

立法會
Legislative Council

LC Paper No. CB(1)2254/11-12
(These minutes have been seen
by the Administration)

Ref : CB1/SS/5/11

**Subcommittee on
Hong Kong Air Navigation (Fees) (Amendment) Regulation 2011 and
Civil Aviation (Aircraft Noise) (Certification) (Amendment) Regulation 2011**

**Minutes of the second meeting held on
Tuesday, 20 December 2011, at 10:45 am
in Conference Room 1 of the Legislative Council Complex**

Members present : Hon LEE Cheuk-yan
Hon LEUNG Yiu-chung
Hon Tanya CHAN

Member attending : Hon Paul TSE Wai-chun

Members absent : Hon LEE Wing-tat
Hon CHEUNG Hok-ming, GBS, JP
Hon Albert CHAN Wai-yip

Public Officers attending : Agenda item I

Mrs Sharon YIP
Deputy Secretary for Transport and Housing
(Transport)

Miss Monica CHEN
Principal Assistant Secretary for Transport and
Housing (Transport)

Mr Y K LEUNG
Deputy Director-General of Civil Aviation

Captain Victor LIU
Assistant Director-General of Civil Aviation (Flight Standards)

Mrs Helen CHEUNG
Chief Treasury Accountant
Civil Aviation Department

Mr Matthew IP
Senior Operations Officer
(Environmental Management)
Civil Aviation Department

Ms Phyllis KO
Senior Assistant Law Draftsman
Department of Justice

Attendance by invitation : Agenda item I

Individual

Mr LI Wai-hung

Individual

Ms Loletta LAU Oi-yee

Individual

Mr LAM Wai-man

Individual

Mr Raymond SIEW Wai-keung

Individual

Ms CHAN Chiu-lan

Oxford Aviation Academy HK Limited

Mr Michael FITZ-COSTA
General Manager – Hong Kong

Hong Kong Airlines Limited

Mr Kenneth THONG Wai-ping
Head of Corporate Governance

Airline Operators Committee, Hong Kong
International Airport

Mr P L CHING
Representative

Board of Airline Representatives Hong Kong

Mr Joe NG
Vice Chairman

Clerk in attendance : Mr Derek LO
Chief Council Secretary (1)6

Staff in attendance : Miss Evelyn LEE
Assistant Legal Adviser 10

Mr Ken WOO
Council Secretary (1)6

Ms Michelle NIEN
Legislative Assistant (1)6

Action

I Meeting with deputations and the Administration

(LC Paper No. CB(1)644/11-12(01) — List of follow-up actions arising from the discussion at the meeting on 8 December 2011

LC Paper No. CB(1)644/11-12(02) — Administration's response to CB(1)644/11-12(01)

- LC Paper No. CB(1)644/11-12(03) — Submission from Airline Operators Committee, Hong Kong International Airport
- LC Paper No. CB(1)644/11-12(04) — Submission from Board of Airline Representatives Hong Kong
- LC Paper No. CB(1)684/11-12(01) — Submission from Airport Development Concern Network
- LC Paper No. CB(1)684/11-12(02) — Submission from 4th Owners' Committee of Park Island)

Other relevant papers issued previously

- (L.N. 159 of 2011) — Hong Kong Air Navigation (Fees) (Amendment) Regulation 2011
- L.N. 160 of 2011 — Civil Aviation (Aircraft Noise) (Certification) (Amendment) Regulation 2011
- LC Paper No. LS7/11-12 — Legal Service Division Report
- File Ref: THB(T)A 26/15/6 — Legislative Council Brief
- LC Paper No. CB(1)553/11-12(01) — Marked-up copy of the Hong Kong Air Navigation (Fees) (Amendment) Regulation 2011
- LC Paper No. CB(1)553/11-12(02) — Marked-up copy of the Civil Aviation (Aircraft Noise) (Certification) (Amendment) Regulation 2011
- LC Paper No. CB(1)553/11-12(03) — Paper on Hong Kong Air Navigation (Fees) (Amendment) Regulation 2011 and Civil Aviation (Aircraft Noise) (Certification) (Amendment) Regulation 2011 prepared by the Legislative Council Secretariat (Background brief)

The Subcommittee deliberated (index of proceedings attached at **Annex**).

2. The Subcommittee completed the scrutiny of the Hong Kong Air Navigation (Fees) (Amendment) Regulation 2011 and Civil Aviation (Aircraft Noise) (Certification) (Amendment) Regulation 2011 ("the Amendment Regulations").

3. While the concerns of the Subcommittee on the Amendment Regulations were fully addressed at the meeting, the Subcommittee urged the Administration to explore further ways to effectively address the concerns about aircraft noise mitigation and in particular its impact on the quality of life of residents in Ma Wan. The Administration was requested to provide supplementary information on the following issues after the meeting –

- (a) the levels of noise generated by the different types of aircraft that land at the Hong Kong International Airport ("HKIA") as listed in LC Paper No. CB(1)644/11-12(02);
- (b) the number of cases in which flying aircraft deviated from the designated flight path and the corresponding number of warning letters issued by the Civil Aviation Department to the airlines concerned, and:
 - whether such deviation persisted even after the issuance of a warning letter; and
 - the mechanism on penalties in force in dealing with repeated cases of non-compliance;
- (c) the mechanism in setting the Noise Exposure Forecast ("NEF") contours and whether the Administration had undertaken to update the NEF contours every five years upon the commissioning of HKIA in 1998, and if not, the timing for the next update; and
- (d) the restrictions on the level of noise generated by flying aircraft.

4. The Chairman pointed out that the above concerns on aircraft noise mitigation involved policy considerations outside the scope of the Amendment Regulations. The Chairman suggested and members agreed

Clerk that the matter should be referred to the Panel on Economic Development for follow-up, having regard to the above information to be provided by the Administration.

(Post-meeting note: The Administration's reply was circulated to members on 12 January 2012 vide LC Paper No. CB(1)841/11-12(02)).

5. The Chairman said that a verbal report on the deliberations of the Subcommittee had been made to the House Committee ("HC") on 16 December 2011 and a written report would be submitted to HC accordingly. He reminded members that the scrutiny period for the Amendment Regulations had been extended by a resolution of the Council to 11 January 2012, and the deadline for giving notice of amendment to the Amendment Regulations was 4 January 2012.

II Any other business

6. There being no other business, the meeting ended at 1:15 pm.

Council Business Division 1
Legislative Council Secretariat
26 June 2012

**Subcommittee on
Hong Kong Air Navigation (Fees) (Amendment) Regulation 2011 and
Civil Aviation (Aircraft Noise) (Certification) (Amendment) Regulation 2011**

**Proceedings of the second meeting
on Tuesday, 20 December 2011, at 10:45 am
in Conference Room 1 of the Legislative Council Complex**

Time marker	Speaker	Subject(s)	Action required
Agenda Item I –Meeting with deputations and the Administration			
000556 – 000818	Chairman	Opening remarks by Chairman	
000819 – 001037	Mr LI Wai-hung	<p>Mr LI Wai-hung's views –</p> <p>(a) referring to the Government's policy on providing incentive for early replacement of old diesel commercial vehicles with new vehicles that complied with the prevailing statutory emission standard, the Administration could provide similar incentive to airlines to encourage the use of environmental-friendly and quieter engines in aircraft; and</p> <p>(b) there was a need to update the Noise Exposure Forecast ("NEF") contours as the percentage of night-time flights had been increased from 9.3% since the commissioning of the Hong Kong International Airport ("HKIA") to the present 20%.</p>	
001038– 001357	Ms Loletta LAU Oi-yee	<p>Ms Loletta LAU Oi-yee's views –</p> <p>(a) opposed to the Administration's indication that imposing higher charges for the operation of noisier aircraft was not in line with the existing policy;</p> <p>(b) the Government should follow the practice of some worldwide airports on introducing noise mitigation measurement and imposing higher charges for night-time flights and noisier aircraft; and</p> <p>(c) objected to the provision of the proposed third</p>	

Time marker	Speaker	Subject(s)	Action required
		runway if no effective noise mitigation measures were in place to protect Ma Wan residents from aviation noise disturbance.	
001358 – 001643	Mr LAM Wai-man	Mr LAM Wai-man's criticism for buck-passing between the various government departments and the Airport Authority Hong Kong ("AA") in tackling with the aircraft noise issue in Ma Wan. He also expressed doubt about the possible collusion between the business sector and the Government.	
001644 – 002032	Mr Raymond SIEW Wai-keung	Mr Raymond SIEW Wai-keung's remark on the buck-passing between the Government and AA. He said that the noise nuisance had seriously affected the sleeping quality of Ma Wan residents and those residing along the seafront of the Castle Peak Road.	
002033 – 002210	Ms CHAN Chiu-lan	Ms CHAN Chiu-lan's expression of grave concerns on the busy night-time flights which had seriously affected the sleeping quality of Ma Wan residents. She also worried about the operation of the proposed third runway which may further aggravate the noise issue in Ma Wan.	
002211 – 002225	Oxford Aviation Academy HK Limited	Oxford Aviation Academy HK Limited's expression that it had no comment on the fee proposals.	
002226 – 002539	Hong Kong Airlines Limited	<p>Hong Kong Airlines Limited's views –</p> <ul style="list-style-type: none"> (a) the needs of various stakeholders, including the aviation industry and the affected households, should be balanced in the course of developing the local aviation industry; (b) the noise mitigation measures of HKIA were comparable to those of other advanced international airports; (c) efforts had been made by the three top manufacturers of aircraft engines over the past five years on reducing engine noise level; and (d) imposing higher landing charges may not be effective in reducing night-time flights as some of them were scheduled to tie in with connecting flights at other overseas airports. 	

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002540 – 002808	Airline Operators Committee, Hong Kong International Airport	Presentation of views (LC Paper No. CB(1)644/11-12(03))	
002809 – 003054	Board of Airline Representatives Hong Kong (BAR)	Presentation of views (LC Paper No. CB(1)644/11-12(04))	
003055 – 004047	Chairman Administration	<p>Administration's response to views of deputations –</p> <p>(a) the Hong Kong Air Navigation (Fees) (Amendment) Regulation 2011 and Civil Aviation (Aircraft Noise) (Certification) (Amendment) Regulation 2011 ("the Amendment Regulations") aimed at revising the fees and charges under the Hong Kong Air Navigation (Fees) Regulations and adjusting the fees under the Civil Aviation (Aircraft Noise) (Certification) Regulations. It was the Government's policy to set fees and charges at a level sufficient to recover the full cost of providing the services, and the Amendment Regulations were made accordingly to achieve full cost recovery;</p> <p>(b) imposing higher charges for the operation of noisier aircraft could not be effected under the Amendment Regulations, as airport charges schemes were under the ambit of the Airport Authority Ordinance (Cap 483);</p> <p>(c) levying landing charges on the basis of the noise level generated by the aircraft might not be an effective tool in mitigating aircraft noise. If it was set at a low level, it would have little effect in discouraging noisy aircraft, and if set too high, it would drive away flights to other regional aviation hubs, and thus undermine Hong Kong's competitiveness as an international and regional aviation hub;</p> <p>(d) more detailed NEF contour forecasts would be carried out in subsequent studies under the statutory Environmental Impact Assessment process in the context of the third runway proposal;</p>	

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		<p>(e) in accordance with international practices, all aircraft landing in HKIA had to meet the stringent noise standard stipulated in Annex 16 to the Convention on International Civil Aviation promulgated by the International Civil Aviation Organization ("ICAO"). Noisy jet aircraft which did not meet the noise standards in Chapter 3, Part II, Volume I of Annex 16 were prohibited from operation in Hong Kong;</p> <p>(f) aircraft noise was expected to be mitigated with newer aircraft producing less noise and the continued review and improvements made to the flight paths and procedures;</p> <p>(g) the Civil Aviation Department ("CAD") operated the Aircraft Noise and Flight Tracking Monitoring System ("ANFTMS") with 16 noise monitoring stations located in the vicinity of the flight paths to closely monitor aircraft noise. The noise data collected by these stations were made available for public information on CAD's website;</p> <p>(h) aircraft were required to adhere to the designated flight paths and flight procedures promulgated by CAD for the purpose of noise mitigation. CAD would investigate into each case of flight path deviation;</p> <p>(i) the aviation industry played a pivotal role in the overall economic development of Hong Kong and there was no collusion between the business sector and the Government on aviation policies; and</p> <p>(j) the Government would duly take into account the difficulties the aviation industry faced in case there was a downturn in economy, and suitable assistance would be rendered accordingly.</p>	
004048 – 004157	Chairman Administration	<p>Chairman's enquiry on whether the NEF contours would be updated in the light of the increased percentage of night-time flights as pointed out by Mr LI Wai-hung.</p> <p>Administration's explanation that NEF contours were</p>	

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		<p>to facilitate land use planning so that noise-sensitive uses would not be located within the NEF contours. The contours would not be used for measuring or regulating noise level. The NEF contours would be updated if the third runway proposal was to be taken forward.</p>	
004158 – 005251	Chairman Mr LEUNG Yiu-chung	<p>Mr LEUNG Yiu-chung's enquiries –</p> <ul style="list-style-type: none"> (a) whether the Government would give consideration to the impact of aviation activities on the environment, in addition to the principle of full-cost recovery, in formulating aviation-related fees and charges; (b) the number of all-cargo daytime aircraft flights in winter and summer seasons showed a difference and whether such a difference would mean extra time slots for night-time flights to be rescheduled to daytime; and (c) whether more daytime flights could be arranged if the capacity of HKIA was yet to be saturated. <p>Administration's response –</p> <ul style="list-style-type: none"> (a) the Amendment Regulations were made to impose fees and charges on local airlines only and it would be unfair to raise fees and charges for noisier aircraft operations just for these airlines; and (b) the flight schedule of HKIA was determined by the availability of landing slots for both HKIA and the destination airports, which had been coordinated between HKIA and the airports worldwide. Most passenger flights had in fact been scheduled in daytime having regard to the needs and convenience of the passengers. <p>Chairman's enquiry on whether it was common for overseas airports to impose restrictions on landing hours and, if so, its impact on HKIA's flight schedule. He also invited deputations from the industry to respond to his enquiry.</p>	

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005252 – 005734	Chairman Ms Loletta LAU Oi-yee	<p>Ms Loletta LAU Oi-yee's further views –</p> <ul style="list-style-type: none"> (a) night-time aircraft noise was getting increasingly annoying to Ma Wan residents, noise mitigation measures must be introduced if the third runway project was to take forward; (b) the Government had committed to updating NEF contours every five years upon the commissioning of HKIA; (c) as the Government had reiterated its response to the repeated complaints made by Ma Wan residents that some mid-night flights were so scheduled to tie in with the noise mitigation measurement of the destination airports, the Government should consider similar noise mitigation measurement to night-time flights to and from Hong Kong; and (d) the impact of aviation on the environment should be given consideration in the formulation and revision of all aviation-related policies. 	
005735 – 005835	Chairman Mr LI Wai-hung	<p>Mr LI Wai-hung's remark that aircraft still produced noise at an unacceptable level even they adhered strictly to the designated flight paths. He criticized the Administration for taking deviation from the designated flight paths as the only factor when considering whether a noise complaint was substantiated.</p>	
005836 – 010148	Chairman Mr LAM Wai-man	<p>Mr LAM Wai-man's enquiries –</p> <ul style="list-style-type: none"> (a) the relevant legislation in place that governed aircraft noise; (b) the number of cases in which flying aircraft deviated from the designated flight path and the corresponding number of warning letters issued to the airlines concerned, as at least two flights were found to have reached a noise level of over 80 decibels every night between 11 pm and 7 am; and (c) in connection with the options in the Administration's consultancy study conducted in 	

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		2010 on mitigating aircraft noise, whether the Administration would accede to Ma Wan residents' request for implementing Option I instead of Option J.	
010149 – 010427	Chairman Mr Raymond SIEW Wai-keung	Mr Raymond SIEW Wai-keung's further remarks – (a) the Government had committed to updating the NEF contours every five years upon the commissioning of HKIA in 1998; (b) the integrity of the NEF contours planned by the Administration was questioned as in an independent study conducted by the Institute of Vocational Education in 2008, Ma Wan was found to be located within NEF 25.4 and aircraft should therefore be disallowed from flying over Ma Wan; and (c) it was questionable for the Hong Kong International Airport Master Plan 2030 to project that Chapter 4 aircraft would be used for night-time flights in 2030, as it had been a common practice for airlines to deploy older aircraft models as freighters to fly at night-time.	
010428 – 010742	Chairman Hong Kong Airlines Limited	Hong Kong Airlines Limited's views – (a) passenger flights departing HKIA at around 11 pm would reach the Heathrow Airport at local time around 6 am while those departing in the morning would reach Heathrow in the afternoon. Some night-time flights were important as they allowed passengers to reach the destinations in daytime to match with the daytime business activities there; (b) in view of the increasingly intense competition from airports in Shenzhen and Guangzhou, it was important that HKIA was capable of scheduling cargo flights in a very coordinated manner such that the transshipment of cargoes could be made within 60 to 90 minutes to satisfy the just-in-time mode of operation of the cargo industry; and (c) with an increased handling capacity made possible by the proposed third runway, the	

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		<p>industry would be ready to consider scheduling more of their flights in daytime as night-time flights were more costly.</p> <p>Noting the difference in the number of all-cargo flights in daytime between winter and summer seasons, the Chairman asked whether such a difference would mean extra daytime slots available in the winter for taking up night-time flights. In response, Hong Kong Airlines Limited advised that the schedule for cargo flights had been coordinated between HKIA and the airports worldwide having regard to a number of factors, including seasonal factors.</p>	
010743 – 011328	Chairman Administration	<p>Administration's response to the further views of deputations –</p> <p>(a) reiterated the ambit of the Amendment Regulations and the aircraft noise monitoring measures by CAD; and</p> <p>(b) while Option I could reduce the number of high noise occurrences to a greater extent for Ma Wan, it inevitably subject other districts to a higher degree of aircraft noise; whereas Option J could reduce the noise occurrences at Ma Wan to a lesser extent than Option I without affecting other districts. It should thus be implemented in the meantime to bring about improvement for the time being. The Administration would continue to explore other measures to mitigate the impact of aircraft noise on Ma Wan.</p>	
011329 – 012432	Chairman Mr LEUNG Yiu-chung Hong Kong Airlines Limited Administration	<p>Mr LEUNG Yiu-chung's view that ANFTMS was of little use on mitigating aircraft noise if a noise level restriction was not duly imposed. He also made the following enquiries –</p> <p>(a) the follow-up action for the data collected by the 16 noise monitoring stations; and</p> <p>(b) whether the proposed third runway could help the rescheduling of flights from night-time to daytime if these flights were bound by the seasonal factors as highlighted above by the Hong Kong Airlines Limited.</p>	

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		<p>Hong Kong Airlines Limited's explanation –</p> <ul style="list-style-type: none">(a) around 23% to 25% of cargo flights operated by Hong Kong Airlines Limited were not limited by the restrictions imposed by the destination airports all year round and this percentage would be even higher for all-cargo flights operated by other airlines. These flights could thus be arranged to fly in daytime made possible by the provision of the proposed third runway;(b) airlines had in fact been very vigilant about meeting the noise standard promulgated by ICAO; and(c) the Hong Kong Airlines Limited recognized the stringent control imposed by CAD to ensure compliance with the relevant ICAO standard. There were cases in which landing were disallowed at HKIA for banned aircraft types that created serious noise pollution. <p>Administration's elaboration on the following measures on controlling aircraft noise –</p> <ul style="list-style-type: none">(a) in tackling aircraft noise at source, all aircraft landing in HKIA had to meet the noise standard promulgated by ICAO;(b) in minimizing the noise nuisance of flying aircraft, aircraft were required to follow the Noise Abatement Departure Procedures prescribed by ICAO so long as safe flight operations permitted, which included commencing engine power reduction in the initial phase of take-off at heights as low as 800 feet and adopting the Continuous Descent Approach to enhance quieter arrivals; and(c) in monitoring aircraft noise, ANFTMS collected noise data which enabled CAD to investigate any noise complaints. <p>Chairman's expression of doubt on the effectiveness of the above measures in view of the existing aircraft noise nuisance.</p>	

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012433 – 013751	Chairman Mr Paul TSE Administration	<p>Mr Paul TSE's emphasis on striking a balance between economic development and environmental protection. He also enquired on the following –</p> <ul style="list-style-type: none"> (a) whether CAD had the power to confine the landing hours for particular cargo flights which created serious noise pollution and, if so, the number of times such power was exercised; (b) whether airports in other jurisdictions imposed different charges with regard to landing hours, aircraft types and their noise level and, if so, the relevant details; (c) in relation to ANFTMS currently in use, whether enforcement action had been taken against aircraft which were found to have deviated from the designated flight paths, and if so, the number of warnings and prosecutions made; (d) in connection with the consultancy study mentioned above, whether the Administration would accede to Ma Wan residents' request for implementing Option I as the option would greatly alleviate the noise problem in Ma Wan; and (e) if certain night-time flights were, as suggested by some deputations, rescheduled to fly in daytime, the costs involved and the impact on the current handling capacity and the competitiveness of HKIA. <p>Administration's response –</p> <ul style="list-style-type: none"> (a) the flight schedule of HKIA needed extensive coordination with destination airports having regard to various interrelated considerations and reciprocal arrangements, and the schedule had been made to meet the operational needs of the industry as far as practicable; (b) as requested by members at the last meeting of the Subcommittee, information on the permitted landing hours and landing charges for overseas airports was being gathered and would be provided to the Subcommittee once available; 	

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		<p>(c) reiterated the Administration's proposal on implementing Option J under the consultancy study; and</p> <p>(d) while aircraft were required to adhere to the designated flight paths and flight procedures promulgated by CAD for the purpose of noise mitigation, deviation from designated flight paths might happen, such as for the avoidance of inclement weather conditions. CAD would investigate into each case of flight path deviation, and in cases where the airlines could not provide reasonable explanation for such deviation or for recurrences, CAD had issued warning letters to airlines in the past requiring them to explain any deviations from the designated flight paths. Cases of unsubstantiated deviations would also be subject to internal disciplinary procedures of individual airline companies.</p>	
013752 – 014342	Chairman Miss Tanya CHAN Administration	<p>Miss Tanya CHAN's enquiries –</p> <p>(a) the role of the Environment Bureau, if any, on tackling the issue of aircraft noise; and</p> <p>(b) the bureaux/parties to be consulted, if any, and the criteria applied in determining and making revisions to airport charges.</p> <p>Administration's response –</p> <p>(a) CAD was responsible for regulating aircraft noise; and</p> <p>(b) subject to the approval of the Chief Executive in Council, AA formulated and implemented the scheme of airport charges. Consultation with bureaux/departments was not required in the relevant process.</p>	
014343 – 014616	Chairman BAR	<p>BAR's remarks –</p> <p>(a) the industry had all along been working with CAD on reducing carbon emission and noise nuisance;</p> <p>(b) the increase in the passenger aircraft in summer</p>	

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		<p>season was attributable to the greater demand in the season;</p> <p>(c) imposing a higher charge for flights at night might not be an effective deterrent as the flights may have to be so scheduled to tie in with connecting flights at other overseas airports; lowering the charge for daytime flights may also not be effective in view of the fact that the capacity of HKIA was close to saturation; and</p> <p>(d) with the proposed third runway, the air traffic movements of HKIA could be increased from 68 movements per hour at present to 102 movements per hour, thus making it possible for the rescheduling of some night-time flights to daytime.</p>	
014617 – 014725	Chairman Ms Loletta LAU Oi-yee	Ms Loletta LAU Oi-yee's further comment that the capacity constraint which HKIA would be facing shortly could be solved by making enhancements to the present two-runway system. The proposed third runway would not provide an effective solution to the noise issue.	
014726 – 014955	Chairman Mr LAM Wai-man	<p>Mr LAM Wai-man's emphasis on the following –</p> <p>(a) punitive measures must be introduced to provide sufficient deterrence to airlines which deviated from the designated flight paths and procedures; and</p> <p>(b) the Administration should implement Option I as set out in the above consultancy study in order to bring immediate noise relief to Ma Wan.</p>	
014956 – 015208	Chairman Mr Raymond SIEW Wai-keung	<p>Mr Raymond SIEW Wai-keung's further comments –</p> <p>(a) criticized the Government for pursuing economic development at the expense of the well-being of its citizens as evident by the lack of effective policy on aircraft noise control; and</p> <p>(b) urged the Administration to mitigate aircraft noise as households along the Villa Esplanada, Sham Tseng and Tsing Lung Tau were also seriously affected.</p>	

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015209 – 020059	Chairman Mr LEUNG Yiu-chung Mr Paul TSE Administration	<p>Chairman's request for information on the levels of noise generated by the different types of aircraft that land at HKIA as listed in LC Paper No. CB(1)644/11-12(02).</p> <p>Mr LEUNG Yiu-chung's request for information on the following –</p> <p>(a) the number of cases in which flying aircraft deviated from the designated flight path and the corresponding number of warning letters issued by CAD to the airlines concerned, and:</p> <ul style="list-style-type: none"> - whether such deviation persisted even after the issuance of a warning letter; and - the mechanism on penalties in force in dealing with repeated cases of non-compliance; <p>(b) the mechanism in setting the NEF contours and whether the Administration had undertaken to update the NEF contours every five years upon the commissioning of HKIA in 1998, and if not, the timing for the next update; and</p> <p>(c) the restrictions on the level of noise generated by flying aircraft.</p> <p>Mr Paul TSE's request for clarifying the updating of the NEF contours and taking measures to address residents' grave concern on aircraft noise.</p> <p>Administration's response that CAD had not made any prosecutions against any airlines in cases of flight-path deviation as none of the cases posed serious threat to aviation safety.</p>	<p>Administration to provide information as requested in paragraph 3(a) of the minutes.</p> <p>Administration to provide information as requested in paragraph 3(b) of the minutes.</p> <p>Administration to provide information as requested in paragraph 3(c) of the minutes.</p> <p>Administration to provide information as requested in paragraph 3(d) of the minutes.</p>
020100 – 020544	Chairman Administration	Chairman's remark that the above concerns on aircraft noise mitigation involved policy considerations outside the scope of the Amendment Regulations. Chairman suggested and members agreed that the	Clerk to refer discussions to the Panel on Economic

Time marker	Speaker	Subject(s)	Action required
		matter should be referred to the Panel on Economic Development for follow-up, having regard to the above information to be provided by the Administration.	Development as requested in paragraph 4 of the minutes.
020545 – 020743	Chairman Administration	<p><u>Clause-by-clause examination of the Civil Aviation (Aircraft Noise) (Certification) (Amendment) Regulation 2011</u></p> <p><u>Section 1 – Commencement</u></p> <p><u>Section 2 – Civil Aviation (Aircraft Noise) (Certification) Regulations amended</u></p> <p><u>Section 3 – Second Schedule amended (fees)</u></p> <p>Members raised no question on Sections 1 to 3.</p>	
020744 – 022238	Chairman Administration	<p><u>Clause-by-clause examination of the Hong Kong Air Navigation (Fees) (Amendment) Regulation 2011</u></p> <p><u>Section 1 – Commencement</u></p> <p><u>Section 2 – Hong Kong Air Navigation (Fees) Regulations amended</u></p> <p><u>Section 3 – Regulation 2 amended (interpretation)</u></p> <p><u>Section 4 – Regulation 4 substituted</u></p> <p><u>Section 5 – Regulation 4A added</u></p> <p><u>Section 6 – Regulation 5 repealed (official flying tests fees)</u></p> <p>Members raised no question on Sections 1 to 6.</p> <p><u>Section 7 – Schedule amended (fees)</u></p> <p>Administration's explanation in response to the Chairman –</p> <p>(a) a fee was not currently imposed on applicants taking examinations for aircraft maintenance engineer licence. New fee items were proposed to cover the costs for conducting the examinations, for the approval of training</p>	

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		<p>courses, and of persons providing the training, conducting examinations or furnishing reports; and</p> <p>(b) for an applicant holding a licence to act as a flight crew member issued in a jurisdiction outside Hong Kong, a new fee at a rate of \$2,055 would be introduced for the grant of a licence to such applicant to act as a flight crew member locally. This fee would cover the assessment made by CAD on the applicant as to what examinations should be taken in Hong Kong and what would be exempted. On the other hand, the fee for all other applicants would be increased from \$170 to \$1,100.</p>	
022239 – 022310	Chairman	<p>Chairman's remark that the Subcommittee had completed the scrutiny of the Amendment Regulations. A verbal report on the deliberations of the Subcommittee had been made to the House Committee ("HC") on 16 December 2011 and a written report would be submitted to HC accordingly. He reminded members that the scrutiny period for the Amendment Regulations had been extended by a resolution of the Council to 11 January 2012, and the deadline for giving notice of amendment to the Amendment Regulations was 4 January 2012.</p>	