

L.N. 75 of 2021 Telecommunications (Registration of SIM Cards) Regulation
Deadline for any amendment: Legislative Council meeting of 7 July 2021

Summary

This Regulation should cover only pre-paid SIM (PPS) cards used for the purposes of person to person communication (the equivalent of landlines or IP phones). IP phones are portable. Employees use IP phone numbers provided by their employers and work from home using their home landlines. The IP phone numbers provided by their employers will be displayed on the receiver's phones. The only problem identified by the Hong Kong Government is that "the widespread abuse of anonymous PPS card services undermines people's confidence in the integrity of telecommunications services, jeopardises genuine and legitimate use of telecommunications services and creates obstacles for law enforcement." The Government acknowledged that the identities of subscribers committed to SIM service plans (SSPs) are already recorded by the service providers, just like the practice of recording the identities of landline and IP phone customers. The right of users of different telephone communication modes should be equal unless a specific problem is identified.

PPS card services are used by subscribers as the existing telecommunications operators refuse to offer basic telephone plan only. Users are forced to pay for data plan (which they do not need and students are prohibited from using data plan to play online games) and sign years of agreement (up to 2 to 4 years). The numbers of telecommunications operators also decreased. Independent telecommunications operator like Sunday disappeared in the market. There are two different sources of PPS cards: (i) PPS cards sold directly by the telecommunications operators at their retail shops e.g. SmarTone. The salesperson will give a purchaser a package and the user activates the SIM card after installed it onto his or her mobile phone. For this type of customers, the registration could be easily done in paper form at the retail shops. (ii) PPS cards sold at small shops in Apliu Street etc. e.g. abc Mobile 本地儲值卡.

The Government has set a maximum number of PPS cards for each eligible person. The Government has not clarified whether a person is allowed to register further PPS cards with other specified licensees if he or she has already registered the maximum number of PPS cards with a specified licensee. If the Government intends to implement the maximum number of PPS cards for an eligible person on a territorial basis, a centralised platform has to be developed.

It appears that the Government is trying to push the telecommunications operators to build a centralised e-platform for SIM cards. This may be similar to another e-platform: The Government proposed to commit a public funding of HK\$3,367.15 million for the development of the eMPF platform. The Government's centralised eMPF platform will replace the existing 12 private system administrators. Under the proposed SIM card registration programme, telecommunications operators will be required to adjust their work flow and internal business processes (but details have never been announced). The Government will also request telecommunications operators to provide for remote registration by users through multiple means including online platforms and mobile apps. The telecommunications operators will also need to upgrade their systems or database infrastructure as instructed by the Government from time to time.

It was reported that identity fraud was found in the Faster Payment System (FPS) launched by the Hong Kong Government in 2018 as the system did not require face-to-face identity verification initially.

2018 FPS News:

金融管理局推出「轉數快」系統不足一個月，已爆出轉帳支付漏洞，令騙徒伺機行騙。金管局副總裁李達志今早在電台節目表示，現時掌握有10多宗市民開設轉數快戶口，被不法分子騙取個人身份證明文件及銀行戶口資料後，由受害人銀行戶口中，增值到電子支付錢包，從而騙取金錢，涉及約40多萬港元金額。

The telecommunications operators should be allowed to use their existing systems and database and they should not be forced to implement non face-to-face registration as SIM card numbers are closely related to digital currencies and mobile payments. The storage of 11 million people's identification documents in an e-platform should be avoided. The Hong Kong Government and the telecommunications operators may have contravened the foreign law if foreigners are required to upload their identification documents to an e-platform

run by small service providers such as abc Mobile¹. **Arrangement should be made by the Government for face-to-face registration at the Hongkong Post or the Immigration Department and copies of identity cards should not be collected (similar to the HK\$10,000 cash payout registration in 2010).** Details of the identity cards are already stored in the Government's database and copying of the identity cards onto another private database jeopardises the citizen's security as to identity. Alternatively, the Immigration Department should issue an identity certificate (which contains the name and the identity card number only for the purpose of in store or online SIM card registration under the Telecommunications Ordinance and its subsidiary legislation on the payment of a prescribed fee by a citizen or a traveller. This identity certificate would not be accepted by banks as proof of identity so that the risk of identity fraud could be minimised. Most Hong Kong citizens hold landline accounts with the HKT (it does not offer SIM card service now). The customers of the HKT should be allowed to register their PPS card numbers to their existing HKT accounts on payment of a prescribed fee by e.g. filling in a paper form provided by the HKT shops and further photocopying of ID cards is unnecessary. Parents should be allowed to register the PPS cards used by their children under their HKT landline accounts. The transitional period of six months is still too short and the small shops may not be able to sell all their existing stock of PPS cards or use them before the commencement date of this Regulation. The Government does not provide financial subsidies or compensation for the loss of the small shops.

To address the problem identified by the Government, the local telecommunications operators should be required by law to offer SIM card service plan at a reasonable price that provides telephone service only (i.e. data service is excluded) and the term of the agreement should not be more than six months. Service must be suspended if the accumulated fee payable is greater than a pre-set limit. The user should be allowed to opt out of using a password to control the SIM card remotely. This can minimise the potential loss suffered by a registered user if his or her SIM card has been misappropriated. The HKT bills its landline customers on a monthly basis. As the amount is not great, the customers should be allowed to choose to pay a lump sum upfront or pay annually. In the past, IDD charges for telephone and fax were expensive and the HKT has to bill its customers promptly. However, IDD and fax expenses are now less common. Many quasi-government bodies do not have a fax number now. The Government should also improve the payphone service in Hong Kong after the launch of the new programme as the demand and sales of PPS cards may drastically reduce afterwards.²

Queries about the operation of this Regulation

- (i) Whether a person can register a PPS card which will be used by his or her child, another family member, a friend or a visitor?
- (ii) Since visitors to Hong Kong are not familiar with the registration programme or may refuse to upload their identification documents to an unknown non-government website, can a company register a number of PPS card numbers and provides them to visitors as a service (similar to car rental service)?
- (iii) Initially, the Government states that visitors are allowed to register using their travel documents.

Information prepared by the Government:

SIM card users are required to provide personal information including name in English and Chinese (as applicable), identity document number (i.e. HKID number or serial number of other acceptable identity documents such as travel documents for visitors) [LC Paper No. CB(1)652/20-21(06) and CCIB/SD 605-15/1]

It appears that PRC and Macau citizens etc. are excluded from the use of SIM card service in Hong Kong (the identification documents required for registration of individual aged 16 or above are limited to identification documents issued by the Hong Kong Government in the Schedule to this Regulation). A non-Hong Kong body has to employ a Hong Kong agent as responsible person for the purpose of PPS card registration.

- (iv) A body (corporate or unincorporate) is required to provide a copy of the business registration (BR) certificate to the telecommunications operator for registration purpose. The information must be current/updated under this Regulation. A BR certificate is valid for one year only and the body has to re-register

¹ Photocopying of certain identification documents of U.S. citizens is prohibited (Annex A). In the past, scanning of identification document was also prohibited in certain EU countries or the unnecessary data on the identification document were required to be blackened at the time of photocopying the identification document so that a full image of an identification document would not be captured.

² Payphones are no longer available in the MTR, government premises, 7-11, shopping malls or hotels in recent years. The availability of telephone service to travellers is limited after the commencement of this Regulation.

every year even though the BR number and information are the same?

(v) Since in store registration is not required in this Regulation, this Regulation should set out mandatory refund arrangement if a purchaser of the PPS card package cannot successfully register for various reasons afterwards. Normally, the small shops at Apliu Street will not make a refund after the customers left their shops.

Amendments Requested

Part 1 Preliminary

1. Commencement

(1) Subject to subsection (2), this Regulation comes into operation on ~~1 September 2021~~ [Add: a day to be appointed by the Secretary for Financial Services and the Treasury by notice published in the Gazette].

(2) Parts 2, 3 and 4, ~~section 15~~ [Add: 5], Part 6 and the Schedule come into operation on ~~1 March 2022~~ [Add: a day to be appointed by the Secretary for Financial Services and the Treasury by notice published in the Gazette].

[Note:

L.N. 75 of 2021 is a completely new regulation. According to the Government, there were around 11.7 million subscribers (56% of total users) using pre-paid SIM (PPS) cards as at August 2020. The Secretary for Commerce & Economic Development, Mr. Edward Yau, said a seven-week public consultation was conducted earlier this year. Over 100,000 people/bodies expressed their views during the consultation. The Government indicated that 26% of the submissions received opposed the Government's proposal, i.e. might be around 5.4 million of PPS card users (assuming the objection came from PPS card users as service plan subscribers were already registered). However, it is unclear whether the Government has addressed the concern of the large number of users affected and SIM cards are also closely related to mobile payments. This Regulation should only come into operation after thorough discussion.

It is unreasonable that the telecommunications operators are required to comply with the requirements of section 14 immediately.]

2. Interpretation

(1) In this Regulation—

~~active (生效狀態), in relation to a SIM card, means that the person to whom a service is supplied through the SIM card is for the time being able to access the service through the SIM card~~ [Add: whose identity is recorded as required by this Regulation and the service fee was paid as required by the telecommunications operators];

[Note: The right of the subscriber or consumer should be protected by law.]

~~correct (改正), in relation to any information, means to make a correction (as defined by section 2(1) of the Personal Data (Privacy) Ordinance (Cap. 486)), in compliance with a data correction request, to any personal data comprising the information;~~

~~current specified information (現有指明資料), in relation to an eligible person, means the specified information of the person provided for the registration of a SIM card for the person under section 6 (as the information may be corrected from time to time);~~

~~data correction request (改正資料要求) has the meaning given by section 2(1) of the Personal Data (Privacy) Ordinance (Cap. 486);~~

[Note: “correct”, “current specified information”, “data correction request” and “personal data” were deleted. The provisions of another piece of legislation should not be repeated in this Regulation. A business registration (BR) certificate is valid for one year only. “current information” means a body has to re-submit the BR certificate to the specified licensee every year.]

~~guidelines (指引) means the guidelines issued under section 14;~~

[Note: The existing provisions and requirements of the Telecommunications Ordinance (Cap. 106) should be applied to all forms of telephone service. This Regulation is all about a requirement to record the names of PPS card users and users of all forms of telephone communication should be treated equally.]

law enforcement officer (執法人員) means an officer of—

(a) the Customs and Excise Department;

- (b) the Hong Kong Police Force;
- ~~(c) the Immigration Department; or~~
- ~~(d) the Independent Commission Against Corruption;~~

[Note:

In other criminal legislation, the law enforcement officer is generally the Hong Kong Police Force. A consistent approach should be adopted in law. e.g.

Drug Trafficking (Recovery of Proceeds) Ordinance (Cap. 405)

2. Interpretation

“authorized officer” means—

- (a) any police officer;
- (b) any member of the Customs and Excise Service.....]

mobile device (流動裝置) means a piece of electronic equipment that can be used for ~~accessing a mobile telecommunications service provided by a specified licensee, such as a mobile phone or tablet computer~~ [Add: person to person communication (the equivalent of landlines or IP phones). Machine to machine communication is excluded];

[Note: According to the Government, the new requirement will apply to SIM cards for person-to-person communication and exclude SIM cards used for machine-type connections. [LC Paper No. CB(1)652/20-21(06)]

personal data (個人資料) has the meaning given by section 2(1) of the ~~Personal Data (Privacy) Ordinance (Cap. 486);~~

pre-paid SIM card (儲值卡) means a SIM card ~~that is not a service plan SIM card~~ [Add: issued by a Hong Kong registered telecommunications operator for use in Hong Kong and for person-to-person communication and was sold without recording the identity of the user];

[Note: According to the Government, the registration programme only regulates SIM cards issued by local telecommunications operators for use in Hong Kong and for person-to-person communication. [LC Paper No. CB(1)652/20-21(06)] The scope should be clearly spelt out in this Regulation. SIM cards issued for overseas travel or issued by non-Hong Kong telecommunications operators and data cards are excluded even though they may be sold in small shops in Hong Kong. e.g.

<https://www.clubsim.com.hk>

Club Sim

亞太區7日抵玩套餐

亞太地區旅遊數據]

service agreement (服務協議) — see section 3(3);

~~service plan SIM card (服務計劃卡) means a SIM card, that is provided by a specified licensee to a person, through which a service is supplied or to be supplied where—~~

- ~~(a) the person may make payment (or part of the payment) for the service after the service is used in full or in part; and~~
- ~~(b) the person has arranged with the licensee to pay an amount or amounts notified by the licensee, or to make payments at regular intervals, for the service;~~

[Note: The classification of SIM cards by payment mode and the definition of service plan are rather odd. The Government should publish similar legislation in countries like the U.S. and Canada. The payment mode permitted by the telecommunications operators is a commercial decision and appears to be irrelevant for this real name registration programme. The programme should focus on whether a telecommunications operator has recorded the identity of a telephone card user at the time of purchase or at a reasonable time afterwards. If not, the telecommunications operator is now required by this Regulation to record the identity of the user. It appears

that certain service plan may not fit into the above definition. e.g.

<https://www.birdie.com.hk>

Birdle

無合約上台計劃

類別牌照號碼: CLOTS0000013]

SIM card (用戶識別卡) means a subscriber identification module provided by a specified licensee that—
(a) ~~forms part of a mobile device, or is a hardware or software component for insertion into or integration with a mobile device;~~

(b) [Add: (a)] is represented or held out by the licensee to be used primarily for communications between persons and persons [Add: (the equivalent of landlines or IP phones)]; and

(c) [Add: (b)] identifies and authenticates a subscriber for the subscriber's access to a telecommunications service provided in Hong Kong by any specified licensee;

specified information (指明資料), in relation to an eligible person, means the ~~information specified in the Schedule for that person~~ [Add: specified information of the person provided for the registration of a SIM card for the person under section 6];

[Note: the definition of “specified information” is revised based on the original definition of “current specified information”.]

valid branch registration certificate (有效分行登記證) has the meaning given by section 2(1) of the Business Registration Ordinance (Cap. 310), ~~but excludes~~ [Add: and includes] a duplicate [Add: or certified true copy of] branch registration certificate within the meaning of that Ordinance;

valid business registration certificate (有效商業登記證) has the meaning given by section 2(1) of the Business Registration Ordinance (Cap. 310), ~~but excludes~~ [Add: and includes] a duplicate [Add: or certified true copy of] business registration certificate within the meaning of that Ordinance.

[Note: Certified true copy etc. should not be specifically excluded.]

~~3. Meaning of certain expressions relating to telecommunications service~~

[Note: This Regulation was issued as a subsidiary legislation under the Telecommunications Ordinance (Cap.106) and the Government acknowledged that this Regulation would be applied to Hong Kong registered telecommunications operators only. Whether a company is a registered telecommunications operator under Cap. 106 should be set out in the provisions of Cap. 106. The Government has never indicated that overseas telecommunications operators are required to register in Hong Kong. The definitions of Cap. 106 were re-defined in this Regulation. This may give one the impression that this Regulation is trying to regulate overseas telecommunications operators.]

Part 2 Registration

~~5.~~ [Add: 5A] Specified licensee to ensure that [Add: pre-paid] SIM card is not active unless currently registered
(1) A specified licensee who supplies, or is to supply, a service through a [Add: pre-paid] SIM card must ensure that the SIM card is not active unless the SIM card is currently registered with the licensee [Add: or at the pre-paid SIM card registration programme provided by the Hongkong Post, the Immigration Department or the HKT].

(2) Exemption to subsection (1)

Subsection (1) does not apply if

[Add: (i)] the SIM card is active solely for the purpose of facilitating registration of the SIM card under section 6 [Add: within 48 hours after it was first connected to the communications network].

[Add (ii) the SIM card is issued to a holder of non-Hong Kong travel document for use in Hong Kong for not more than 30 days after it was activated.]

[Add:

5B. (i) The specified licensee must allow the registration to be conducted by face-to-face mode in paper form at any shop of the service provider or the HKT, the Hongkong Post or the Immigration Department. (ii) The specified licensee must (I) provide a registered user with (a) a paper certificate of the phone number registered by that user; or (b) a physical SIM card (實體SIM卡) on the request of the registered user and (II) allow the user to opt out of using a password that can control the card remotely.]

[Note:

According to Mr. Edward Lau, PPS card users are required to upload copies of their identity cards to a designated e-platform operated by a service provider. It appears that paper form of registration may not be available. The Government only states that:

We understand that some users (especially the elderly and some needy groups) might have difficulties in the registration of SIM cards. We will collaborate with the telecommunications operators as well as relevant non-governmental organisations to assist them to register in order to comply with the real-name registration requirements.

The requirement for paper registration mode must be spelt out in law.

In the past, a PPS card was sold with a user certificate (Annex B). However, the user certificate was no longer included in the PPS card package in recent years and a SIM card is assigned a remote control password (in the past, the user has to operate a SIM card using the phone installed with that SIM card). There were cases that the telecommunications operators assigned the telephone numbers used by some users to other new users one month after the SIM cards were not renewed on time.]

6. ~~Registration of SIM card for eligible person~~

[Note: A non-Hong Kong body can only register under a service plan of e.g. 2 to 4 years. It should be allowed to buy only the service that it needed as long as the identity of the user is recorded. The onus of proof that the service provider has done something wrong lies with the relevant authority etc. The potential problem in the provisions will not exist if the registration programme is run by the Hongkong Post and the identity will be checked by the Government, just like the cash payout programme launched in 2020 (copies of ID cards are not required for paper registration. The person only shows his or her ID cards to the staff of the Hongkong Post.) The salespersons are not team members of the Hong Kong Police Force. The requirements of section 6(2)(b) & (c) are excessive. Section 6(2) should be amended as follows:

*A specified licensee ~~may~~ [Add: **must**] register a SIM card for an eligible person only if—*

The right of the general public to telephone service should be protected.

Reference:

Mandatory Provident Fund Schemes Ordinance (Cap. 485)

21. Application for registration as employer sponsored scheme or master trust scheme

(8) The Authority may, as a condition of registering a provident fund scheme under this section, require the applicant to give to the Authority an undertaking with respect to the administration of the scheme by deed, or by a document of like effect acceptable to the Authority, including—

(a) in the case of an application to register a scheme as an employer sponsored scheme, an undertaking not to refuse—

(i) an application for membership of the scheme made by or on behalf of a relevant employee of the participating employer;]

7. ~~Maximum number of pre-paid SIM cards for eligible person~~

[Note: There is no restriction on the number of IP phones registered and all modes of telephone communication should be treated equally.]

Part 3 Deregistration

8. Deregistration of SIM card on cessation of service

A specified licensee may deregister a SIM card that is currently registered with the licensee if the licensee has ceased to supply any service through the SIM card [Add: **service was not renewed by a registered user.**].

9. Deregistration of SIM card in case of irregularity

[Note: A citizen's right to access to telephone communication and keep the same telephone number should be protected and a SIM card should not be deregistered easily. The original phone number must be re-assigned to him or her if the registration was deleted erroneously. Section 9 should form part of the enforcement action in section 13.]

10. Deregistration of SIM card on eligible person's request

- (1) An eligible person for whom a SIM card is currently registered with a specified licensee may request the licensee to deregister it.
- (2) The request must be made in a way that is specified by the specified licensee ~~in accordance with the guidelines.~~ [Add: A specified licensee must include paper form deposited at the telecommunications operators or the HKT's retail shops or the Hongkong Post as one of the options for deregistration].
- (3) The specified licensee must deregister the SIM card as soon as practicable after receiving the request.

[Add: Part 3A Compensation Fund

1. Compensation for losses

The Communications Authority is required to establish a compensation fund for the purpose of compensating users of the registration programme for losses that are attributable to misfeasance or illegal conduct committed by staff of the telecommunications operators or by other persons concerned with the administration of this registration programme.

2. Registered user may claim compensation from compensation fund

- (1) A person who is a registered user may lodge with the Communications Authority a claim for compensation from the compensation fund on the ground that—
 - (a) the person has suffered a loss; and
 - (b) the loss was attributable to misfeasance or illegal conduct committed by a person concerned with the administration of the registration programme;
- (2) On receiving a claim made under this section, the Communications Authority must investigate the claim to determine its validity.]

[Source: Compensation Fund under the Mandatory Provident Fund Schemes Ordinance (Cap. 485)]

Part 4 Record Keeping

11. Keeping of SIM card record

- (1) A specified licensee must keep a record in respect of a SIM card during—
 - (a) the period in which the SIM card is currently registered with the licensee for an eligible person; and
 - (b) the period of ~~1 year~~ [Add: six months] after the end of the period mentioned in paragraph (a). [Add: The personal data must be deleted once the record-keeping period has expired.]
- (2) The record must contain—
 - (a) an identifier of the SIM card (such as the mobile phone number assigned to the SIM card); and
 - (b) the ~~current~~ specified information of the eligible person.
- (3) ~~The record must be kept in hard copy form or in electronic form (or in both) in accordance with the guidelines.~~ [Add:
 - (3) Prohibition against transfer of personal data to place outside Hong Kong
A specified licensee shall not transfer personal data to a place outside Hong Kong.
- (4) A specified licensee must not rely on a third party established or operated outside Hong Kong to keep the record.]

[Note: It appears that a six month period is used by the local telecommunications operators to speed up the recycling of telephone numbers. It appears that it is the EU standard that the personal data must be deleted once the record-keeping period has expired.

Source of the requirements for prohibition against transfer of personal data to place outside Hong Kong: Section 33 of the *Personal Data (Privacy) Ordinance (Cap. 486)*

Source of the requirements for deletion of data:

The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017, U.K.

40(5) Once the period referred to in paragraph (3), or if applicable paragraph (4), has expired the relevant person must delete any personal data obtained for the purposes of these Regulations.....

The Hong Kong law appears to be unique as it does not require the personal data to be deleted after a specified period. For example, the MPF service providers do not delete the information after 7 years. The Government should update the law for this aspect as soon as possible.]

12. Provision of SIM card record to law enforcement officer [Add: and deregistration of SIM card] under warrant

(1) If a magistrate is satisfied by information on oath that—

(a) there is reasonable cause to suspect that an offence has been, is being, or is about to be committed, and it is necessary to obtain a SIM card record [Add: or deregister a SIM card] for the purpose of investigating or preventing the offence; or

(b) it is necessary to obtain a SIM card record [Add: or deregister a SIM card] for the purpose of preventing loss of life of, or serious bodily harm to, any person, the magistrate may issue a warrant authorizing any law enforcement officer to require the specified licensee that keeps the record to provide the record [Add: or deregister a SIM card].

(2) The specified licensee must provide the SIM card record [Add: or deregister the SIM card] in compliance with the warrant.

~~13. Provision of SIM card record to law enforcement officer not under warrant~~

[Note: The Hong Kong Police Force should arrange for a speedy action with the Judiciary and use section 12 only or they may use other criminal legislation as the basis for speedy action. This Regulation is all about the responsibility of the telecommunications operators to record the names of the users (if they have not do so at the time of purchase or shortly afterwards and should be kept as simple as possible.)]

Part 5—Miscellaneous

14. Guidelines

15. Inspection

[Note: According to the Government, the Communications Authority will issue new guidelines regarding the detailed operational requirements. The guidelines will take effect on 1 September 2021. In recent years, various guidelines have been issued by various bodies that covered things that are apparently outside the scope of the original legislation. A specified licensee does not have to register a user only if a fit and proper test is satisfied. The name registration programme should be kept as simple as possible and should be run by the Government. The inspection function was already set out in Cap. 106 and the same programme should be run by the Communications Authority. Otherwise, a telecommunications operator that provides both landline and SIM card services are required to operate different registration systems and inspected by different government departments.

Telecommunications Ordinance (Cap. 106)

7J. Inspection, etc., of facilities

35A. Inspection of records, documents and accounts]

Part 6 Transitional Arrangements

16. Interpretation of Part 6

In this Part—

commencement date (生效日期) means 1 March 2022 [Add: a day to be appointed by the Secretary for Financial Services and the Treasury by notice published in the Gazette];

existing service plan SIM card (原有服務計劃卡)—

(b) includes a service plan SIM card provided by the licensee for replacing the SIM card falling within paragraph (a) in circumstances specified in the guidelines;

17. Transitional arrangement—existing pre-paid [Add: and service plan] SIM cards
Until ~~23 February 2023~~ [Add: 31 March 2023] (inclusive of that date), section 5 does not apply to a specified licensee in respect of an existing pre-paid [Add: and service plan] SIM card provided by the licensee.

18. Transitional arrangement—existing service plan SIM cards

[Note: The transitional arrangement for all existing SIM cards should be the same.
The 23 February 2023 deadline is odd and difficult to remember by the general public.]

Schedule Specified Information of Eligible Persons

1. Individual aged 16 or above

(1) (a) the following information as shown on the identity card—

- (i) the number of the identity card;
 - (ii) the person's full name in English [Add: or];
 - (iii) ~~(if applicable)~~ the person's full name in Chinese; and
 - ~~(iv) the person's date of birth; and~~
- (b) a copy of the identity card.

[Add: (if applicable) correspondence address in Hong Kong.]

(2) If the eligible person is an individual acting in his or her individual capacity who is aged 16 or above and does not hold an identity card, the information specified for the person is as follows—

(a) the following information as shown on a valid identification document of the person—

- (i) the number of the identification document;
- (ii) the person's full name in English [Add: or];
- ~~(iii) (if applicable) the person's full name in Chinese; and~~
- ~~(iv) the person's date of birth;~~

(b) a copy of the identification document, or the data page of the identification document showing the information mentioned in paragraph (a); and

(c) a statement to the effect that the person does not hold an identity card.

[Note: The user should not be required to upload the identification document to a website. Telecommunications operators in Hong Kong generally do not have a good reputation and there are numerous complaints concerning the misuse of personal data for aggressive marketing. Address is generally required for service of legal notice by registered mail. Many PPS card users such as primary school students switched off their mobile phones when they are attending classes during Monday to Friday. A user should be allowed to use one language only, i.e. English or Chinese, for registration.]

2. Individual aged below 16

If the eligible person is an individual acting in his or her individual capacity who is aged below 16, the information specified for the person is as follows [Add: one of the following]—

[Add: or

(d) the student number and the name of the school in Hong Kong.]

[Note: PPS cards are used by primary school students so that their parents could talk to them and pick up them when an extra-curricular activity was over. The schools could register the PPS cards for their students.]

3. Business or branch of business

~~(c) the following information in respect of an individual aged 18 or above named as the responsible person of the eligible person—~~

~~(i) if the individual holds an identity card—the information mentioned in section 1(1)(a) and (b) of this Schedule in respect of the individual; or~~

~~(ii) if the individual does not hold an identity card—the information mentioned in section 1(2)(a), (b) and (c) of this Schedule in respect of the individual.~~

[Note: The identities of the sole proprietors and directors etc. of a body are already checked by the government

officials and the bankers etc.]

identification document (身分證明文件), in relation to a person, means—

[Add: (f) a travel document or identification document issued by a government or its agencies to that person];

4. Body not holding valid business registration certificate or valid branch registration certificate

(a) the name of the body in English or Chinese ~~(or both); and~~

~~(b) the following information in respect of an individual aged 18 or above named as the responsible person of the body—~~

~~(i) if the individual holds an identity card—the information mentioned in section 1(1)(a) and (b) of this Schedule in respect of the individual; or~~

~~(ii) if the individual does not hold an identity card—the information mentioned in section 1(2)(a), (b) and (c) of this Schedule in respect of the individual.~~

[Note:

The body should not be required to employ a Hong Kong citizen for the purpose of SIM card registration.]

ANNEX A

Did You Know Photocopying A Government ID Is Illegal?

Have you ever been asked by a business if they could photocopy your identification? Chances are that if you've rented a hotel, car or apartment, the answer is yes.

But don't hand them your common access card or military identification card, because copying it is against the law.

A lot of military members, their families and Defense Department employees don't know this, but photocopying any U.S. government identification is a violation of Title 18, US Code Part I, Chapter 33, Section 701.

The law reads, "Whoever manufactures, sells, or possesses any badge, identification card or other insignia of the design prescribed by the head of any department or agency of the United States for use by any officer or employee thereof, or any colorable imitation thereof, or photographs, prints, or in any other manner makes or executes any engraving, photograph, print, or impression in the likeness of any such badge, identification card, or other insignia, or any colorable imitation thereof, except as authorized under regulations made pursuant to law, shall be fined under this title or imprisoned not more than six months, or both."

Commercial establishment can ask to see your card to verify military affiliation or to provide government rates for services, but they can't photocopy it. So if they ask to do so, tell them no. Give them a state driver's license or other form of photo identification instead.

Photocopied cards might be used for counterfeiting purposes, with no real safeguards against it. Since criminals and terrorists value U.S. government IDs when they're trying to plan acts against the U.S. military, it's best to not give them that chance.

This law does NOT apply to medical establishments like hospitals and doctor's offices who are allowed to make a copy for filing insurance claims. It also doesn't apply to other government agencies that are using the copied ID to perform official government business.

ANNEX B



\$48本地話音儲值卡 \$48 Super Talk Card 啟用期限
Activate By

流動電話號碼/ Mobile No. [REDACTED] 30/6/2014

此卡乃屬中國移動香港有限公司所有，如有拾獲，請即交還本公司。此卡一經使用，即表示持卡人接受有關儲值卡服務使用說明書所載的條款及條件及隨後有關之修訂。
This Card is the property of China Mobile Hong Kong Co. Ltd., to whom it must be returned if found. Use of this card constitutes acceptance of the terms and conditions contained in the relevant Prepaid SIM Card User Guide, as amended from time to time.

重要：請保留此卡套以作為補領新卡時證明之用。
IMPORTANT: Please keep this card holder as proof for card replacement.

IMEI/1312/GPD8009

[REDACTED]

[Barcode]



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