 November 2019**

Tabling in LegCo : Council meeting of 27 November 2019

Amendment to be made by : Council meeting of 18 December 2019 (or that of 15 January 2020 if extended by resolution)

**Metrication Ordinance (Amendment of Schedules)
Order 2019**

(L.N. 167)

The Metrication Ordinance (Cap. 214) provides for the replacement in enactments of non-metric units by metric units. Under section 2 of Cap. 214, metric units include units of measurement of the International System of Units ("SI") specified in the First Schedule and non-SI units of measurements specified in the Second Schedule. The term "International System of Units" is defined in Cap. 214 to mean the system of units of measurement from time to time recommended for international use by the General Conference of Weights and Measures ("CGPM"). Under section 4 of Cap. 214, the Chief Executive ("CE") may, by order published in the Gazette, amend the Schedules.

2. L.N. 167 is made by CE under section 4 of Cap. 214 after consultation with the Executive Council. It amends the First Schedule to Cap. 214 to reflect the latest amendments made by CGPM to the base units of SI in 2018 by (a) replacing the existing definitions of four of the seven base units, namely, kilogram, ampere, kelvin and mole with new definitions; and (b) making corresponding or textual amendments to the definitions of the remaining three types of base units, namely, second, metre and candela.

3. L.N. 167 also amends the Second Schedule to Cap. 214 to reflect some minor changes in non-SI units in general international use over the past decades and makes minor amendments to the format and style of the Third Schedule to Cap. 214.

4. According to paragraph 3 of the Legislative Council ("LegCo") Brief (File Ref.: [ITC SCL/1-10 (C)]) issued by the Innovation and Technology Bureau and the Innovation and Technology Commission on 20 November 2019, the objective of CGPM's revision in 2018 is to guarantee the stability and universality of the SI base units by replacing the conventional use of physical artefacts by linking all

SI base units to fundamental physical constants. The revision is not intended to change the values of the SI units and aims at keeping their consequential changes to a minimum to preserve continuity with earlier definitions. According to paragraph 4 of the LegCo Brief, the impact of the revision of the SI on the general public is minimal.

5. According to paragraph 11 of the LegCo Brief, briefings on the revision of the SI have been conducted for relevant stakeholders in the industrial sector, the academia and the testing and certification industry on 27 October 2017 and 11 January 2019 respectively, and no adverse feedback was received by the Administration.

6. As advised by the Clerk to the Panel on Commerce and Industry, the Panel has not been consulted on L.N. 167.

7. L.N. 167 comes into operation on 1 April 2020.

**Registration of Persons (Application for New Identity Cards)
Order 2018 (Amendment) (No. 2) Order 2019 (L.N. 168)**

8. L.N. 168 is made by the Secretary for Security under section 7B(1) of the Registration of Persons Ordinance (Cap. 177) to implement the third cycle of the Territory-wide Identity Card Replacement Exercise ("Replacement Exercise").

9. In October 2018, the Registration of Persons (Application for New Identity Cards) Order 2018 (Cap. 177J) ("2018 Order") was made to implement the first cycle of the Replacement Exercise which takes place from 27 December 2018 to 1 June 2019. In March 2019, the 2018 Order was amended¹ to implement the second cycle of the Replacement Exercise and to direct that holders of valid identity cards who were born in 1955 to 1959 or those in 1964 to 1967 must apply for a new identity card within the respective specified periods.²

10. L.N. 168 amends Schedule 2 to the 2018 Order to the effect that holders of valid identity cards who were born in 1960 to 1963 or those in 1970 to 1976 must apply for a new identity card at a smart identity card replacement centre within the respective specified periods as follows:

Year of birth	Specified period
1960 or 1961	From 18 February 2020 to 20 April 2020
1962 or 1963	From 21 April 2020 to 24 June 2020
1970, 1971 or 1972	From 26 June 2020 to 16 September 2020
1973 or 1974	From 17 September 2020 to 13 November 2020
1975 or 1976	From 14 November 2020 to 8 January 2021

¹ The Registration of Persons (Application for New Identity Cards) Order 2018 (Amendment) Order 2019 (L.N. 50 of 2019).

² The last day of the relevant specified periods is 17 February 2020.

11. L.N. 168 also amends sections 5 and 6 of the 2018 Order to provide that:
- (a) certain members of District Councils³ may apply for new identity cards during the period from 18 February 2020 to 20 April 2020; and
 - (b) qualified persons with a disability⁴ may, if accompanied by other persons applying for new identity cards and subject to certain conditions, apply for new identity cards at the same time.
12. Under section 7B(3) of Cap. 177, a person who without reasonable excuse fails to apply for a new identity card in accordance with the requirements under Cap. 177J commits an offence and is liable to a fine at level 2 (currently \$5,000).
13. According to paragraph 15 of the LegCo Brief (no file reference) issued by the Security Bureau in November 2019, publicity will continue to be put up through various channels such as television and Internet, etc., throughout the Replacement Exercise.
14. As advised by the Clerk to the Panel on Security, the Panel has not been consulted on L.N. 168. A subcommittee was formed to study the Registration of Persons (Application for New Identity Cards) Order 2018 (Amendment) Order 2019 in relation to the launch of the second cycle of the Replacement Exercise. At the suggestion of Subcommittee members, the Administration undertook to explore the feasibility of extending the facilitation measures provided for in the 2018 Order to persons with disabilities and District Council members in the third cycle of the Replacement Exercise. Members may wish to refer to the report of the Subcommittee (LC Paper No. CB(2)1506/18-19) for details of its deliberation.
15. L.N. 168 comes into operation on 18 February 2020.

**Airport Authority Ordinance (Map of Restricted Area)
(Amendment) Order 2019**

(L.N. 169)

16. L.N. 169 is made by the Director-General of Civil Aviation under section 37 of the Airport Authority Ordinance (Cap. 483) after consultation with the Airport Authority. It amends the Schedule to the Airport Authority Ordinance (Map of Restricted Area) Order (Cap. 483L) by updating the maps of the Restricted Area to specify the new boundaries of the Restricted Area.

³ Under section 3 of L.N. 168, these members do not include those with target identity cards showing the following year of birth – 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1964, 1965, 1966, 1967, 1968, 1969, 1985 or 1986.

⁴ Under section 4 of L.N. 168, a "qualified person with a disability" means a person with a disability, but does not include one who holds a target identity card that shows the following year of birth – 2001, 2002, 2003, 2004, 2008, 2009, 2010 or 2011.

17. According to paragraph 4 of the LegCo Brief (File Ref: THB(T)CR2/935/95 Pt. 36) issued by Transport and Housing Bureau in November 2019, the changes to the maps of the Restricted Area are mainly made for, including an area adjacent to the bonded road to facilitate tunnel construction works of the Three-runway System Automated People Mover and Baggage Handling System, excluding the restricted area of Terminal 2 arising from temporary closure for its expansion, reflecting the expanded parts of Terminal 1 and certain changes at different floor levels of Terminal 1.

18. According to paragraph 7 of the LegCo Brief, the Airport Authority has consulted stakeholders of the relevant industry and will continue to engage stakeholders in updating exercises.

19. As advised by the Clerk to the Panel on Economic Development, the Panel was not consulted specifically on L.N. 169.

20. L.N. 169 comes into operation on 17 January 2020.

Concluding observations

21. No difficulties have been identified in relation to the legal and drafting aspects of the above items of subsidiary legislation.

Prepared by

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