

LEGISLATIVE COUNCIL BRIEF

**REGISTRATION OF PERSONS
(APPLICATION FOR NEW IDENTITY CARDS) ORDER 2018
(AMENDMENT) ORDER 2021**

INTRODUCTION

To ensure that the Territory-wide Identity Card Replacement Exercise (“Replacement Exercise”) will continue to be conducted in an orderly manner, the Secretary for Security (“the Secretary”) made the Registration of Persons (Application for New Identity Cards) Order 2018 (Amendment) Order 2021 (“the Amendment Order”) (at Annex), pursuant to section 7B(1) of the Registration of Persons Ordinance (Cap. 177) (“the Ordinance”) to –

- (a) extend the specified period for holders of target Hong Kong identity cards¹ (“HKICs”) born in 1962 to 1963 to apply for new HKICs; and
- (b) direct holders of target HKICs born in 1973 to 1976, and those in 2005 to 2007 and 2012 to 2018 to apply for new HKICs within the specified periods of the respective age groups.

BACKGROUND

2. In September 2020, the Secretary made the Registration of Persons (Application for New Identity Cards) Order 2018 (Amendment) (No. 2) Order 2020 (“the Amendment Order (No. 2) 2020”), pursuant to section 7B(1) of the Ordinance. Among other things, the Amendment Order (No. 2) 2020 –

¹ Target HKICs are valid HKICs 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).

- (a) extended the specified period for holders of target HKICs born in 1962 to 1963 to 30 January 2021; and
- (b) repealed the specified periods for holders of target HKICs born in 1973 to 1976 to avoid revising the replacement schedule for multiple times due to sudden turns of the epidemic situation.

3. In view of the epidemic situation of coronavirus disease 2019, the operation of all Smart Identity Card Replacement Centres was suspended from 2 December 2020 to 31 January 2021. Due to the earlier service suspension, some holders of target HKICs born in 1962 to 1963 were unable to register for new HKICs within the specified period².

REVISED ARRANGEMENT FOR REPLACEMENT EXERCISE

4. Having regard to the epidemic situation and the progress of the Replacement Exercise, the Secretary made the Amendment Order pursuant to the Ordinance to –

- (a) extend the specified period for holders of target HKICs born in 1962 to 1963 to apply for new HKICs to 20 February 2021; and
- (b) direct the holders of target HKICs born in 1973 to 1976, and those in 2005 to 2007 and 2012 to 2018 to apply for new HKICs within the following specified periods -

Year of birth	Specified period
1973 to 1976	From 22 February 2021 to 9 July 2021
2005 to 2007 and 2012 to 2018	From 3 May 2021 to 18 September 2021

² The Amendment Order (No. 2) 2020 also directed holders of target HKICs born in 1970 to 1972 to apply for new HKICs from 2 November 2020 to 30 April 2021. Despite the earlier service suspension, the remaining period of this specified period should be sufficiently long enough for holders of target HKICs born in 1970 to 1972 to apply for new HKICs. To this end, this specified period will remain unchanged.

THE AMENDMENT ORDER

5. The Amendment Order aims at implementing the revised replacement arrangement as set out in paragraph 4 above.

LEGISLATIVE TIMETABLE

6. The legislative timetable will be –

Publication in the Gazette	5 February 2021
Tabling at the Legislative Council for negative vetting	24 February 2021
Commencement of the Amendment Order	5 February 2021

IMPLICATIONS OF THE PROPOSAL

7. 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

8. 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 Exercise. The public and LegCo members have been informed of the arrangement of the Replacement Exercise as set out in the Legislative Council Briefs on the Registration of Persons (Application for New Identity Cards) Order 2018 tabled at the LegCo on 24 October 2018, the Registration of Persons (Application for New Identity Cards) Order 2018 (Amendment) Order 2019 tabled at the LegCo on 3 April 2019, the Registration of Persons (Application for New Identity Cards) Order 2018 (Amendment) (No. 2) Order 2019 tabled at LegCo on 27 November 2019, the Registration of Persons (Application for New Identity Cards) Order

2018 (Amendment) Order 2020 tabled at LegCo on 13 May 2020 and the Amendment Order (No. 2) 2020 tabled at LegCo on 14 October 2020.

PUBLICITY

9. ImmD will issue a press release on the abovementioned arrangement of the Replacement Exercise and continue to put up publicity through various channels.

ENQUIRY

10. Any enquiry on this brief can be addressed to Mr Parson CW LAM, Principal Assistant Secretary for Security at 2810 2506, or Mr FAN Hiu Sing, Assistant Director of Immigration at 2829 3838.

Security Bureau
February 2021

Registration of Persons (Application for New Identity Cards) Order 2018 (Amendment) Order 2021

Add

“2005, 2006, 2007,
2012, 2013, 2014,
2015, 2016, 2017
or 2018

From 3 May 2021 to 18
September 2021”.

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

1. 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 2.

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

(1) Schedule 2—

Repeal

“1962 or 1963 From 28 July 2020 to 30 January 2021”

Substitute

“1962 or 1963 From 28 July 2020 to 20 February 2021”.

(2) Schedule 2, after the following—

“1970, 1971 or 1972 From 2 November 2020 to 30 April 2021”

Add

“1973, 1974, 1975
or 1976 From 22 February 2021 to 9 July 2021”.

(3) Schedule 2, after the following—

“1985 or 1986 From 21 January 2019 to 30 March 2019”

Secretary for Security

2ND FEBRUARY 2021

Explanatory Note

This Order amends Schedule 2 to the Registration of Persons (Application for New Identity Cards) Order 2018 (Cap. 177 sub. leg. J)—

- (a) to specify the periods within which holders of target identity cards that show 1973, 1974, 1975, 1976, 2005, 2006, 2007, 2012, 2013, 2014, 2015, 2016, 2017 or 2018 as the year of birth must apply for new identity cards; and
- (b) to extend, in response to the COVID-19 pandemic, the period within which holders of target identity cards that show 1962 or 1963 as the year of birth must apply for new identity cards.