

**Subcommittee on Registration of Persons
(Application for New Identity Cards) Order 2018
(Amendment) (No. 2) Order 2020**

**The Government's responses to issues raised
at the meeting of 2 November 2020**

Purpose

This paper sets out the Government's responses to the issues raised by Members at the Subcommittee meeting held on 2 November 2020 and provides the relevant information.

**Progress of the Territory-wide Identity Card Replacement Exercise
("the Replacement Exercise")**

2. The Replacement Exercise commenced on 27 December 2018. As at 7 November 2020, the Immigration Department ("ImmD") processed about 2.5 million applications for replacement of Hong Kong identity card ("HKIC"). The breakdown of figures on the Replacement Exercise by years of birth is set out at Annex.

**Number of patients requiring long-term care and treatment at
hospitals and institutions managed by the Hospital Authority ("HA")**

3. According to HA, as at 1 November 2020, about 2 300 adult inpatients stayed at the hospitals and institutions managed by HA for a period of one year or above. Around 90% of them received constant and/or higher-level medical treatment in the infirmary, psychiatric wards or the wards for the mentally handicapped. They required total dependency on their activities of daily living.

4. Pursuant to the Registration of Persons Regulations (Cap. 177A), if the abovementioned patients requiring a long-term stay at hospitals for care and treatment can satisfy a registration officer that their personal attendance for registration of HKICs will injure their health or the health of others, they would not be required to register or apply for the issue or renewal of a HKIC. They can apply to the Commissioner of Registration (i.e. Director of Immigration) for a Certificate of Exemption, which is issued free of charge.

The HKIC Replacement Arrangement for Persons in Custody (“PICs”)

5. Having regard to the daily need of the elderly persons and persons with a disability (“PwDs”) and the possible difficulty for them to replace their HKICs at the Replacement Centres by themselves, the Government has introduced two facilitation measures for them, namely the on-site replacement service for residents of residential care homes¹ (“RCHs”) and the “1+2+2” HKIC replacement arrangement² under the Replacement Exercise. In considering whether to introduce further facilitation measure, the Government would take a pragmatic approach taking into account the relevant considerations, including the genuine need of the relevant category of persons, the urgency of having their HKIC replaced and possible difficulty that may be encountered by them, etc.

6. With regard to some Members’ proposal for providing on-site replacement service for PICs at prisons, we are of the view that PICs who are serving their sentences may not have an imminent need to use or replace their HKICs, after detailed consideration of the following factors –

- (a) According to the Registration of Persons Ordinance (Cap. 177), any person who without reasonable excuse fails to comply with an order made by the Secretary for Security in respect of replacement of HKICs commits an offence. These cases would be handled by ImmD on an individual basis. In general, being unable to replace HKICs due to serving sentences at prisons would be considered as a reasonable excuse. To this end, PICs do not have an imminent need to replace their HKICs. Discharged PICs may proceed to replace their HKICs at the nine Replacement Centres if the Replacement Exercise is still on-going, or at the Registration of Persons Offices upon the completion of the Replacement Exercise; and

¹ Residents of RCHs for the elderly and PwDs may choose to have their HKICs replaced on-site at RCHs using the on-site replacement service provided by ImmD, as an alternative to replacing their HKICs at the Replacement Centres in the period specified for their age groups.

² A HKIC holder who applies for a new HKIC within the period specified for his/her age group, may bring along two elderly persons (with a HKIC showing a year of birth of 1954 or before) and two PwDs to replace their HKICs during the same visit.

- (b) Upon completion of the whole Replacement Exercise, the Secretary for Security will issue orders in gazette to invalidate the present generation of HKICs in batches³. In fact, there is no correlation between the resident status of a Hong Kong resident and the validity of his/her HKIC. Even if the present HKIC has been invalidated, it would not affect the resident status of the PICs who have not yet replaced new HKICs nor their entitlement to public services as a resident.

7. Due to the epidemic situation of the coronavirus disease 2019, ImmD has suspended the on-site replacement service for RCHs since January 2020 to reduce the risk of spreading the virus. Having considered that further suspension of the HKIC replacement service due to sudden turn of the epidemic situation cannot be ruled out, and that the elderly and PwDs residing in RCHs have a genuine need for on-site HKIC replacement service, ImmD will accord priority in term of manpower and resources to resume and complete the on-site replacement service for RCHs when the epidemic situation stabilises.

Security Bureau
Immigration Department
November 2020

³ With reference to the last Replacement Exercise conducted between 2003 and 2007, the then Secretary for Security issued orders to invalidate the previous generation of the HKIC in batches from 2006 to 2008.

**Progress of the Territory-wide Identity Card
Replacement Exercise**

Years of Birth	Specified period	Number of persons replaced HKIC at the end of the specified period (percentage of HKIC in circulation of the years of birth ⁽¹⁾)	Number of persons replaced HKIC as of 7 November 2020 (percentage of HKIC in circulation of the years of birth)
1985 to 1986	21 January to 30 March 2019	212 474 (around 85%)	229 284 (around 92%)
1968 to 1969	1 April to 1 June 2019	229 465 (around 85%)	249 474 (around 93%)
1966 to 1967	3 June to 26 July 2019	219 668 (around 84%)	237 961 (around 91%)
1964 to 1965	27 July to 23 September 2019	234 905 (around 82%)	254 920 (around 89%)
1955 to 1956	24 September to 15 November 2019	194 665 (around 76%)	216 095 (around 84%)
1957 to 1959	16 November 2019 to 26 September 2020 ⁽²⁾	357 298 (around 84%)	359 570 (around 85%)
1960 to 1961	18 February to 26 September 2020 ⁽²⁾	223 850 (around 78%)	228 494 (around 79%)
1962 to 1963	28 July 2020 to 30 January 2021 ⁽²⁾	The specified period has not yet ended	177 970 (around 57%)
1970 to 1972	2 November 2020 to 30 April 2021 ⁽²⁾	The specified period has not yet ended	33 708 (around 9%)

Remarks:

- (1) For the Replacement Exercise in 2003, the average application rate at the end of each specified period was around 83%.
- (2) Due to the epidemic situation of coronavirus disease 2019, the Replacement Centres suspended service thrice (a total of 88 days). The specified periods of these years of birth were amended or extended in May 2020 and September 2020.