

From:

To:

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Subject: (UPDATE): 有關訂立 “電訊(登記用戶識別卡)規例” 的意見書; “Real-name Registration Programme for SIM Cards” Comments and suggestion on the Proposals

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## 有關訂立 “電訊(登記用戶識別卡)規例” 的意見書

### 意見書

### Comments and Suggestion on the Proposals

有關 “電訊條例”- 第106章，有關第37條訂立 “電訊(登記用戶識別卡)規例”，本人表示強烈反對，理據，請參閱本意見書的，第二部分

第一部分 – 回應經濟及商務局呈交立法會審議有關: “電訊條例”-第106章，有關第37條訂立 “電訊(登記用戶識別卡)規例” 條例的文件建議。

不應就個別極端例子，使無限廣大 “沒有實名登記電話卡” 的危害[1]。

[1] 立法會 CB(1)1047/20-21(02)，檔案: CB1/SS/14/20, 過往的討論 - (9)

重大修訂建議(共7項)

建議修訂(1)，

要求在該 “電訊(登記用戶識別卡)規例” 條例新增項目，以取得適切平衡，給予市民能以匿名身份使用電訊服務作個人合法用途的可能性，

容許任何持有身份證明文件的人，向警方申請沒有犯罪記錄通知書後，由警方發出證明文信件，此證明信並註明日期，須在一星期或以下時間內購買不多於(一張)或(三張)沒有實名登記的儲值電話卡，每一個持有身份證明文件的人只可在18個月內向警方申請一次該證明信。此措施以可從數量，限制不法之徒，而且 “沒有實名登記電話卡”有製造時的期限，以能在向警方申請證明信的資料中作有效分類。

以上建議可減少懷疑及保障政府稱自由絲毫無損的論說。

## 建議修訂(2),

在條例中，的指明資料 "識別卡記錄" 並不清楚，而條例內容亦沒有清晰說明有隱含資料需參考附帶部分及內容。單以 "識別卡記錄"，解釋廣泛，未能容易使人理解為電話號碼，身份証，等資料，確實令人混淆不清。

在2021年6月29日會議中亦有討論此情況，重要資料需參考附帶部分極不可取。

請參考法例：

勞資審裁處條例(Cap.25)，第4部, 12, 申索書內容，內容表述：姓名，地址。

入境條例(Cap.115)，第4部, 16, 已提交詳情的改變，內容表述：地址。

刑事訴訟程序條例(Cap.221)，第III部, 65D, 不在犯罪現場的通知，內容表述：姓名，地址。

區域法院條例(Cap.336)，第5部, 刑事司法管轄權, 75A, 不在犯罪現場的通知，內容表述：姓名，地址，或資料等。

以上條例中的指明資料具體及容易理解。

亦可避免斷章取義及修訂時有遺留此重要內容的情況 [例子一]，

[例子一]：商務及經濟發展局 - 通訊及創意產業科 - 立法會文件 - CB(1)1067/20-21(01) - 2021/06/28 - 附件A - 頁5，頁6。

(請參閱第一部分，後部分內容有關資料及詳述)

### 特別提醒

在相關釋義的部分，分別出現在：

(i)P.3 第1部-第2條-(1) - “在本規例中”

(ii)P.15 第4部-第13條-(3) - “在本條中”

(iii)P.17 第6部-第16條 - “第6部的釋義”

以上的格式不一，容易使人理解錯誤，雖然第4部-第13條-(3)為一般通用補充格式，但在第4部-第13條內的章節只有兩條，故不建議應用此較長章節使用的補充格式，建議把釋義修改致同一個部分，若非如此，或在各部分加上釋義部分，避免使人混淆。以避免斷章取義及修訂時有遺留此重要內容的情況。

條例中以“用戶記錄”釋義使人混淆，若第12條及第13條必須引用第11條作關聯，並取得完整意思，建議把此條例中“用戶記錄”一詞修改為“用戶身份”，因為此議案的中心為實名登記，即是以身份為中心。避免產生不必要做成混淆不清的情況。

或

增加釋義在第四部分以清晰“用戶記錄”，建議修改第11條或把第11條與第12條及第13條合併。

詳述，及說明有關 [例子一] 的觀點

[例子一]: 商務及經濟發展局 - 通訊及創意產業科 - 立法會文件 - CB(1)1067/20-21(01) - 2021/06/28 - 附件A - 頁5, 頁6。

引用一: Immigration Department - Immigration Ordinance (Cap.115) - Section 56(1A)(e)

從第56全章中,

引用了第5章, 第6條(b); 在第5章, 第1條(b)、第3至第7條;

引用了第4章, 第1條(a);

在第56章, 第1A條(a)(ii), (b), (c)(i) 及 (d);

在第56章, 第2至第4條;

引用二: Police/Customs and Excise - Dangerous Drugs Ordinance (Cap.134) - Section 52(1)(e)

從第52全章中,

在第52章, 第1條(a), (b), (d)及(f);

在第52章, 第1E條;

引用三: Police - Societies Ordinance (Cap.151) - Section 33

從第33全章中, 第1條及第2條;

引用四: Police - Crimes Ordinance (Cap.200) - Section 152

從第152全章中, 第2條(b); 第3條;

引用五: Police - Police Force Ordinance (Cap.232) - Section 50(3)-(4)

從第50全章中, 第3條; 第4條;

以上條文中受權人員一律與該懷疑涉事人或其他相關人有直接或間接接觸, 受權人員經問話或經提出要求作出行動, 涉事人並可從合理途徑作出投訴及訴訟以取回其管有權等。

在“電訊(登記用戶識別卡)規例”, 第四部分, 第12條及第13條, 在無手令的情況下向執法人員提供識別卡的用戶個人資料,

由於引用以上條文法例, 亦應參考內容以相同處理準則, 例如其中相關人士一律在知情下被取得有關懷疑與案件有關的一切。

### 建議修訂(3),

基於以上合理理據，現要求，通訊持牌人向執法人員提供用戶的資料時，須同時向用戶提供正式相關資訊文件，須訂立合理的投訴機制，及供用戶提供合理的答辯及抗辯途徑，並有權獲准親自或由代表律師答辯。

### 建議修訂(4),

有關檔號: CCIB/SD 605/15- 1 - “立法會參考資料摘要” 的理據，與公眾諮詢內容參差甚遠，完全不一致，把原來的理據轉變成反對的人士不足為由而遞交立法會審理。現要求清晰地加入諮詢文件內容的防止罪案理據資料作討論。

### 建議修訂(5),

有關檔號: CCIB/SD 605/15- 1 - “立法會參考資料摘要” ， 第3章，公眾諮詢期間進行20次會面中並無用戶代表，故稱普遍支持登記制或無異議的表述沒有足夠代表性。現要求加入表述該20次會議記錄及各列席會議的代表名單作參考。

### 建議修訂(6),

有關檔號: CCIB/SD 605/15- 1 - “立法會參考資料摘要” ， 第4章，105,000份意見書，27,000份是反對意見。  
77,000 份意見書，包括表示支持登記制度及對其並無異議，  
現要求分開資料，清晰表示支持及對其並無異議的意見書分開。

#### [例子二]

最近有向政府查詢有關“安心出行” 應用程式的市民資料外竊。

#### [例子三]

銀行透過電郵向客戶發放保密資料，或須用部分身份証號碼，姓名，生日日期，市民經電訊商服務下載資料，電訊商能集合所有保密資料。

### 建議修訂(7),

有關檔號: CCIB/SD 605/15- 1 - “立法會參考資料摘要” ，  
要求加入有關當局(商務及經濟局)就市民個人資料，如何提供百分百保障作擔保，並為保障市民的個人資料及眾利益作了甚麼措施？  
此實名制度及規例未能保障公眾及保障匿名人士合法地使用電訊服務，

要求加入有關當局(商務及經濟局) 如何取得適度平衡?

第二部分 – 經濟及商務局呈交立法會審議有關：“電訊(登記用戶識別卡)規例”

諮詢, 反對條例的文件。以下內容與(立法會CB(1)1067/20-21(02)號文件相約)

本人反對6月9日, 政府-商務及經濟局向立法會提交的《電訊條例》(第106章)“電訊(登記用戶識別卡)規例”議案。並要求電訊商須建立登記用戶資料系統。

反對當局(商務及經濟局)推行, 智能電話卡實名際, 本人早前已向該局提出合理理據外, 鑑於當局(商務及經濟局)提出的方案, 由於須把身分證明文件提交到私營電訊商, 未能提供匿名途徑供市民使用電訊服務, 以往亦有很多私營機構的用戶資料外竊情況, 未能保障用戶私隱安全。對一些不願提供身份証, 此類敏感資料的市民, 亦未能供合理安排。

當局(商務及經濟局)就市民個人資料, 未能如何提供百分百保障作擔保。請為大眾利益為考慮。

能提供匿名途徑供市民使用電訊服務亦十分重要。反知, 完全實名的制度下, 絕對引申另外的嚴重罪案。

[例子四]

請閱第二部分 - 回應諮詢文件第二章 - 第8節

致商務及經濟發展局

本人反對定立“電話智能卡實名登記制度”。請不要誤判“沒有實名登記的電話智能卡”的用途及使用者。

以下為整合各章節的意見, 希望能容易閱讀內容。

有意見指, 實名登記電話制度與“網絡欺凌”問題, 但網絡欺凌情況, 並不完全因身份追查, 而是一些介定為欺凌的情況複雜, 不能像暴力行為所做成的傷害, 能檢驗到的傷痕。

一些言語之間的欺凌, 在現實生活上, 職場上發生的, 往往更是面對面發生, 並不是隱藏身份。“網絡欺凌”有的內容, 即使換轉成實名時, 也沒有犯罪成份。

有時候在現實生活上或職場上發生的情況, 言語間的衝擊更令人難堪。

“網絡欺凌”不能從“電話智能卡實名登記制度”方法解決到。反而要有很敏銳的分析方式來處理, 請不要對“沒有實名登記的電話智能卡”誤判。這亦可是針對“沒有實名登記的電話智能卡”的偽像。

回應諮詢文件第二章 - 第1節:

本人不認同沒有實名登記的電話智能卡是貴局所提及罪行(人蛇偷運、製造土製炸彈、販運

毒品、集團式盜竊、科技罪案、恐怖活動、入境欺詐及有組織罪行)的主要及核心成因。

電話智能卡實名登記，亦不能絕對解決(人蛇偷運、製造土製炸彈、販運毒品、集團式盜竊、科技罪案、恐怖活動、入境欺詐及有組織罪行)的罪行。亦會令實名登記制度被利用，產生另外的嚴重罪行。

(1)

相反倘若沒有實名登記的電話智能卡不能使用，絕對減少普通市民能以匿名方式尋求協助、提供建議及舉報嚴重罪行的途徑。

(2)

而能夠匿名方式尋求協助、提供建議及舉報嚴重罪行的重要性，相信絕不為文明社會所陌生。

這正如等同嚴重案件中，的認人程序，保護証人或受害者；

覆述嚴重案件中，使用代號X、Y、Z先生或小姐，保護証人或受害者；

審議嚴重案件中，陪審團或証人的身份亦會得到保護。

貴局亦提到“5G科技電訊會被網絡遭不當使用甚至濫用的機會”，

如是者，只需限制5G技術不能應用在“沒有實名登記的電話智能卡”便能解決貴局所顧慮。

回應諮詢文件第二章 - 第2節：

本人不認同“沒有實名登記的電話智能卡”是貴局所提及罪行(干犯電話騙案、人蛇偷運、製造土製炸彈、販運毒品、集團式盜竊、科技罪案、恐怖活動以至與入境有關的欺詐等嚴重及有組織罪行)的主要及核心成因，邏輯上亦不合理。“沒有實名登記的電話智能卡”制度絕對不能杜絕以上罪案，相反會令實名登記制度被利用，產生另外的嚴重罪行。

貴局只是把罪案羅列出來，並與“沒有實名登記的電話智能卡”拉上關係，這絕對扼殺“沒有實名登記的電話智能卡”使用者的權利。

覆述：(1)

本人出發點是為市民將來提供安全的生活環境。倘若此制度，不能絕對杜絕以上的罪案，為何仍要推行？

(2b)

這絕對有違文明社會的道德標準，正如救援生命的工作，不會放棄任何可行途徑，以救援先行，救援亦不論受救助的身份及地位。

回應諮詢文件第二章 - 第3節：

就第二章，2.3節中提及的內容確實存在邏輯問題，

(3)

請不要把“電話智能卡實名登記制度”以文字把它變成能必然解決所有問題的法門。

提及的電話騙案，只是把匿名身份在事情上放大，污名化“沒有實名登記的電話智能卡”的使用者，

重點應為市民灌輸注意收到不明來歷的電話來電或訊息。

若是涉及投資或投資活動的騙案，應由正確的投資教導及需注意事項。

如已發現對不懂科技的人士造成風險，建議政府能提供課堂給予他們避免電話騙案。

倘若政府宣傳得宜，而大部分市民也有此概念，但仍有少部份案件發生，

會否嘗試考慮從另一角度思考，這樣的案件成因？貴局專為此電話相關騙案表示關注。

(4)

請不要給市民做成錯覺，“電話智能卡實名登記制度”後任何來電都不會存在騙案，“實名登記的電話”便不是騙子。

覆述：(1)

回應諮詢文件第二章 - 第4節：

就第二章，2.4節中提及的內容確實存在偏向的思維問題，貴局只是把嚴重罪案羅列出來，並與“沒有實名登記的電話智能卡”拉上關係，

請不要污名化“沒有實名登記的電話智能卡”的使用者，

覆述：(3)

這絕對扼殺“沒有實名登記的電話智能卡”使用者的權利。

事實上，自智能電話卡面世後，相信絕少以儲值卡作遙控引爆的炸彈發生。

絕對不希望發生的炸彈案件，但絕對不能因“沒有實名登記的電話智能卡”制度而絕對杜絕。

相信炸彈的主要原料不包含電話智能卡。

有關“沒有實名登記的電話智能卡”可能被毒品販運團伙或走私集團用作秘密溝通，這根本沒有必然的關係，亦不能就“沒有實名登記的電話智能卡”制度而絕對杜絕。

另外執法機關難以追查、鎖定“沒實名登記的電話智能卡”用戶，並拘捕幕後主謀，這確實存在邏輯問題。

相信“沒實名登記的電話智能卡”並不必然是幕後主謀，相反沒有了“沒實名登記的電話智能卡”更難以追查、鎖定並拘捕幕後主謀。

以上貴局提及的嚴重罪案，與“沒實名登記的電話智能卡”根本沒有必然的關係及不能絕對解決問題的主因。

覆述：（1）

覆述：（2）

回應諮詢文件第二章 - 第5節：

重複問題2.5A，這為人熟悉的「猜猜我是誰」每年超過百宗發生，政府能發出宣傳電話訊息提防同類型的電話騙案

若宣傳適宜，這類型騙案仍然每年發生，是否嘗試考慮從另一角度思考，這樣的案件會否別有原因？

例如：會否存在一些針對“沒有實名登記電話智能卡”用戶的情況？

（1）

倘若“沒有實名登記的電話智能卡”不能使用，絕對阻礙普通市民能以匿名方式尋求協助、提供建議及舉報嚴重罪行的途徑。

覆述：（4）

應為市民灌輸注意收到不明來歷的電話來電或訊息。

（6）

在商業發達、經濟活躍的社會，能提供更多渠道，讓市民舉報嚴重罪行的途徑，才能使社會健康運作。

回應諮詢文件第二章 - 第6節：

這樣絕對助長更嚴重的罪案發生。

倘若“沒有實名登記的電話智能卡”不能使用，絕對阻礙普通市民能以匿名方式尋求協助、提供建議及舉報嚴重罪行的途徑。才能走在正軌。

覆述：（6）

請不要提到郵寄或其他天馬行空的傳書。



覆述：（2b）

亦專重各人尋求協助、提供建議及舉報嚴重罪行權利的方式；專重不同價值；並不為私利，不作出偏頗決定。

覆述：（2）

在商業社會，下屬受欺壓，從其他渠道尋求協助，也匿名或蓋著容貌，他們也會擔心面對攝像。

相反，某一些政府部門，當市民尋求協助、提供建議及舉報罪行，就要求市民以實名交代資料，

但回應市民時，不但草率馬虎、行政失當，當市民要求這些部門交代處理職員身份，匿名職員就以部門身份作回應，面對市民確實不相稱，亦有違正確的公共義務標準。

但本人理解，正因為弱勢社群、市民尋求協助、提供建議及舉報嚴重罪行的途徑受阻，而政府職員也只是上師下屬的關係。

故懇請專重“沒有實名登記的電話智能卡”的使用者。“電話智能卡實名登記制度”擬議中的罪案，根本絕對沒有直接關係。

覆述：（3）

本人出發點是為市民將來能享有安全的生活環境。

未能收到局方回答的“電話智能卡實名登記制度”擬議的諮詢內容第二章問題及有關資料。

從第二章，2.6節提及資料，確實使人淆亂，由於沒有表列的罪案數字，提供數字約為八千宗，約五千至六千宗有關，但以超過一千萬使用者而言，所佔的比例並不高。亦不能假定所有使用者也是用作犯案。

就新興的網上購物，建議以其他的規管方式，保障消費者，這方面需作探討。

而在這網上購物騙案的數字比其他的案件多出很多，會否從多角度考慮，

是否存在一些針對小型網上平台的情況？形成小型網上平台購物較容易受騙的偽像？

亦可研究發放一些資訊，讓市民消費者在網上購物要注意的事項。

有關電話騙案、投資騙案、求職騙案等，內容與早前的章節2.3及2.5相約，建議可從教育、宣傳等處理。

在嚴重的刑事罪行中，兇殺、行劫、爆竊、傷人及嚴重毆打、嚴重毒品罪行、縱火、強姦。這些案件嚴重，貴局沒有提供參考資料，但定立“電話智能卡實名登記制度”，不能杜絕以上罪案，

“沒有實名登記的電話智能卡”亦不是以上罪案的主要原素及誘因。

倘若此制度，不能絕對杜絕以上的罪案，

覆述：（1）

為何仍要推行？這絕對有違文明社會的道德標準。

回應諮詢文件第二章 - 第7節：

在第二章，2.7節，倘若貴局指使用者對不認識的來電或不明來歷的來電產生疑慮，這正是市民必須有的常識。

請不要給市民做成錯覺，

覆述：（4）

應將使用者對電話騙案的介心不斷提高。

反知，“電話智能卡實名登記制度”會被利用，形成另外的嚴重罪案。亦助長其他罪案發生。再者，

覆述：（1）

反知，“沒有實名登記的電話智能卡”不能使用，在同類型罪案更難追查、鎖定目標。

使用者對不認識的來電或不明來歷的來電產生疑慮的可能性，並\*不\*絕對由“沒有實名登記的電話智能卡”所造成。\*本人願意提供資訊\*或許是因為其他因素。

（5）

請不要污名化“沒有實名登記的電話智能卡”，並把沒有必然關係的罪案與“沒有實名登記的電話智能卡”拉上關係。

回應諮詢文件第二章 - 第8節：(經增加或修改)

貴局沒有提供相對資料，唯本人以已知的參考推算，使用者超過一千萬，即影響著每一位市民，

按所提供的案件宗數佔總數為 (2.8A) 約0.05[%]發生機會率, (2.8B) 貴局沒有提供預算的機率，請不要假定所有“沒有實名登記的電話智能卡”的使用者用作犯案，

就以章節2.6中的七成計算，即約0.035[%]發生機會率；或許會出現貴局稱的規避情形，但將扼殺超過一千萬，即影響著每一位市民的權利，而且所提及的不是絕對必然會發生的。

而且所提及的罪案數字與“沒有實名登記的電話智能卡”沒有必然的關係。

覆述：（5）的用途及使用者。

特別提及的嚴重罪案，“沒有實名登記的電話智能卡”亦不是主要因素及誘因。

貴局所稱的規避情形，倘若指受害人未能提出申訴或裁判官未能使其定罪，或某人利用規避

漏洞從事犯罪活動，從法律程序未能使其定罪。

這規避情形，在商業發達、經濟活躍的社會中，亦屢見不鮮，在位者利用規避漏洞，令受欺壓的弱勢社群被制度所限，不能追究逃避行政失當責任的在位者。

[例子四] 市民向高級官員要求提供合理公開資料，但以只有一年記錄作不合理回覆，鑑於職級關係，更是平步青雲，形成規避漏洞及包庇之疑，部門下屬亦不能作進一步處理，市民更是投訴無門。

請不要誤判“沒有實名登記的電話智能卡”的用途及使用者。貴局為此電話相關騙案表示關注外，可考慮“沒有實名登記的電話智能卡”以外的其他嚴重事情。

覆述：（1）

這樣絕對助長更嚴重的罪案發生。亦專重各人尋求協助、提供建議及舉報嚴重罪行權利的方式；專重不同價值；並不為私利，不作出偏頗決定。

反觀，嘗試考慮從另一角度思考，會否存在針對“沒有實名登記的電話智能卡”使用者的情況？形成“沒有實名登記的電話智能卡”必然犯罪的偽像？

倘若此制度，不能絕對杜絕以上的罪案，為何仍要推行？這絕對有違文明社會的道德標準。

本人反對定立“電話智能卡實名登記制度”，請撤回“電話智能卡實名登記制度”擬議。

此實名制度及規例未能在保障公眾及保障匿名人士合法地使用電訊服務中取得適度平衡。

僅此強烈反對該實名制度及規例修訂“電訊條例”-第106章，有關第37條訂立“電訊(登記用戶識別卡)規例”。

能提供匿名途徑供市民使用電訊服務亦十分重要。反知，完全實名的制度下，絕對引申另外的嚴重罪案。

此議案，沒有詳細考慮大眾利益，推行此智能電話卡實名際。處理步伐卻如此輕快及草率，影響超過千萬用戶的議案。

第三部分 – 提問及索取資料 – 向經濟及商務局呈交立法會審議有關：“電訊(登記用戶識別卡)規例”諮詢的文件內容。

提問有關(第二章-2.1)電話智能卡實名登記制度擬議諮詢內容 Question about the Real-name Registration Programme for SIM Cards Proposition Consultation (Chapter2.1)

致商務及經濟發展局

就現階段，

跟據"電話智能卡實名登記制度"擬議的諮詢內容，第二章，2.1，  
5G科技電訊會被網絡遭不當使用甚至濫用的機會，  
以保障電訊服務的健全及通訊網絡的安全。

2A "不當使用"是否指在諮詢文件內容的罪行(人蛇偷運、製造土製炸彈、販運毒品、集團式盜竊、科技罪案、恐怖活動、入境欺詐及有組織罪行)? 請提供有關罪行參考資訊。

2B請問是否引進5G科技將會帶來以上危害? 請提供參考資訊。

請提供更詳細資訊供諮詢使用。

本人把章節分開並以簡單的提問方式，各電郵的提問各有不同，讓能盡量回覆。本人接受貴局認為相同的資料以重複回應。

中文的諮詢內容字上與英文不匹配。

提問有關(第二章-2.2)電話智能卡實名登記制度擬議諮詢內容 Question about the Real-name Registration Programme for SIM Cards Proposition Consultation (Chapter2.2)

致商務及經濟發展局

就現階段，

跟據"電話智能卡實名登記制度"擬議的諮詢內容，第二章，2.2，

匿名姓名會干犯電話騙案、人蛇偷運、製造土製炸彈、販運毒品、集團式盜竊、科技罪案、恐怖活動以至與入境有關的欺詐等嚴重及有組織罪行。

提及的罪行內容：，請提供參考案件的詳細過程及資料。

2.2A 電話騙案，

2.2B 人蛇偷運，

2.2C 製造土製炸彈，

2.2D 販運毒品，

2.2E 集團式盜竊，

2.2F 科技罪案，

2.2G 恐怖活動，

2.2H 入境有關的欺詐，

2.2I 有組織罪行，

為諮詢內容完善，請提供參考案件更詳細資訊供諮詢使用。

本人把章節分開並以簡單的提問方式，各電郵的提問各有不同，讓能盡量回覆。本人接受貴局認為相同的資料以重複回應。

中文的諮詢內容字上與英文不匹配。

提問有關(第二章-2.3)電話智能卡實名登記制度擬議諮詢內容 Questions about the Real-name Registration Programme for SIM Cards Proposition Consultation (Chapter2.3)

致商務及經濟發展局

就現階段，

跟據"電話智能卡實名登記制度"擬議的諮詢內容，第二章，2.3，

匿名儲值卡讓不法之徒得以隱藏真正身分，令警方難以追查其真正身分。

將其繩之於法並起回被騙財物。騙徒會利用儲值卡接觸受害人，

在這些個案中，受害人往往是一般電話用戶，最終卻蒙受巨額金錢損失，當中尤以弱勢社羣、長者、退休人士或不諳科技的人士所面臨的風險更大。

2.3A 請問在"起回被騙財物"的多少數量及總額百分比，在警方知道真正身分的案件中？請提供參考案件的詳細資料供諮詢。

2.3B 請問有多少電話騙案是跟投資活動有關？請提供參考案件的詳細資料供諮詢。

2.3C 請問有多少電話騙案是跟投資股票活動有關？請提供參考案件的詳細資料供諮詢。

2.3D 對不懂科技的人士，是否指新科技做成的危害？請提供詳細資料供諮詢。

2.3E 對不懂科技的人士造成風險，是否指政府能提供課堂給予他們避免電話騙案？

為諮詢內容完善，請提供更參考案件的詳細資訊供諮詢使用。

本人把章節分開並以簡單的提問方式，各電郵的提問各有不同，讓能盡量回覆。本人接受貴局認為相同的資料以重複回應。

中文的諮詢內容字上與英文不匹配。

提問有關(第二章-2.4)電話智能卡實名登記制度擬議諮詢內容 Questions about the Real-name Registration Programme for SIM Cards Proposition Consultation (Chapter2.4)

致商務及經濟發展局

就現階段，

跟據"電話智能卡實名登記制度"擬議的諮詢內容，第二章，2.4，

在2019年，發現配備儲值卡作遙控引爆的炸彈，一旦炸彈引爆，後果不堪設想。儲值卡亦有被毒品販運團伙及走私集團用以下達指示及就運送安排進行秘密溝通。

由於現行並無規定須登記儲值卡用戶，執法機關難以追查、鎖定並拘捕幕後主謀。

2.4A 請問自智能電話卡面世，有多少遙控引爆的炸彈的事情發生？請提供詳細資料供諮詢。

2.4B 請問炸彈的材料內容，是否沒有預繳費用智能電話卡不能運作？請提供詳細資料供諮詢。

2.4C 請提供"毒品販運"的參考案件運作詳細內容供諮詢使用。

2.4D請提供"走私集團"的參考案件運作詳細內容供諮詢使用。

2.4E並無規定須登記儲值卡用戶，執法機關難以追查、鎖定並拘捕幕後主謀。是否指使用預繳費用智能電話卡的真正捕幕後主謀？

為諮詢內容完善，請提供參考案件的更詳細資訊供諮詢使用。

本人把章節分開並以簡單的提問方式，各電郵的提問各有不同，讓能盡量回覆。本人接受貴局認為相同的資料以重複回應。

中文的諮詢內容字上與英文不匹配。

提問有關(第二章-2.5)電話智能卡實名登記制度擬議諮詢內容 Questions about the Real-name Registration Programme for SIM Cards Proposition Consultation (Chapter2.5)

致商務及經濟發展局

就現階段，

跟據"電話智能卡實名登記制度"擬議的諮詢內容，第二章，2.5，

過去三年(2018年至2020年10月)，共有1 120宗「猜猜我是誰」，騙徒會假扮成他們的親戚或朋友騙取他們的金錢。

2.5A這為人熟悉的「猜猜我是誰」每年超過百宗發生，政府能否發出宣傳電話訊息提防電話騙案。若宣傳適宜，騙案是否別有原因？

請提供更多案件參考的詳細資訊供諮詢使用。

本人把章節分開並以簡單的提問方式，各電郵的提問各有不同，讓能盡量回覆。本人接受貴局認為相同的資料以重複回應。

提問有關(第二章-2.6)電話智能卡實名登記制度擬議諮詢內容 Questions about the Real-name Registration Programme for SIM Cards Proposition Consultation (Chapter2.6)

致商務及經濟發展局

就現階段，

跟據"電話智能卡實名登記制度"擬議的諮詢內容，第二章，2.6，

儲值卡在不同類型的騙案亦被廣泛利用。在2020年1月至10月期間，所錄得的5728宗網上購物騙案，電話騙案(993宗)、投資騙案(372宗)、求職騙案(259宗)和墊支款項騙案(632宗)嚴重刑事案件中，例如兇殺、行劫、爆竊、傷人及嚴重毆打、嚴重毒品罪行、縱火、強姦等，在涉案的本地智能卡中，使用儲值卡犯案的比率亦高達七成。

2.6A 請問是否指出網上購物存在風險，請提供網上購物騙案的參考案件的詳細資料供參考。

請提供下例的罪案過程的參考資料，參考較詳細的資料供諮詢使用：

2.6B 電話騙案

2.6C 投資騙案

2.6D 求職騙案

2.6E 墊支款項騙案

2.6F兇殺  
2.6G行劫  
2.6H爆竊  
2.6I傷人  
2.6J嚴重毆打  
2.6K嚴重毒品罪行  
2.6L縱火  
2.6M強姦

請提供參考案件的更詳細資訊供諮詢使用。

本人把章節分開並以簡單的提問方式，各電郵的提問各有不同，讓能盡量回覆。本人接受貴局認為相同的資料以重複回應。

中文的諮詢內容字上與英文不匹配。

提問有關(第二章-2.7)電話智能卡實名登記制度擬議諮詢內容 Questions about the Real-name Registration Programme for SIM Cards Proposition Consultation (Chapter2.7)

致商務及經濟發展局

就現階段，

跟據"電話智能卡實名登記制度"擬議的諮詢內容，第二章，2.7，

儲值卡服務的匿名性質削弱了市民大眾對電訊服

務穩健性的信心、窒礙真正及正當使用電訊服務的用戶，

(↓2.3↓)

亦令市民大眾對來自不知名電話號碼的來電產生疑慮，或會錯過來自正當用戶的重要來電，造成不便，亦影響市民對本港電訊服務的信心。

(↑2.3↑)

注意2.7的內容與部份2.3 的內容重複。

2.7A 請問是否指使用者對不認識的來電或不明來歷的來電？或存在其他原因使使用者疑慮？

若是否將使用者對電話騙案的介心降低或是提高？

為諮詢內容完善，請提供更詳細資訊供諮詢使用。

本人把章節分開並以簡單的提問方式，各電郵的提問各有不同，讓能盡量回覆。本人接受貴局認為相同的資料以重複回應。

提問有關(第二章-2.8)電話智能卡實名登記制度擬議諮詢內容 Questions about the Real-name Registration Programme for SIM Cards Proposition Consultation (Chapter2.8)

致商務及經濟發展局

就現階段，

跟據"電話智能卡實名登記制度"擬議的諮詢內容，第二章，2.8，  
從規管角度而言，如容許這規管失衡的情況，明顯存在漏洞，或會導致規避情形；讓流動服務供應商收集和備存同類的個人資料。

2.8A 是否假定所有的預繳費用智能電話卡的使用者也從事犯罪活動？請提供因預繳費用智能電話卡為犯罪活動的數量與總數對比百分比。請提供案件參考詳細資訊供諮詢使用。

2.8B 或會導致規避情形，請問有沒有預算的機率？參考問題2.8A，是否指規避情形下，受害人未能提出申訴或裁判官未能使其定罪。即某人利用規避漏洞從事犯罪活動，裁判官未能從法律程序使其定罪？

為諮詢內容完善，請提供更詳細參考資訊供諮詢使用。

本人把章節分開並以簡單的提問方式，各電郵的提問各有不同，讓能盡量回覆。本人接受貴局認為相同的資料以重複回應。

此實名制度及規例未能在保障公眾及保障匿名人士合法地使用電訊服務中取得適度平衡。僅此強烈反對該實名制度及規例修訂“電訊條例”-第106章，有關第37條訂立“電訊(登記用戶識別卡)規例”。

能提供匿名途徑供市民使用電訊服務亦十分重要。反知，完全實名的制度下，絕對引伸另外的嚴重罪案。

此議案，沒有詳細考慮大眾利益，推行此智能電話卡實名際。處理步伐卻如此輕快及草率，影響超過千萬用戶的議案。

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Updated the (Part 2 - Opposed Paper)

### Strongly opposed to the "Real-name Registration Programme for SIM Cards"

#### Comments and suggestion on the Proposals

-About the Real-name Registration Programme for SIM Cards, I am strongly opposed to carry out this regulation.

I have reason to oppose that Real-name Registration Programme for SIM Cards,  
Please find the reason in Section 2.

Section 1 - Review the Telecommunications (Registration of SIM Cards) Regulation INTRODUCED and submitted to Legislative Council on trial.

In the latest Legislative Council - Background brief. Please be avoid the extremes cases to



judgment about the Anonymous Pre Paid SIM (PPS) Cards [1], to make an overstatement about the Anonymous PPS Card users making an offense against public security.

[1] Legislative Council Paper LC-Paper No. CB(1)1047/20-21(02), Ref.: CB1/SS/14/20, Previous Discussion, Items 9.

Suggest and introduce some amendment on the "Real-name Registration Programme for SIM Cards" Regulation.

### Suggest and Introduce amendment – (1)

The Regulation needs some amendment about addition items for balance between suspect and user's right. Please provide the reasonable channel for anonymous users.

Allow any person who hold a Hong Kong identity document information, this person can application the criminal record from Hong Kong Police Force while application the consent about legitimate for possesses Anonymous PPS Cards. Any person can purchase (one) or (Three) Anonymous PPS Card(s) by holding a consent within one week by provided date shown. Any person can application this consent once per 18 months from Hong Kong Police Force. Above suggested regulation can limited amount of the lawless persons. Also the Anonymous Pre Paid SIM (PPS) Cards have manufacturing date, it can traced the arranged date PPS Cards of persons who application that consent in period of time.

Above introduce and suggestion can balance between the over suspect and the anonymous user's right.

### Suggest and Introduce amendment – (2)

The Interpretation in the regulation about Record in the "Real-name Registration Programme for SIM Cards" which in section 11 to 13 [2], this is unclear about which type of the Record.

[2] INTRODUCE Telecommunications (Registration of SIM Cards) Regulation, L.N. 75 of 2021, Part 4, Record Keeping, Section 11 to 13.

The meeting on 29 June, 2021 subcommittee have been discuss on above issues.

In the regulation Section 11 to 13, there are without any annotate or remark accordingly at the sentence to remind Specified licensee and law enforcement officer honesty.

The wording about SIM Card Record is intangible in interpretation. It cannot make understand and precise orders to get (identifier of the person, phone number, etc).

It is made confuse to the Specified licensee and law enforcement easily.

Please reference to the provision following:

According to the "Labour Tribunal Ordinance" (Cap.25), Part 4, Section 12, Contents of Claims, In this section that is clearly shown which Name and Address are including under the statement. According to the "Immigration Ordinance" (Cap.115), Part 4, Section 16, Changes in furnished particulars, In this section that is clearly shown the Address are including under the statement.

According to the "Criminal Procedure Ordinance" (Cap.221), Part III, Section 65D, Notice of alibi, In this section that is clearly shown which Name and Address are including under the statement. According to the "District Court Ordinance" (Cap.336), Part 5, Section 75A, Notice of alibi, in this section that is clearly shown which Name and Address are including under the statement. Above provisions specified those information clearly.

The importance information stated in provision should clearly shown and make it easy to understand.

That can avoid garbling a statement. Also, it can prevent that to quote out of context when amendment [Example-1].

[Example-1] Communications and Creative Industries Branch - Commerce and Economic Development Bureau - Legislative Council Document - CB(1)1067/20-21(01) - 2021/06/28 - Annex A - Page 6 and 7.

(Please find the Interpretation and Details in next paragraph)

#### Significant Notices About The Interpretation

The Interpretation is shown respectively:

P.3 Part 1, Section 2-(1) - "In this Regulation";

P.15 Part 4, Section 13-(3) - "In this Section";

P.17 Part 6, Section 16 - "Interpretation of Part 6",

That made confuse to person who reading the separated Interpretation. Although the Part 4, Section 13 - (3) format are used for additional information/Interpretation normally. But there is only TWO subsections in Section 13 of Part 4. Suggested to combine all the Interpretation in one section for understands easily. If not; please adding Interpretation at the head of each Part/Section to avoid the misunderstanding and garble a statement. Also, it can prevent that to quote out of context when amendment.

The interpretation about SIM Card Record is made confused, if some interpretation in Section 12 and 13 needs to stick together with Section 11.

Amendment wording about SIM Card Record change to SIM Card Identity Information.

or

Add the Interpretation of Part 4 to make SIM Card Record clearly. Suggest to amendment the Section 11 or combine Section 11 into Section 12 and 13.

Details and Interpretation in [Example-1].

[Example-1] Communications and Creative Industries Branch - Commerce and Economic Development Bureau - Legislative Council Document - CB(1)1067/20-21(01) - 2021/06/28 - Annex A - Page 6 and 7.

Referral-1:

Immigration Department - Immigration Ordinance (Cap.115) - Section 56(1A)(e)

Section 56,  
Referral Section 5(6)(b), 5(1)(b), 5(3) to (7) and Section 4(1)(a);  
According to Section 56(1A)(a)(ii), 56(1A)(b), 56(1A)(c)(i), 56(1A)(d) and 56(2) to (4).

Referral-2:  
Police/Customs and Excise - Dangerous Drugs Ordinance (Cap.134) - Section 52(1)(e)  
Section 52,  
According to Section 52(1)(a), 52(1)(b), 52(1)(d), 52(1)(f) and 52(1E).

Referral-3:  
Police - Societies Ordinance (Cap.151) - Section 33  
Section 33,  
According to Section 33(1) and 33(2).

Referral-4:  
Police - Crimes Ordinance (Cap.200) - Section 152  
Section 152,  
According to Section 152(2)(b) and 152(3).

Referral-5:  
Police - Police Force Ordinance (Cap.232) - Section 50(3)-(4)  
Section 50,  
According to Section 50(3) and 50(4).

Above referral provision, the authorized officer searched (Reasonably Suspects of) any person or interests by examine, or after notification to search place by authorized officer. They are enjoys the right of complaint or recovering possession of such goods by action from the person into whose possession.

### Suggest and Introduce amendment – (3)

Section 12 and 13 in Part 4 of “Real-name Registration Programme for SIM Cards” which provision of SIM Card Identity Information to law enforcement officer not under warrant. According to the Referral 1 to 5, that should use applicable rules. Any person shall be of the same effect as enjoys the right, such any person or interests are notification before authorized action. Above logical reasoning is accepted. Therefore, this is strongly suggested that, specified licensee provision of SIM Card Identity Information to law enforcement officer not under warrant while that should giving official notification to users. That should provide the possible solution for any person to make his full answer, defence and complaint. Also, any person enjoys the right to have the witnesses examined and crossexamined by him or by counsel on his behalf.

### Suggest and Introduce amendment – (4)

According to document Ref: CCIB/SD 605/15,

The reason represented in document (CCIB/SD 605/15) is not corresponding to the consultation paper by Communications and Creative Industries Branch. There is changed the beginning of main reason and shown the less opposed submission in the result.

Suggest and Request that please revived the main reason about all crime can be eliminate by Real-name Registration Programme for SIM Cards. Also please list out all the crime clearly for discussion and record.

#### Suggest and Introduce amendment – (5)

According to document Ref: CCIB/SD 605/15, Section 3,

The document (CCIB/SD 605/15) represented that, Communications and Creative Industries Branch - Commerce and Economic Development Bureau have 20times meeting, but there are no public users attend. Therefore, all participates were affirmative votes but nothing view of public. Suggest and Request that, please list out the agenda and attendance for discussion and record.

#### Suggest and Introduce amendment – (6)

According to document Ref: CCIB/SD 605/15, Section 4,

The document (CCIB/SD 605/15) represented that, Communications and Creative Industries Branch - Commerce and Economic Development Bureau got the consultation results that, 27000 are opposed, total 77000 are affirmative and without comment. Suggest and Request that, please separate the number of paper without comment for discussion and record.

[Example 2]

There have lost public information casing from “LeaveHomeSafe”App supporting group.

[Example 3]

Some bank services with send confidential information to customer through email. The document shall reading by use name, ID information, birthday, etc. If person who download the information from specific licensee of internet services. There have risk of private data.

#### Suggest and Introduce amendment – (7)

According to document Ref: CCIB/SD 605/15,

Suggest and Request Communications and Creative Industries Branch - Commerce and Economic Development Bureau provide the possible solution to prevent private data loss from specific licensee. How to achieve and avoid a private data loss. Also undertake the responsibility.

This "Real-name Registration Programme for SIM Cards" Regulation have not provide the lawful and reasonable solution for Anonymous users enjoys their right. How Communications and Creative Industries Branch - Commerce and Economic Development Bureau make balance

between person right and over suspect.

## Part 2 - Opposed Paper - About the "Real-name Registration Programme for SIM Cards" consultation Proposition Submitted by Commerce and Economic Development Bureau to Legislative Council.

(This is not full identically with Chinese)

Opposed to the "Real-name Registration Programme for SIM Cards" Regulation.

This regulation cannot make balance between private and security. Also, have not provide an reasonable solution for lawful anonymous users. Sometimes there have a public confidence private information revealed by government and private specified license company.

Commerce and Economic Development Bureau have not protected to the public private, also the anonymous users.

The pre-paid SIM Cards is valuable to public users to asking help and report crimes.

The Real name registration Programme for SIM Cards that also create another type of crimes.

[Example 4] Please reference to the Consultation – Comment on Chapter 2.8

About the "bully and humiliate" by internet, sometimes public found that can eliminated by Real Name Registration SIM Cards. But the "bully and humiliate" by internet are difficult to verify.

Even public using the real name and made a scene of "bully and humiliate" is hard to verify.

Please do not take extreme measures to limit the pre-paid SIM cards and over suspect the crimes are caused by PPS Cards. That may be a camouflage which attack the anonymous users to asking help and report the crime.

Consultation – Comment on Chapter 2.1

Please reject the crime activity which listed by Commerce and Economic Development Bureau.

The persons are not enticed and attract to make criminal by pre-paid SIM which listed.

The PPS cards are not caused the listed criminal. All listed criminal cannot full eliminate by Real Name Registration SIM Cards.

(1)

This is made obstruct the possible solution of the peoples report criminal and asking help by anonymous.

(2)

The Anonymous users asking help and report criminal activity, this is not news.  
This is reasonable to eliminate criminal activity as same as the deponent and victim in some serious case.

About the suspects 5G Technology will used in criminal activity which represented by Commerce and Economic Development Bureau. That is possible to avoid 5G technology applied in Pre-Paid SIM Cards. This is not a reason to extermination of anonymous users.

#### Consultation – Comment on Chapter 2.2

Please reject the crime activity which listed by Commerce and Economic Development Bureau. The persons are not enticed and attract to make criminal by pre-paid SIM which listed. The PPS cards are not caused the listed criminal. All listed criminal cannot full eliminate by Real Name Registration SIM Cards. That will cause other type of crime by Real Name registration SIM Cards.

Please Commerce and Economic Development Bureau do not take all criminal activity relative to the Pre-Paid SIM Cards and extermination of anonymous users.

Recall (1)

If the Pre-Paid SIE Cards is not a core of criminal and it cannot eliminate all the criminal activity. Please do not disguise that Real Name Registration SIM Cards can make zero tolerance on the mistake.

#### Consultation – Comment on Chapter 2.3

About the Chapter 2.3, that may have a logical problem.

(3)

Please do not disguise that Real Name Registration SIM Cards can eliminate all criminal activity. Please do not exaggerate the effect that anonymous users are jeopardize public security. Please propagate to public that cautious to the fake messages and teach peoples using communication tools security and carefully. That can eliminate the crime with Commerce and Economic Development Bureau represented.

(4)

Please do not make a fake message to the public that all Real Name registration incoming calls are trusty.

Recall (1)

#### Consultation – Comment on Chapter 2.4

About the Chapter 2.4, that may have a logical problems and prejudiced view.

Please do not make prejudice view that all criminal activity are caused by Pre-Paid SIM Cards.

Please do not exaggerate the effect that anonymous users are jeopardizing public security.

Recall (3)

This is not a reason to extermination of anonymous users.

The remotely bombs by SIM card is very rare from SIM card developed.

The ringleaders behind, they may not using mobiles by SIM cards.

Recall (1)

Recall (2)

#### Consultation – Comment on Chapter 2.5

The “Guess Who” cases are famous in this few years. Is it the fabricate cases by some peoples who attack to the Pre-Paid SIM Cards?

Recall (4)

Please publicity for receive the unknown incoming call with caution.

(6)

Provide more possible solution to report and avoid the criminal activity for public are importance to developed commerce and economic in smart city. That is obstruct the possible solution for public to asking help and report criminal activity by anonymous.

#### Consultation – Comment on Chapter 2.6

If obstruct an anonymous communication that should encourage criminal activity.

On the contrary, the Pre-Paid SIM Cards cannot encourage the criminal activity.

Recall (6)

Recall (3)

Since have not received the related information from Commerce and Economic Development

Bureau.

From Chapter 2.6 information, this is made confuse. Reference by given information in 2.6.

That can estimate the criminal rate in not high.

This cannot make consumption that all anonymous users are making criminal activity.

Please publicity for on line shopping. Is that some attack to the small on line shop by local?

About the serious case which listed by Commerce and Economic Development Bureau, since have not received the related information as requested. The Pre-Paid SIM Cards cannot encourage the criminal activity which listed.

Recall (1)

#### Consultation – Comment on Chapter 2.7

About the Chapter 2.7, this is the right attitude that receives the unknown incoming call with caution.

Recall (4)

Recall (1)

Please do not exaggerate the effect that anonymous users are jeopardizing public security.

#### Consultation – Comment on Chapter 2.8

Since Commerce and Economic Development Bureau have not provided details information. By given values, there is extremely low as only 0.035 [%] rates as total number of Pre-Paid SIM Cards. This is estimated by 70[%] of crime activity by used PPS and 0.05[%] of total SIM cards users. This is not a reason to extermination of anonymous users.

In the Commerce and Economic smart city, the criminal activity by find loophole in the law is not the news.

[Example 4] Public request to get some details information from government, they cannot find the loophole to get information and no possible solution to complaint and ask for help.

Please do not prejudice to the Pre-Paid SIM cards and the anonymous users.

Recall (1)

This is strongly opposed to this to the "Real-name Registration Programme for SIM Cards"

That regulation have not balance the anonymous users and over suspects the effect by Pre-Paid SIM cards.

Anonymous communication is importance for report criminal activity and asks for help.



This is affecting huge number of peoples and makes a bad effect to public. But this proposal has not consideration carefully and carries out by rough paper.

Part 3 – Request Information - About the“Real-name Registration Programme for SIM Cards" consultation Proposition Submitted by Commerce and Economic Development Bureau.

(The following information is seemed to Ref.LC Paper No. CB(1)1067/20-21(02))

Question about the Real-name Registration Programme for SIM Cards Proposition Consultation (Chapter2.1)

Dear Commerce and Economic Development Bureau,

Reference to the "Real-name Registration Programme for SIM Cards" consultation Proposition Chapter 2.1.

*5G technologies, it is imperative to ensure the integrity of the telecommunications services as well as the security of our communications network by minimising misuse and abuse.*

2A) What is the meaning of misuse and abuse? Is the crime activity described on consultation proposition? ( human smuggling, home-made bombs, drug trafficking, syndicated burglary, technology crime, terrorist activities, immigration related racketeering, etc.)

Please provide reference information or details.

2B) Is the 5G technologies will make jeopardize ( human smuggling, home-made bombs, drug trafficking, syndicated burglary, technology crime, terrorist activities, immigration related racketeering, etc.) to city? Please provide reference information or details.

Please provide details for consultation.

The wording in consultation document in English is not match to Chinese.

Question about the Real-name Registration Programme for SIM Cards Proposition Consultation (Chapter2.2)

Dear Commerce and Economic Development Bureau,

Reference to the "Real-name Registration Programme for SIM Cards" consultation Proposition Chapter 2.2.

*The anonymous nature of Pre-Paid Services mobile cards have also been exploited by criminals in*

*committing serious and organised crimes such as telephone scams, human smuggling, home-made bombs, drug trafficking, syndicated burglary, technology crime, terrorist activities, immigration related racketeering, etc.*

*Above criminals activity, please provide reference information or details about the following actuality for consultation.*

- 2.2i telephone scams,
- 2.2ii human smuggling,
- 2.2iii home-made bombs,
- 2.2iv drug trafficking,
- 2.2v syndicated burglary,
- 2.2vi technology crime,
- 2.2vii terrorist activities,
- 2.2viii immigration related racketeering,

Please provide reference information or details about the accusation for better consultation. The wording in consultation documents in English is not match to Chinese.

Question about the Real-name Registration Programme for SIM Cards Proposition Consultation (Chapter2.3)

Dear Commerce and Economic Development Bureau,

Reference to the "Real-name Registration Programme for SIM Cards" consultation Proposition Chapter 2.3.

*An anonymous Pre-Paid Services card enables criminals to conceal their real identity and evade detection. Typically in these cases, swindlers used PPS cards to approach the victims, making it difficult for the Police to unveil their identities, apprehend the perpetrators and recover the deceived property. In many of these cases, victims are ordinary telephone users, who ended up in suffering from huge monetary losses. People in vulnerable groups, the elderly, retirees or those who are less familiar with the use of technology are particularly at risk.*

2.3A What of the percentage and rate of the deceive property are recovered in the cases Police have their real identity? Please provide more reference information or details for consultation.

2.3B How many phone deception are related with investment? Please provide reference information or more details for consultation.

2.3C How many phone deception are related with stock market investment? Please provide more reference information or details for consultation.

2.3D What is the meaning of less familiar with use of technology? Is the new technology are jeopardize? Please provide more details for consultation.

2.3 E The risk at the less familiar with use of technology? Is you mean that government shall provide some lesson for them to prevent Telephone deception?

Please provide details about the accusation for better consultation.

The wording in consultation documents in English is not match to Chinese.

Question about the Real-name Registration Programme for SIM Cards Proposition Consultation (Chapter2.4)

Dear Commerce and Economic Development Bureau,

Reference to the "Real-name Registration Programme for SIM Cards" consultation Proposition Chapter 2.4.

*In 2019, bombs equipped with PPS cards for remote detonation were found in populous spots in the city. PPS cards are also used by drug trafficking rings and smuggling syndicates to communicate clandestinely about orders and delivery. Without any requirement to register PPS users, it is difficult for law enforcement agencies to trace, identify and apprehend the ringleaders behind the scene.*

2.4A From the SIM cards invented, how many remote bombs are discover? Please provide details for consultation.

2.4B What is the materials used in bombs? Is the bombs cannot work without pre-paid service card?

2.4C About the drug trafficking rings activity, please provide reference information or actuality details for consultation.

2.4D About the smuggling syndicates activity, please provide reference information or actuality details for consultation.

2.4E Pre-paid Services Card difficult for trace, identify and apprehend the ringleaders behind the scene. Is meaning the Real Leaders can be apprehended?

Please provide details about the accusation for better consultation.

The wording in consultation documents in English is not match to Chinese.

Question about the Real-name Registration Programme for SIM Cards Proposition Consultation (Chapter2.5)

Dear Commerce and Economic Development Bureau,

Reference to the "Real-name Registration Programme for SIM Cards" consultation Proposition Chapter 2.5.

*In the past three years (from 2018 up to October 2020), there are a total of 1,120 "Guess Who" made by fraudsters. The fraudsters would then impersonate their relatives or friends to cheat them out of money with various excuses.*

2.5A As the famous "Guess Who" frauds found hundreds cases per year. Can government send out more propagate information from mobile message about the telephone deception? If the government propagates as well, is other reason for deception?

Please provide more reference information or details about the accusation for consultation.

Question about the Real-name Registration Programme for SIM Cards Proposition Consultation (Chapter 2.6)

Dear Commerce and Economic Development Bureau,

Reference to the "Real-name Registration Programme for SIM Cards" consultation Proposition Chapter 2.6.

*PPS cards were also used extensively in different kinds of deception cases. From January to October 2020, in the 5 728 eshopping fraud cases recorded. In telephone deception (993 cases), investment fraud (372 cases), employment fraud (259 cases), advance fee fraud (632 cases), homicide, robbery, burglary, wounding and serious assault, serious drug-related offences, arson and rape, where local SIM cards were involved, up to 70% were PPS cards.*

2.6i Is meaning that the on-line shop are risk for shopping? Please provide reference information and details.

Please provide reference information or details about following fraud for consultation.

2.6ii Telephone deception

2.6iii Investment fraud

2.6iv Employment fraud

2.6v Advance fee fraud

2.6vi Homicide

2.6vii Robbery

2.6viii Burglary

2.6ix Wounding

2.6x Serious drug-related offences

2.6xi Arson

2.6xii Rape

Please provide reference information or details about the accusation for consultation.

The wording in consultation documents in English is not match to Chinese.

Question about the Real-name Registration Programme for SIM Cards Proposition Consultation (Chapter2.7)

Dear Commerce and Economic Development Bureau,

Reference to the "Real-name Registration Programme for SIM Cards" consultation Proposition Chapter 2.7.

*The anonymous nature of such services undermines people's confidence in the integrity of telecommunications services, jeopardises genuine and legitimate use of telecommunications services.*

(↓2.3 ↓)

*The prevalence of telephone deception cases making use of anonymous PPS cards have caused inconvenience and anxiety among the public towards telephone calls from unknown telephone numbers, occasionally causing them to miss important calls from legitimate callers. This will affect public confidence in the telecommunications services in Hong Kong. There is a genuine need to take effective action to deter such abuse.*

(↑2.3↑)

Notice. The part of 2.3 is seemed to the 2.7.

2.7A Is the unknown incoming call or unreadable incoming call to the user is made doubt? Is can the doubt by other reason? Is the government make the user higher attention to Telephone deception or lower from the user?

Please provide more information or details about the accusation for better consultation.

Question about the Real-name Registration Programme for SIM Cards Proposition Consultation (Chapter2.8)

Dear Commerce and Economic Development Bureau,

Reference to the "Real-name Registration Programme for SIM Cards" consultation Proposition Chapter 2.8.

*From the regulatory perspective, there are no strong justifications to apply less stringent registration requirements on SSP as compared to PPS services. Such regulatory imbalance, if allowed, clearly creates a loophole and may result in possible circumvention. We therefore consider it necessary to provide relevant statutory backing for mobile service providers to collect and store the same types of personal information.*

2.8A Is presumed that all using pre-paid services mobile SIM cards are be used to criminal activities? How many percentage pre-paid services mobile SIM cards are used in criminal activities of total number of PPS? Please provide the reference information or clear details for consultation.

2.8B That may result in possible circumvention, have proposed percentage? Reference to question 2.8A. Is the circumvention caused the Victims cannot complaint or magistrate cannot make convict summarily. Such a person find a way circumvention of law and take criminal activities, magistrate cannot convict summarily from law proceedings.

Please provide more information or details about the accusation for better consultation.

This is strongly opposed to carry out the regulation -about the “Real-name Registration Programme for SIM Cards”.

The regulation have not balance between Anonymous users of the person right and over suspect of security. This is valuable to provide the lawful and reasonable solution for Anonymous users to report and eliminate crime.