Baker McKenzie.

I Am Here: obtaining your identification and vital documents

**Hong Kong** 

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## **National Identification Cards**

## What type of document can youth seek which will allow them to move around the country?

- Under the Registration of Persons Ordinance, if you are a resident of Hong Kong aged 11 or over you are required to register for an identity card (except those who have been exempted).
- People who are exempted from holding an identity card include:
  - 1. genuine travelers in transit through Hong Kong or people who have been permitted to stay for not more than 180 days;
  - the elderly, blind and infirm whose exemption has been approved by the Commissioner of Registration;
  - 3. children aged under 11 of consuls, consular staff and the Head and members of the Office of the Commission of the European Communities; and
  - children aged under 11 unless they are Hong Kong permanent residents who need to apply for permanent identity cards in connection with their applications for Hong Kong Special Administrative Region (HKSAR) passports.
- A young person is eligible to apply for a HKSAR Passport if they are: a Chinese citizen; a permanent resident of the HKSAR; and a holder of a valid Hong Kong permanent identity card. <a href="https://www.immd.gov.hk/eng/service/travel\_document/apply">https://www.immd.gov.hk/eng/service/travel\_document/apply for hksar passport.html#a&firstTab</a>
- Guidance Notes on Application for Hong Kong Special Administrative Region (HKSAR) Passport (For persons 16 years of age or above applying in Hong Kong)

Note: Since 1997 Hong Kong has been a special administrative region of China. Hong Kong does not have its own nationality law and natural-born residents are generally Chinese citizens

### What is the process for getting a National ID card?

- First, you will need to complete an online application form via this link: https://www.immd.gov.hk/eng/hkid.html
- Next you will need to make an appointment with the Registration of Persons Offices.
   This can be done online via this link: https://www.immd.gov.hk/eng/hkid.html
- Alternatively, you can make the appointment via a mobile application using this link: https://www.immd.gov.hk/eng/mobile/index.html

- You can apply at any **Registration of Persons Office**, (except arrivals from the Mainland holding Permits for Proceeding to Hong Kong and Macao (commonly known as 'One-way Permits') who are aged 11 or above, who must have their first registration for the Hong Kong Identity Card at the Registration of Persons Kowloon Office. (Note: Arrivals who are children under the age of 11 must make their first registration for the Hong Kong Identity Card at any Registration of Persons Office within 30 days following their 11th birthday.) <a href="https://www.immd.gov.hk/eng/contactus/person-registration.html">https://www.immd.gov.hk/eng/contactus/person-registration.html</a>
- Remember you will need to be accompanied by a parent or a legal guardian when submitting the application.
- You also will need to have supporting documents as set out in a separate question below.
- This is the form with the documents required for your application: https://www.immd.gov.hk/eng/forms/forms/rop138.html
- Remember that there are specific requirements regarding the photo for the Hong Kong Identity Cards. This link provides information regarding the correct type of photo: https://www.immd.gov.hk/eng/fag/fag/hkic.html#q7
- You don't have to pay a fee for the registration of an identity card. However, you will need to pay for the replacement of an identity card due to loss, destruction, damage, defacement or alteration of personal particulars.
- The processing time for an identity card is usually seven working days.

### Where can I find information online about getting a National ID?

You can find all information you need regarding getting a Hong Kong Identity Card on the Immigration Department website: https://www.immd.gov.hk/eng/services/hkid.html

# What documents do I have to have to get a National ID? Is there any document that I must have to get an ID?

### Children under 11 years old

If you are under the age of 11, you are not required to register for a Hong Kong Identity Card unless you are a permanent resident and need to apply for a permanent identity card to apply for a passport for Hong Kong.

https://www.immd.gov.hk/eng/services/hkid/reg\_replace.html#under\_11

### Children between 11 and 17 years old

If you are between 11 and 17 years old, you will need to be accompanied by a parent or legal guardian who is 18 or over when submitting an application.

Your parent needs to bring a valid travel document, passport or Hong Kong Identity Card (HKID).

Your quardian needs to bring:

- valid travel document, passport or HKID; and
- documentary proof of legal guardianship.

You as the child need to bring:

### if born in Hong Kong:

- 1. birth certificate;
- proof of identity, e.g., valid travel document/passport or latest school document (bearing photo authenticated by the school, e.g., student handbook or school record card); and
- 3. previous identity card (if any).

### if born outside of Hong Kong:

- birth certificate;
- valid travel document, passport, entry permit (e.g., one-way permit for new arrivals from Mainland China) or affidavit showing your residential status in Hong Kong; and
- 3. previous identity card (if any).

https://www.immd.gov.hk/eng/services/hkid/reg\_replace.html#under\_18&secondTabhttps://www.immd.gov.hk/pdforms/rop138.pdf

### What if my documents do not have my correct name/address?

The supporting documents that are required do not generally include addresses.

If the supporting documents do not have the correct name, you will have to obtain a change of name for those supporting documents, and follow the procedures for the change of name.

For instance, to change a name on a birth certificate:

- application for an addition/alteration of a child's name can be submitted to any of the birth registries prior to the child turning 11 (after 11 no changes will be made);
   Addresses and office hours of Births Registries
- in applying for an addition/alteration to a child's name, the parent must attend in person to make a declaration, and produce the child's birth certificate.

https://www.immd.gov.hk/eng/services/birth-death/Apply for Addition or Alteration of Child name.html#secondTab

To change the latest school document, that would be something to discuss with the school.

To change the name of the previous Hong Kong Identity Card:

- applicants should complete the application form (ROP73), which is available via the following link, and deliver the form by post, in person at the Registration of Persons Office, or online. <u>Application for Amendment of Registered Particulars of Hong Kong</u> Identity Card
- Form ROP 73: Application for Amendment of Registered Particulars of Hong Kong Identity Card

### What if I only have foreign documents?

The documents provided can be foreign documents, as long as they fall within the categories of documents required to be produced.

For instance, if you are born outside Hong Kong, and your birth certificate/passport are foreign documents - that would be fine.

https://www.immd.gov.hk/eng/services/hkid/reg\_replace.html#under\_18&secondTab

### What happens if my documents are not accepted to get a National ID card?

You can contact the following office to discuss why the documents are not accepted. Your case handler should also let you know:

Immigration Department Immigration Tower 7 Gloucester Road Wan Chai, Hong Kong (852) 2824 6111 (852) 2877 7711 enquiry@immd.gov.hk

Application for a Permanent Identity Card / an Identity Card by a person from the age of 11 years to 17 years | Immigration Department (immd.gov.hk)

#### Do I have to be a resident of the country to get a National ID card?

Hong Kong residents living overseas are not normally required to apply for a Hong Kong identity card. If you are aged 11 or over and are required to register for or replace an identity card, you should apply for one within 30 days of your return to Hong Kong.

However if you want to apply for a Hong Kong passport from outside Hong Kong, you will also be required to apply for a permanent identity card if you don't already have one.

https://www.immd.gov.hk/eng/services/hkid/reg\_replace.html#overseas

### What does it mean to be a resident of this country? How do I prove residency?

The legal status of permanent resident of Hong Kong may be acquired by any person, regardless of whether they have Chinese nationality.

<u>Article 24</u> of the <u>Hong Kong Basic</u> Law and paragraph 2 of <u>schedule 1</u> to the <u>Immigration Ordinance</u> set out who is entitled to Hong Kong permanent resident status. In summary, they state that the following persons are permanent residents of Hong Kong:

- 1. Chinese nationals who were born in Hong Kong;
- 2. Chinese nationals who were born outside Hong Kong but who are lawfully permitted to live in Hong Kong and have done so for seven years;
- 3. Chinese nationals who were born outside Hong Kong to a parent (father or mother) who, at the time of birth, was already a Hong Kong permanent resident;
- foreigners (persons not of Chinese nationality) who have lived in Hong Kong lawfully for seven years and have taken Hong Kong as their permanent place of residence (\*note);
- 5. foreigners under the age of 21 who were born in Hong Kong to a parent who is a permanent resident as defined in category (iv). On reaching the age of 21, these persons must establish their own permanent resident status under one of the above categories, otherwise they will cease to be permanent residents of Hong Kong; and
- persons who had no right of abode anywhere other than Hong Kong before the establishment of the Hong Kong SAR.

(\*Note: In practice, the Immigration Department may impose additional requirements on foreigners who apply for Hong Kong permanent resident status under article 24 of the Basic Law, including proof that they have paid all taxes that have been levied on them.)

Link: Hong Kong permanent residence | Community Legal Information Centre (CLIC)

### What can I do if I do not have residency in this country?

- You will need to complete an application for a Hong Kong Permanent Identity Card by a Person of the Age of 18 Years or Over Resident Overseas following this link https://www.immd.gov.hk/eng/forms/forms/rop143.html
- Please ensure you read the following forms before completing the overseas residency template

ID(E) 843A

https://www.immd.gov.hk/eng/forms/forms/id-c-843a.html

ROP(E)143

https://www.immd.gov.hk/pdforms/ROP(E)143A.pdf

### Will I need a mailing address? What can I do if I am homeless?

For Hong Kong Identity Cards, you will need a mailing address as required under the application form. If you are homeless, you may not have a mailing address. However, a mailing address has to be included in the application form, although it is not a legal requirement. As such, any address that can reach you is fine. For instance, the correspondence address can be your quardian's address.

# 十一歲至十七歲人士的香港永久性居民身份證/香港居民身份證申請書 APPLICATION FOR A PERMANENT IDENTITY CARD/AN IDENTITY (immd.gov.hk)

For Hong Kong permanent ID cards, a mailing address may not be required as it allows you to apply for it via drop-in or online.

GovHK: Online Application for Verification of Eligibility for Permanent Identity Card (www.gov.hk)

#### What is the application process? Can I complete it online?

You can refer to the process for getting a National ID above.

You are encouraged to make an appointment online and pre-fill the application form. However you will still have to attend the Registration of Persons Office in person to obtain a tag number for queuing, examine your eligibility for an identity card, scan your thumbprints and take your photo.

https://www.immd.gov.hk/eng/services/hkid/reg\_replace.html#under\_18&secondTab (at Applicant Process)

### Is there an application fee? Is there a waiver option if I cannot afford to pay it?

No fees are payable for National ID registrations for new arrivals, and people turning the age of 11 or 18.

https://www.immd.gov.hk/eng/services/fee-tables/index.html#11

### How old do I have to be to apply for a National ID card by myself?

You need to be 18

https://www.immd.gov.hk/eng/services/hkid/reg\_replace.html#under\_18&secondTab https://www.immd.gov.hk/eng/services/hkid/reg\_replace.html#above\_18

# What can I do if I do not have a parent or guardian who can go with me (and the application says I have to have one)?

You will need either a parent or guardian to go with you.

Under <u>section 34</u> of the <u>PCJO</u>, a juvenile court, either of its own volition or upon the application of the Director of Social Welfare ("the Director"), which is satisfied that any person of or above the age of seven years brought before the court, or any other person under the age of seven years, is a child or juvenile in need of care or protection, may appoint the Director to be the legal guardian of such child or juvenile. Alternatively, the court may commit the care to any person, whether a relative or not, who is willing to undertake the care of the child, or to any institution which is willing to do so.

### At what age can I get a National ID card by myself?

When you are 18.

https://www.immd.gov.hk/eng/services/hkid/reg\_replace.html#under\_18&secondTab https://www.immd.gov.hk/eng/services/hkid/reg\_replace.html#above\_18

# Are there any special provisions for foster youth (children in custody of the government)?

No, so long as the youth has the required supporting documents and attends with a parent/guardian.

https://www.immd.gov.hk/eng/services/hkid/reg\_replace.html#under\_18&secondTab https://www.immd.gov.hk/pdforms/rop138.pdf

## Are there any special provisions for homeless youth?

If you are homeless, you may not have a mailing address. However, a mailing address has to be included in the application form, although it is not a legal requirement. As such, any address that can reach you is fine. For instance, the correspondence address can be your guardian's address.

十一歲至十七歲人士的香港永久性居民身份證/香港居民身份證申請書 APPLICATION FOR A PERMANENT IDENTITY CARD/AN IDENTITY (immd.gov.hk)

#### Will I have to take a test?

There is no test required. You just have to provide the supporting documents required.

https://www.immd.gov.hk/eng/services/hkid/reg\_replace.html#under\_18&secondTab

### If applicable, do I have to make an appointment to take the test?

Not applicable.

## **Driver's License**

### What organization issues a driver's license in this country?

The Transport Department.

https://www.td.gov.hk/en/public services/licences and permits/driving licences/index.html

### What is the process for getting a driver's license?

You can either apply online (<a href="https://www.gov.hk/en/residents/transport/drivinglicense/osfulldl.htm">https://www.gov.hk/en/residents/transport/drivinglicense/osfulldl.htm</a>) or by way of a paper application (<a href="https://www.td.gov.hk/en/public\_forms/td\_forms/driving\_licence/index.html">https://www.td.gov.hk/en/public\_forms/td\_forms/td\_forms/driving\_licence/index.html</a>). If a paper application is made, the application document, relevant supporting documents and the appropriate fee (by way of cheque or cashier order) should be submitted to the licensing offices (<a href="https://www.td.gov.hk/en/public\_forms/td\_forms/td\_gov.hk/en/public\_forms/td\_forms/td\_gov.hk/en/public\_forms/td\_forms/td\_gov.hk/en/public\_forms/td\_forms/td\_gov.hk/en/public\_forms/td\_forms/td\_gov.hk/en/public\_forms/td\_gov.hk/en/public\_forms/td\_forms/td\_gov.hk/en/public\_forms/td\_gov.h

### Where can I find information online about getting a driver's license?

An overview of the application process can be found here:

https://www.td.gov.hk/en/public services/licences and permits/driving licences/index.html

# What documents do I have to have to get a driver's license? Is there any document that I must have to get a driver's license?

To apply for a learner's driving licence, you will need:

- original or photocopy of identity document (Hong Kong Identity Card for Hong Kong residents; passport or valid travel document for non-Hong Kong residents);
- original or photocopy of proof of present address (residential address and correspondence address) which is issued not more than three months prior (includes utility or telecommunication bills, documents issued by banks, insurance companies, government departments, local universities, international charitable organizations or charitable organizations registered in Hong Kong). The full list of acceptable proof of address is available at:
  http://www.td.gov.pk/ep/public\_services/licences\_and\_permits/proof\_of\_
  - http://www.td.gov.hk/en/public services/licences and permits/proof of address/index.html; and
- the appropriate fee. To find out the current application fee, you can ask at the enquiry counters of Licensing Offices, call the Customer Service Hotline on (852) 2804 2600/1823, or visit the Transport Department's website (<a href="https://www.td.gov.hk/filemanager/common/td341">https://www.td.gov.hk/filemanager/common/td341</a> 02 2021.pdf) for information. If you pay the fee by

cheque/cashier order, make the cheque/cashier order payable to either "The Government of the Hong Kong Special Administrative Region" or "The Government of the HKSAR" and crossed. Write down your name, first four characters/digits of your identity document number and daytime contact telephone number on the back of the cheque/cashier order. Remember that cash and your original identity document should not be sent by post.

### Link: Transport Department - Driver Licensing

Application for Learner's Driving Licence: <a href="https://www.td.gov.hk/filemanager/common/td555">https://www.td.gov.hk/filemanager/common/td555</a> e-fillable eng.pdf

### What if my documents do not have my correct name/address?

#### Change of Address:

Driving licence holders or registered vehicle owners have to notify the Transport Department (TD) within 72 hours of their change of address. You may notify TD of your change in address with your proof of new address in writing, through GovHK or by submitting the specified form ("Change of Personal Particulars or Vehicle Particulars"):

### GovHK: Access Change of Address Service (www.gov.hk)

### Change of Name:

Driving licence holders should notify the TD in writing of any change in their name, address or identity document within 72 hours after such change. Upon changing your name, you must notify the TD in writing or complete form TD 559 stating your new name, and submit it together with the original of your identity document, original driving licence/vehicle registration document and original and photocopy of a deed of poll from a solicitor to any one of the Transport Department Licensing Offices. The TD will then issue a new driving licence/vehicle registration document licence free of charge, and update their records accordingly.

### What if I only have foreign documents?

You can apply for a driving licence using your passport or a valid travel document: https://www.td.gov.hk/filemanager/common/td555 e-fillable eng.pdf

#### What happens if my documents are not accepted to get a driver's license?

Please try to find out which document(s) aren't accepted and why. Could it be an error in your name or address? Can this be fixed by you and re-submitted to the Transport Department?

If in doubt, please see contact the numbers here:

Transport Department - Contact Us

### Do I have to be a resident of the country to get a driver's license?

No. You can apply for Application for Direct Issue of Full HK Driving Licence (TD63A)

#### What does it mean to be a resident of this country? How do I prove residency?

The legal status of permanent resident of Hong Kong may be acquired by any person, regardless of whether they have Chinese nationality.

<u>Article 24</u> of the <u>Hong Kong Basic Law</u> and paragraph 2 of <u>schedule 1</u> to the <u>Immigration Ordinance</u> set out who is entitled to Hong Kong permanent resident status. In summary, they state that the following persons are permanent residents of Hong Kong:

- 1. Chinese nationals who were born in Hong Kong;
- 2. Chinese nationals who were born outside Hong Kong but who are lawfully permitted to live in Hong Kong and have done so for seven years;
- 3. Chinese nationals who were born outside Hong Kong to a parent (father or mother) who, at the time of birth, was already a Hong Kong permanent resident;
- foreigners (persons not of Chinese nationality) who have lived in Hong Kong lawfully for seven years and have taken Hong Kong as their permanent place of residence (\*note);
- 5. foreigners under the age of 21 who were born in Hong Kong to a parent who is a permanent resident as defined in category (iv). On reaching the age of 21, these persons must establish their own permanent resident status under one of the above categories, otherwise they will cease to be permanent residents of Hong Kong; and
- persons who had no right of abode anywhere other than Hong Kong before the establishment of the Hong Kong SAR.

(\*Note: In practice, the Immigration Department may impose additional requirements on foreigners who apply for Hong Kong permanent resident status under article 24 of the Basic Law, including proof that they have paid all taxes that have been levied on them.)

Link: Hong Kong permanent residence | Community Legal Information Centre (CLIC)

### What can I do if I do not have residency in this country?

You can apply for direct issue of a full Hong Kong driving licence so long as you can prove that your driving licence was originally issued on any date during a period of residence of not less six months in the issuing country or place. To prove this you can provide:

the entry chops on your passport:

- a passport with an entry stamp and a departure stamp which makes a period of six months or more.
- the driving licence must be issued on any date during this period of residence.
- 2. documents to prove studentship:
  - transcript
  - school letter
- 3. documents to prove employment:
  - salary statement
  - employment letter

#### Remark:

For items (2) and (3), these are supporting documents. You will still be required to
provide a passport or equivalent travel document for arrival and departure records
during the residence period in which your driving licence was issued.

See link: Transport Department - Driver Licensing

### Will I need a mailing address? What can I do if I am homeless?

You need to provide proof of address in your application for a driver's licence. If you aren't able to do so, you can contact the Transport Department's hotline on (852) 2804 2600 to discuss your situation (for example, if you are homeless). On the basis of your individual circumstances, the Transport Department will consider whether alternative documents can serve as proof of address, and reply to you.

https://www.td.gov.hk/en/public\_services/licences\_and\_permits/proof\_of\_address/index.html #altap

### What is the application process? Can I complete it online?

You can either apply online (<a href="https://www.gov.hk/en/residents/transport/drivinglicense/osfulldl.htm">https://www.td.gov.hk/en/public forms/osfulldl.htm</a>) or by way of a paper application (<a href="https://www.td.gov.hk/en/public forms/td">https://www.td.gov.hk/en/public forms/td</a> forms/driving licence/index.html). If a paper application is made, the application document, relevant supporting documents and the appropriate fee (by way of cheque or cashier order) should be submitted to the licensing offices (<a href="https://www.td.gov.hk/en/public forms/td forms/drivinglicense/">https://www.td.gov.hk/en/public forms/td form

#### Is there an application fee? Is there a waiver option if I cannot afford to pay it?

There are application fees for driving licences. You can check the current fees here: <a href="https://www.td.gov.hk/en/public\_services/licences\_and\_permits/fees\_and\_charges/index.html">https://www.td.gov.hk/en/public\_services/licences\_and\_permits/fees\_and\_charges/index.html</a>

There does not appear to be a waiver option if you cannot afford to pay the fee, however you could contact the Transport Department to discuss your individual circumstances. Contact numbers are available here: <a href="https://www.td.gov.hk/en/contact\_us/index.html">https://www.td.gov.hk/en/contact\_us/index.html</a>

### How old do I have to be to apply for a state driver's license by myself?

You have to be at least 18, for both a learner's licence and a full licence.

https://www.td.gov.hk/en/public services/licences and permits/driving licences/how to apply for a driving licence/requirements for obtaining a driving licence/index.html

# What can I do if I do not have a parent or guardian who can go with me (and the application says I have to have one)?

You can make the application once you are 18. It is not necessary to involve a parent or quardian.

https://www.td.gov.hk/en/public services/licences and permits/driving licences/how to apply for a driving licence/requirements for obtaining a driving licence/index.html

### At what age can I get a driver's license card by myself?

When you are 18.

https://www.td.gov.hk/en/public services/licences and permits/driving licences/how to apply for a driving licence/requirements for obtaining a driving licence/index.html

# Are there any special provisions for foster youth (children in custody of the government)?

No.

## Are there any special provisions for homeless youth?

You need to provide proof of address in your application for a driver's licence. If you aren't able to do so, you can contact the Transport Department's hotline on (852) 2804 2600 to discuss your situation (for example, if you are homeless). On the basis of your individual circumstances, the Transport Department will consider whether alternative documents can serve as proof of address, and reply to you.

https://www.td.gov.hk/en/public\_services/licences\_and\_permits/proof\_of\_address/index.html #altap

#### Will I have to take a test?

Yes. To obtain a full driving licence in Hong Kong, you need to pass a driving test.

https://www.td.gov.hk/en/public services/licences and permits/driving licences/how to apply for a driving licence/requirements for obtaining a driving licence/index.html

Transport Department - Driving Test of Non-commercial Vehicles

### If applicable, do I have to make an appointment to take the test?

Yes. You can find information via these links and book online:

Transport Department - Driving Test

GovHK: Online Booking for Driving Tests (www.gov.hk)

### Where can I take the driving test? What can I do if I cannot get to a testing location?

There are many driving test centres located in Hong Kong Island, Kowloon and the New Territories which you can choose from:

#### Transport Department - Driving Test Centre - Address and Telephone Number

You should arrive 15 minutes before your test, and bring your identity document and valid driving licence (if applicable), printed appointment letter and other required documents as listed in your printed appointment letter.

If you have any questions regarding the testing stations or difficulty getting to one, you can call the Driving Test Appointment Office at (852) 2771 7723.

## Do I need to get a permit or authorization to practice driving before I get my driver's license?

Before practicing driving you must get a learner's driving licence for the type of vehicle you will be driving. You must not drive without a licensed driving instructor until you have obtained a probationary driving licence (after passing the written and practical driving tests).

Transport Department - Driver Education

## **Birth Certificate**

### What is the document detailing a person's birth called in this country?

A certified copy of a birth entry (commonly known as birth certificate).

https://www.immd.gov.hk/eng/services/birth-death/Application for Search of Birth Records and Certified Copy of Birth Entry.html

# I'm not sure I have a birth certificate, what can I do to find out if I have one and where to get it?

You can request a search of the birth records to see whether you have a birth certificate at the Immigration Department of Hong Kong, either in person or online at this website: <a href="https://www.gov.hk/en/residents/immigration/bdmreg/applybdm.htm">https://www.gov.hk/en/residents/immigration/bdmreg/applybdm.htm</a> (see section 22 of the Cap. 174 Births and Deaths Registration Ordinance).

If you were registered and your name is on the Birth Registry, you can then apply for a copy of your birth certificate through the same website: <a href="https://www.gov.hk/en/residents/">https://www.gov.hk/en/residents/</a> <a href="mmigration/bdmreg/applybdm.htm">https://www.gov.hk/en/residents/</a> <a href="mmigration/bdmreg/applybdm.htm">mmigration/bdmreg/applybdm.htm</a> (see section 22 of the <a href="mailto:Cap. 174 Births and Deaths">Cap. 174 Births and Deaths</a> <a href="mailto:Registration Ordinance">Registration Ordinance</a>).

#### How do I get a copy of my birth certificate?

You can apply for a certified copy of your birth certificate from the Births Register maintained by the Immigration Department of Hong Kong. You can do this either in person (at the Births and Deaths General Register Office of the Immigration Department or the "Birth Registries") or online (https://www.gov.hk/en/residents/immigration/bdmreg/applybdm.htm).

If you can pay the fee of \$140 (plus any postage charges), you can request a sealed and stamped certified copy of your birth certificate from the registrar of births and deaths (see section 22(2)(a) of the <u>Cap. 174 Births and Deaths Registration Ordinance</u>).

### Can I order my birth certificate online?

You can apply for a copy of your birth certificate online at the following website: https://www.gov.hk/en/residents/immigration/bdmreg/applybdm.htm

You can also use the same website to apply for a search of the Births register to see if you are registered.

### What documents will I need to get my birth certificate?

You do not need any documents to apply for a particular search of your name on the Births Registry. You only need the following information: (i) your exact name at birth that was registered at the Birth Registries; and (ii) your date of birth (see https://www.gov.hk/en/residents/immigration/bdmreg/applybdm.htm).

However, you need to present the following documents when you go and collect the copy of your birth certificate:

- 1. Hong Kong Identity Card or valid travel document;
- 2. printout of the online application acknowledgment; and
- original copy of the certificate of registration OR the result of the search of the record (if you didn't conduct a search this time).

https://www.gov.hk/en/residents/immigration/bdmreg/applybdm.htm)

## What happens if I don't have some or all of the documents that are required?

If you do not have all of the documents required, you can go to the Birth Registries in person and they will help you to run the search for your name on the register (see: <a href="https://www.immd.gov.hk/eng/services/birth-death/Application\_for\_Search\_of\_Birth\_Records\_and\_Certified\_Copy\_of\_Birth\_Entry.html#secondTab">https://www.immd.gov.hk/eng/services/birth-death/Application\_for\_Search\_of\_Birth\_Records\_and\_Certified\_Copy\_of\_Birth\_Entry.html#secondTab</a>).

### How old do I have to be to get a copy of my birth certificate by myself?

There is no age restriction on accessing a copy of your birth certificate in Hong Kong. If you can pay the fee of \$140 (plus any postage charges), you can request a sealed and stamped certified copy of your birth certificate from the registrar of births and deaths (see section 22(2)(a) of the Cap. 174 Births and Deaths Registration Ordinance).

Although you can do this at any age, if you are under 18 then your parent or guardian can also do this on your behalf (see <u>Gov.HK "Applying Online for Search of Birth, Death or Marriage Records, or Certified Copies of Such Records"</u>).

What can I do if I do not have a parent or guardian who can go with me to get a birth certificate (and the application says I have to have one)?

If you know that you have been registered on the registry of births, you do not need a parent or guardian to come with you to get your birth certificate. You can apply online for a copy of

the birth certificate if you pay the required fee of \$140 (see section 22(2)(a) of the <u>Cap. 174</u> Births and Deaths Registration Ordinance).

If you do not know if you are on the registry of births, you can apply to have the registry searched if you pay the required fee of \$140 (see section 22(1)(a) of the <u>Cap. 174 Births</u> and <u>Deaths Registration Ordinance</u>). You do not need a parent or guardian to do this.

### What is the cost to get a birth certificate?

A copy of a birth certificate costs \$140 plus any applicable postage fee (see section 22(2)(a) of the Cap. 174 Births and Deaths Registration Ordinance).

If you do not know if you are on the registry of births, you can apply to have the registry searched if you pay the fee which is \$140 for a particular search of the registry (see section 22(1) of the <u>Cap. 174 Births and Deaths Registration Ordinance</u>). If you need to do this additional step, you will also need to pay the \$140 fee for the copy of the certificate referred to above.

### Is there a waiver if I cannot afford the fee?

There is no fee waiver available, however if you cannot afford the fee you can call the Immigration e-Services Hotline at (852) 3128 8668 to discuss payment options (see https://www.gov.hk/en/residents/immigration/bdmreg/applybdm.htm).

Are there any special laws or provisions that can help get a birth certificate if I have been in the foster care system (children in custody of the government)?

There are no special laws to get a birth certificate if you were in the foster care system. You will need to follow the regular process set out in this section.

# Are there any special laws or provisions that can help get a birth certificate if I am homeless?

There are no special laws to get a birth certificate if you are homeless. You will need to follow the regular process set out in this section.

### Where do I get my birth certificate if I was born in another country?

Hong Kong's birth registration system only applies to children born in Hong Kong. If you were born in a different country, you will not be able to get a birth certificate in Hong Kong (see the <u>Cap. 174 Births and Deaths Registration Ordinance</u>). You will be required to confirm that your place of birth is Hong Kong when applying for a copy of your birth certificate (see <u>Information Required for Registration of Birth (immd.gov.hk)</u>)

You should check the process for applying for a birth certificate in your home country.

### Is there a way to get my birth certificate without going somewhere in person?

Yes, you may apply for a certified copy from the Birth Registries online (only if you have all the required documents). However if you apply this way you will need to collect the certified copy in person from the Birth Registries. Otherwise, you may apply by post (again, only if you have all the required documents) in which case, the certified copy will be sent back to you by post.

https://www.gov.hk/en/residents/immigration/bdmreg/applybdm.htm

#### Where can I find information online about getting a birth certificate?

This website provides all the information you need about getting a birth certificate: <a href="https://www.immd.gov.hk/eng/services/birth-death/Application">https://www.immd.gov.hk/eng/services/birth-death/Application</a> for Search of Birth Records and Certified Copy of Birth Entry.html

## **Making Changes to Government ID Documents**

# What vital doc should I start with to change my name? Is the process easier for one of the IDs?

The vital document to start with would be the Hong Kong Identity Card (HKID).

To apply for a change of name in your passport and/or driver's licence, you must first produce an original and photocopy of your new HKID card that shows your new name.

Details relating to the application and the documents required for the application can be found here: https://www.immd.gov.hk/eng/services/hkid/amend hkid.html#secondTab

### How do I change my name on my birth certificate?

Your name on your birth certificate can be changed before you reach the age of 11.

Application for change of name on your birth certificate can be made by your parents to any of the Births Registries. Your parent must attend in person to make a declaration and produce your original birth certificate, but your presence is not required. Then you may obtain a certified copy of your birth entry with your new name at a prescribed fee.

https://www.immd.gov.hk/eng/services/birth-death/Apply for Addition or Alteration of Child name.html

#### How do I change my name on my National ID?

If you want to change your name on your Hong Kong Identity Card, you should complete the application form (ROP 73) (<a href="https://www.immd.gov.hk/eng/forms/forms/rop73.html">https://www.immd.gov.hk/eng/forms/forms/rop73.html</a>) and submit it with copies of supporting documents to the Immigration Department.

The supporting document required for change of name is a deed poll. (Question 21 at <a href="https://www.immd.gov.hk/eng/faq/haq\_hkic.html">https://www.immd.gov.hk/eng/faq/haq\_hkic.html</a>)

The application can be submitted by post, in person, by fax, or through the Internet or the Immigration Department Mobile Application:

https://www.gov.hk/en/residents/immigration/idcard/applyamendrp.htm

Upon receipt of the online application, you will be asked to attend an interview to produce the original of your supporting document.

If the application is approved, arrangements will be made for you to replace your identity card at a fee of HK\$460.

For further details, you may see <a href="https://www.youtube.com/watch?v=hl4Y5tZpqi0">https://www.youtube.com/watch?v=hl4Y5tZpqi0</a>

### How do I change my name on my driver's license?

You can change your name on your driver's licence by making an application to the Transport Department.

Form TD559: Notice of Change of Personal Particulars or Vehicle Particulars must be filed with the Transport Department together with producing an original and photocopy of your new Hong Kong Identity Card/new passport showing the new name in the HKID/new passport.

For more details, please see:

https://www.td.gov.hk/en/public forms/td forms/driving licence/index.html

### At what age can I change my name by myself?

You can change your name by yourself after you reach the age of 18.

https://www.immd.gov.hk/pdforms/rop73.pdf

# What can I do if I do not have a parent or guardian with me to change my gender marker and do not have anyone else who can help me?

All Hong Kong residents aged 11 years or over are required to register for an identity card. If you are under the age of 18, the form must be signed by your parent or legal guardian. The accompanying parent or legal guardian must have rights in respect of you and such rights must not have been limited in any way by the order of any court. They must produce their valid travel document, passport or Hong Kong Identity Card.

Hence, if you are over the age of 18, you do not need a parent/legal guardian to complete the application form for you. However, if you are under 18, you may need to seek assistance from the court for the appointment of a quardian.

In April 2012, the Labour and Welfare Bureau of the Hong Kong Government prepared a standard appointment form with explanatory notes to assist with appointing guardians. For more details please see: LWB: Homepage and Appointment of Guardian(s) (lwb.gov.hk)

https://www.lwb.gov.hk/en/

https://www.lwb.gov.hk/files/download/download\_forms/Appointment%20of%20Guardian\_s\_ \_English.pdf

# What vital doc should I start with to change my gender marker? Is the process easier for one of the IDs?

The vital document to start with would be the Hong Kong Identity Card (HKID).

To apply for a change of gender marker in your passport and/or driver's licence, you must first produce an original and photocopy of your new HKID card that shows your new gender marker.

Details relating to the application and the documents required for the application can be found here: <a href="https://www.immd.gov.hk/eng/services/hkid/amend-hkid.html#secondTab">https://www.immd.gov.hk/eng/services/hkid/amend-hkid.html#secondTab</a>

### How do I change my gender marker on my birth certificate?

To change your gender, you will need to go through sex re-assignment surgery (SRS). Normally, no doctor would perform SRS for children under the age of 11.

If you are over the age of 11 and your gender has changed, the change should be reflected on your Hong Kong Identity Card. After the age of 11, no change can be made to your birth certificate.

https://www.immd.gov.hk/eng/services/birth-death/Apply for Addition or Alteration of Child name.html#firstTab

### How do I change my gender marker on my National ID?

If you want to change your gender marker on your Hong Kong Identity Card (HKID), you should complete the application form (ROP 73) (<a href="https://www.immd.gov.hk/eng/forms/forms/rop73.html">https://www.immd.gov.hk/eng/forms/forms/forms/forms/forms/forms/rop73.html</a>) and submit it with copies of supporting documents to the Immigration Department.

The supporting document required for change of gender marker is medical proof produced by the doctor who performed the sex re-assignment surgery (SRS). The medical proof should indicate that the following criteria for the completion of SRS are met:

- 1. for sex change from female to male
  - removal of the uterus and ovaries: and
  - construction of a penis or some form of a penis;
- 2. for sex change from male to female
  - removal of the penis and testes; and
  - construction of a vagina.

If the SRS was performed outside Hong Kong, the medical proof should carry the doctor's medical qualification, place where the medical qualification was obtained and other contact information of the doctor. (Question 22 in https://www.immd.gov.hk/eng/fag/hag/hkic.html)

The application can be submitted by post, in person, by fax, online or via the Immigration Department Mobile Application:

### https://www.gov.hk/en/residents/immigration/idcard/applyamendrp.htm

Upon receipt of the online application, you will be asked to attend an interview to produce the original of your supporting document.

If the application is approved, arrangements will be made for you to replace your HKID at a fee of HK\$460.

For further details, you may see https://www.youtube.com/watch?v=hl4Y5tZpqi0

### How do I change my gender marker on my driver's license?

You can change your gender marker on your driver's licence by making the application to the Transport Department.

Form TD559: Notice of Change of Personal Particulars or Vehicle Particulars must be filed with the Transport Department together with producing an original and photocopy of your new Hong Kong Identity Card/new passport showing the new gender marker in the HKID/new passport.

For more details, please see:

https://www.td.gov.hk/en/public forms/td forms/driving licence/index.html

### At what age can I change my gender marker by myself?

You can change your gender marker by yourself after you reach the age of 18. https://www.immd.gov.hk/pdforms/rop73.pdf

# What can I do if I do not have a parent or guardian with me to change my gender marker and do not have anyone else who can help me?

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In April 2012, the Labour and Welfare Bureau of the Hong Kong Government prepared a standard appointment form with explanatory notes to assist with appointing guardians. For more details please see: LWB: Homepage and Appointment of Guardian(s) (lwb.gov.hk)

https://www.lwb.gov.hk/en/

https://www.lwb.gov.hk/files/download/download\_forms/Appointment%20of%20Guardian\_s\_English.pdf

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