

(Translation)

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7 September 2021

Ms Shirley CHAN
Clerk to Subcommittee on Subsidiary Legislation to
Regulate the Operation of Small Unmanned Aircraft,
Legislative Council Complex
1 Legislative Council Road,
Central, Hong Kong

Dear Ms CHAN,

**Subcommittee on Subsidiary Legislation to
Regulate the Operation of Small Unmanned Aircraft**

The Administration's Response

In response to a submission from the Hong Kong Model Flying Association Limited to the Subcommittee on Subsidiary Legislation to Regulate the Operation of Small Unmanned Aircraft dated 30 August 2021, the Administration's response is set out below.

Under the Small Unmanned Aircraft Order ("the Order"), small unmanned aircraft ("SUA") is defined as unmanned aircraft with power driven machine weighing not more than 25 kg. While it does *not* cover non-power driven machines such as kites, balloons, sky lanterns, paper airplanes, etc., it covers traditional model aircraft with power-driven machine weighing not more than 25 kg. The Administration appreciates traditional model aircraft operators' concerns about the Order and that the operation mode of traditional model aircraft is different from SUA. The Civil Aviation Department ("CAD") will consider

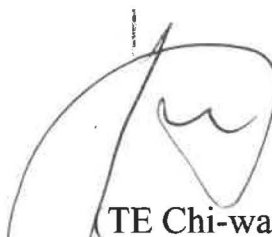
granting exemption with conditions from certain provisions (e.g. equipment requirements, operating requirements, etc.) to balance safety risks and to minimise the impact to traditional model aircraft activities, provided that the relevant venue is a controlled environment and suitable for the safe conduct of the flight activities.

Under the Order, SUA operations will be regulated under a risk-based approach. Based on the weight of the SUA and the operational risk level, SUA operations of different risk levels will be subject to the corresponding regulatory requirements. The proposed maximum flying altitude for Category A1/A2 operations is set to maintain a safe separation between SUA and helicopters to avoid threats to aviation safety. The flying altitude of helicopter is not only subject to section 5(1)(c) of Schedule 14 of the Air Navigation (Hong Kong) Order 1995 (Cap. 448C), but also other relevant sections, including but not limited to section 5(1)(e) of Schedule 14.

After the passage of the Order and before its implementation, in order to facilitate the applicants to understand the application requirements and the information required for submission, CAD will publish a Safety Requirements Document ("SRD") to provide further details including the application requirements for permission to conduct Category B operations. CAD will also launch a dedicated electronic portal for SUA which will enable the use of technology to facilitate the application process and minimise the time required for applications. With reference to CAD's past experience, the time required for processing an application mainly depends on the sufficiency and completeness of the information submitted by the applicant, as well as the complexity and potential risks of the operational plan. CAD will continue to review the application procedures so as to further reduce the application processing time.

Should the Committee has any other questions, please contact this Bureau.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'TE Chi-wang', written over a faint circular stamp or watermark.

(TE Chi-wang)
for Secretary for Transport and Housing

c.c.: Civil Aviation Department