

立法會參考資料摘要

《民航條例》
(第 448 章)

《民航(飛機噪音)條例》
(第 312 章)

2011 年香港飛航(費用)(修訂)規例

2011 年民航(飛機噪音)(證明)(修訂)規例

引言

A 在二零一一年十一月八日的會議上，行政會議建議，署理行政長官指令制訂《2011 年香港飛航(費用)(修訂)規例》(載於附件 A)，以修訂《香港飛航(費用)規例》訂明的費用及收費。

B 2. 財經事務及庫務局局長同時制訂《2011 年民航(飛機噪音)(證明)(修訂)規例》(載於附件 B)，以修訂《民航(飛機噪音)(證明)規例》訂明的費用。此規例的目的是把申請批給噪音標準合格證明書和發出噪音標準合格證明書複本的費用，調低至相關的全部成本。

理據

3. 根據政府政策，一般而言，各項費用及收費所訂水平，應該足以悉數收回提供服務的成本。民航處已檢討《香港飛航(費用)規例》及《民航(飛機噪音)(證明)規例》所訂的民航費用及收費。

4. 目前，部分服務徵收的費用及收費並非悉數收回服務成本，該等服務收回成本的比率介乎 5%至大約 80%。此外，民航處又為航空業界免費提供若干服務，例如審批飛行模擬器，以及飛機維修工程師執照考試。收費建議旨在貫徹政府所提供的服務悉數收回服務成本的原則。

5. 現有費用項目之中有六項高於成本，而續發執照認可證的費用則已經過時。現藉此機會，一次過把費用高於成本的項目下調至相關的全部成本水平，同時刪除已經過時的費用。另一方面，對於一些涉及相近工作程序的申請項目，民航處亦已簡化這些費用項目的結構。

6. 現有費用及收費的收回成本總比率約為91.5%。當費用建議全面實施後，便會達致悉數收回成本。

7. 費用建議不會對航空業帶來顯著影響，亦不會損害香港作為區內航空樞紐的競爭力。民航處各項費用只佔航空公司總經營開支不足 1%，因此應不會對航空公司的營運構成不恰當的財政負擔。對本港規模較大的航空公司來說，所佔的百分比會更低。

C 8. 費用建議的詳情載於**附件 C**。費用建議對相關持
D 份者的影響評估載於**附件 D**。

修訂規例

9. 修訂規例的主要條文如下 -

- (a) 訂定條文，為支付《香港飛航(費用)規例》附表所訂費用提供依據；
- (b) 調整若干費用的水平，以期悉數收回成本；
- (c) 就《1995 年飛航(香港)令》所訂的若干事項訂立新收費項目；
- (d) 簡化批出或續發空勤人員執照的考試費架構；

(e) 刪除續發認可證的費用；以及

(f) 反映已經取消正式飛行測試。

立法程序時間表

10. 我們會在二零一一年十一月十八日在憲報刊登《2011年香港飛航(費用)(修訂)規例》及《2011年民航(飛機噪音)(證明)(修訂)規例》，並在十一月二十三日提交立法會審議。修訂規例的目標生效日期為二零一二年一月十三日。

建議的影響

E 11. 費用建議對財政影響載於**附件 E**。推行費用建議無須增加員工。費用建議對經濟影響甚微，因為加費導致的額外成本，與航空業界的總營運成本相比，並不顯著。費用建議符合《基本法》的規定，包括有關人權的條文。該等建議不影響現行法例的約束力，對生產力和環境沒有影響，對可持續發展亦沒有重大影響。

公眾諮詢

12. 我們已諮詢航空發展諮詢委員會轄下的技術小組委員會、機場管理局、航空業界(包括本港航空公司)、航空公司委員會、香港航空公司代表協會、香港航空公司機師協會、英國皇家飛行員及導航員協會香港區，以及其他的有關機構如香港工程師學會、香港飛行總會、飛機維修及設計機構、飛行訓練機構和維修訓練機構。

13. 部分持份者雖然明白用者自付原則，但仍對該原則應用於其所屬民航業領域表示關注。我們解釋，由於民航處的費用是向商業機構和專業人員徵收的，因此在整個民航業實行用者自付原則，實屬恰當。

14. 持份者亦關注我們建議大幅調高若干收費，尤其是航空運輸企業經營許可證和視察維修或設計機構的最高費用。我們解釋，建議相關項目分三年加費，是要在使用者的利益與政府悉數收回成本的政策之間求取平衡，因此實屬合理。我們認為並無充分理由支持延長分期加費。

15. 關於按調查成本釐定的民航處費用及收費計算詳情，我們同意日後在付款通知書上提供更多資料，包括員工的工作時數，以及海外公幹的資料。

16. 二零一一年三月二十八日，我們就費用建議諮詢立法會經濟發展事務委員會。同年六月二十七日，我們就費用建議向委員會提供更多資料。委員會支持費用建議。我們向委員保證，民航處會定期檢討工作程序，以盡量減低提供服務的成本。對於為回應市民的關注而向噪音較高飛機徵收較高收費的建議，我們解釋這並不符合現行政策。

宣傳安排

17. 我們會在二零一一年十一月十六日發出新聞稿，並安排發言人解答查詢。

背景

18. 《香港飛航(費用)規例》及《民航(飛機噪音)(證明)規例》訂明民航處徵收的民航費用及收費。這些規例所訂的大部分費用對上一次在一九八六年調整¹。

¹ 除外的費用及收費為數項與簽發空勤人員執照有關的考試費(對上一次在一九九零年調整)，有關噪音標準合格證明書的費用(對上一次在一九九六年調整)，以及簽發機場牌照的最高費用(對上一次在一九九八年調整)。

查詢

19. 如對本摘要有任何查詢，請與運輸及房屋局首席助理秘書長（運輸）陳美嘉女士（電話號碼：2189 7719）聯絡。

運輸及房屋局
二零一一年十一月十六日

《2011 年香港飛航(費用)(修訂)規例》

(由行政長官在徵詢行政會議的意見後根據《1995 年飛航(香港)令》(第 448 章，附屬法例 C)第 97 條訂立)

1. 生效日期

本規例自 2012 年 1 月 13 日起實施。

2. 修訂《香港飛航(費用)規例》

《香港飛航(費用)規例》(第 448 章，附屬法例 D)現予修訂，修訂方式列於第 3 至 7 條。

3. 修訂第 2 條(interpretation)

(1) 第 2(1)條，*Order* 的定義 —

廢除

“the Air Navigation (Overseas Territories) Order 1977”

代以

“the Air Navigation (Hong Kong) Order 1995 (Cap. 448 sub. leg. C)”。

(2) 第 2(1)條 —

按筆劃數目順序加入

“*investigation* includes inspection, examination, calculation and test;”。

4. 取代第 4 條

第 4 條 —

廢除該條

代以

“4. Payment of application fees to Director

- (1) This regulation applies to each fee set out in the Schedule, other than that in paragraph 8(5) or 11(6), (9) or (12) of the Schedule.
- (2) The fee set out in the Schedule in respect of a matter is payable to the Director at the time of the application in relation to the matter.
- (3) Despite paragraph (2), a fee is payable to the Director at the Director's request if its amount is determined by reference to the cost of the investigations for the purpose of the matter or the cost of preparing a copy or replacement of a document.
- (4) If no request under paragraph (3) has been made for the payment of a fee, the Director may require that a deposit of an amount specified by the Director must be paid before the application in relation to the matter is entertained.
- (5) If the cost of the investigations for the purpose of the matter or the cost of preparing a copy or replacement of a document exceeds the amount of the deposit payable under paragraph (4), the difference between that cost and that amount is payable to the Director at the Director's request.
- (6) If the cost of the investigations for the purpose of the matter or the cost of preparing a copy or replacement of a document is less than the amount of the deposit payable under paragraph (4), the Director must refund to the applicant the difference between that cost and that amount.
- (7) The amount payable under paragraph (3), or the aggregate amount payable under paragraphs (4) and (5),

must not exceed the maximum amount of the fee set out in the Schedule in respect of the matter.

- (8) Paragraphs (2), (3), (4), (5), (6) and (7) apply even if the application in relation to the matter is refused or withdrawn or otherwise ceases to have effect.”。

5. 加入第 4A 條

在第 4 條之後 —

加入

“4A. Payment of certain investigation fees to Director

The fee set out in paragraph 8(5) or 11(6), (9) or (12) of the Schedule is payable to the Director at the Director’s request.”。

6. 廢除第 5 條(official flying tests fees)

第 5 條 —

廢除該條。

7. 修訂附表(fees)

(1) 附表 —

廢除

“[reg. 3]”

代以

“[regs. 3, 4, 4A & 6]”。

(2) 附表，在緊接第 1 段之前的標題，在“4(8)”之後 —

加入

“of the Order”。

(3) 附表，第 1 段 —

廢除

在“an aircraft”之後的所有字句

代以

“is \$660.”。

(4) 附表，在緊接第 2 段之前的標題，在“6(2)”之後 —

加入

“of the Order”。

(5) 附表，第 2 段 —

廢除第(1)節

代以

“(1) The fee for the grant or variation of an air operator’s certificate is an amount equal to the cost of making the investigations required by the Chief Executive as to the applicant’s competency, but not exceeding (whichever of the following is applicable)—

(a) the aggregate of the amount determined in accordance with subparagraph (2)(a)(i) and the amount determined in accordance with subparagraph (2)(a)(ii) or (2)(a)(iii), or both subparagraphs (2)(a)(ii) and (2)(a)(iii), as the case may be;

(b) the aggregate of the amount determined in accordance with subparagraph (2)(b)(i) and the amount determined in accordance with subparagraph (2)(b)(ii) or (2)(b)(iii), or both subparagraphs (2)(b)(ii) and (2)(b)(iii), as the case may be;

(c) the aggregate of the amount determined in accordance with subparagraph (2)(c)(i) and the

amount determined in accordance with subparagraph (2)(c)(ii) or (2)(c)(iii), or both subparagraphs (2)(c)(ii) and (2)(c)(iii), as the case may be.”。

(6) 附表·第 2 段 —

廢除第(2)節

代以

“(2) The maximum amounts under this paragraph are—

(a) where the application for the grant or variation is made on or after 13 January 2012 but before 13 January 2013—

(i)	Maximum total weight authorized	For heaviest aircraft type in applicant's fleet of aircraft	For every other aircraft type in applicant's fleet
(A)	not over 2 tonnes	\$19,300	\$9,660
(B)	over 2 but not over 55 tonnes	\$96,000	\$48,000
(C)	over 55 but not over 100 tonnes	\$128,000	\$64,000
(D)	over 100 but not over 160 tonnes	\$193,100	\$96,550
(E)	over 160 tonnes	\$386,300	\$193,100;

(ii) \$1.70 for each 1 000 passenger kilometres

(or part thereof);

(iii) \$20 for each 1 000 freight tonne kilometres (or part thereof);

(b) where the application for the grant or variation is made on or after 13 January 2013 but before 13 January 2014—

(i)	Maximum total weight authorized	For heaviest aircraft type in applicant's fleet of aircraft	For every other aircraft type in applicant's fleet
(A)	not over 2 tonnes	\$53,300	\$26,650
(B)	over 2 but not over 55 tonnes	\$264,900	\$132,500
(C)	over 55 but not over 100 tonnes	\$353,200	\$176,600
(D)	over 100 but not over 160 tonnes	\$532,800	\$266,400
(E)	over 160 tonnes	\$1,065,700	\$532,800;

(ii) \$4.60 for each 1 000 passenger kilometres (or part thereof);

(iii) \$53.30 for each 1 000 freight tonne kilometres (or part thereof);

(c) where the application for the grant or variation is made on or after 13 January 2014—

- (i)
- | | Maximum total weight authorized | For heaviest aircraft type in applicant's fleet of aircraft | For every other aircraft type in applicant's fleet |
|---|---------------------------------|---|--|
| (A) not over 2 tonnes | | \$147,000 | \$73,500 |
| (B) over 2 but not over 55 tonnes | | \$730,900 | \$365,500 |
| (C) over 55 but not over 100 tonnes | | \$974,600 | \$487,300 |
| (D) over 100 but not over 160 tonnes | | \$1,470,300 | \$735,100 |
| (E) over 160 tonnes | | \$2,940,600 | \$1,470,300; |
| (ii) \$12.60 for each 1 000 passenger kilometres (or part thereof); | | | |
| (iii) \$147 for each 1 000 freight tonne kilometres (or part thereof)." | | | |
- (7) 附表，在緊接第 3 段之前的標題 —
廢除
“Article 7(1)(e)”
代以
“Article 7(1A)(e) of the Order”。
- (8) 附表，在緊接第 4 段之前的標題 —
廢除

- “First Issue of Certificate of Airworthiness (Article 8(1))”
代以
“Issue of Certificate of Airworthiness (Article 8(1) of the Order)”。
- (9) 附表，第 4(1)段 —
廢除
“first”。
- (10) 附表，第 4(1)(a)段 —
廢除
在“glider or”之後的所有字句
代以
“balloon—
- | | |
|---|-----------|
| (i) for an application made on or after 13 January 2012 but before 13 January 2013 | \$720 |
| (ii) for an application made on or after 13 January 2013 but before 13 January 2014 | \$1,920 |
| (iii) for an application made on or after 13 January 2014 | \$5,040”。 |
- (11) 附表，第 4(2)段 —
廢除
“first”。
- (12) 附表，第 4(2)(a)段 —
廢除

在“glider or”之後的所有字句

代以

“balloon—

- | | |
|---|-----------|
| (i) for an application made on or after 13 January 2012 but before 13 January 2013 | \$720 |
| (ii) for an application made on or after 13 January 2013 but before 13 January 2014 | \$1,920 |
| (iii) for an application made on or after 13 January 2014 | \$5,040”。 |

- (13) 附表，在緊接第 5 段之前的標題，在“8(1)”之後 —

加入

“of the Order”。

- (14) 附表，在緊接第 6 段之前的標題 —

廢除

“Article 8(1) and (6)”

代以

“Article 8(6) of the Order”。

- (15) 附表，第 6(a)段 —

廢除

“\$270”

代以

“\$340”。

- (16) 附表，第 6(b)段 —

廢除

“\$270”

代以

“\$340”。

- (17) 附表，第 6(c)段 —

廢除

“\$420”

代以

“\$340”。

- (18) 附表，在緊接第 7 段之前的標題，在“(6)”之後 —

加入

“of the Order”。

- (19) 附表，第 7(1)段 —

廢除

所有“first”。

- (20) 附表，在緊接第 8 段之前的標題 —

廢除

“11(5)(e)”

代以

“11(6)(c) of the Order”。

- (21) 附表 —

廢除第 8 段

代以

- “8. (1) This paragraph applies to an approval under Article 8(8) or 11(6)(c) of the Order.
- (2) Subject to subparagraphs (3) and (4), the application fee for the grant or variation of an approval is—
- (a) where the application is made on or after 13 January 2012 but before 13 January 2013—
- (i) for the investigations required by the Chief Executive for the purpose of the grant or any variation of the approval, \$7,700; or
- (ii) if the cost of making those investigations exceeds \$7,700, an amount equal to that cost but not exceeding \$192,800;
- (b) where the application is made on or after 13 January 2013 but before 13 January 2014—
- (i) for the investigations required by the Chief Executive for the purpose of the grant or any variation of the approval, \$11,150; or
- (ii) if the cost of making those investigations exceeds \$11,150, an amount equal to that cost but not exceeding \$278,500; or
- (c) where the application is made on or after 13 January 2014—
- (i) for the investigations required by the Chief Executive for the purpose of the grant or any variation of the approval, \$16,100; or
- (ii) if the cost of making those investigations exceeds \$16,100, an amount equal to that cost but not exceeding \$402,500.
- (3) The application fee mentioned in subparagraph (2) for the grant of an approval under Article 8(8) of the Order is \$0 if—

- (a) the applicant was granted an approval under Article 8(8) of the Order; and
- (b) the approval is still in force when the application is made.
- (4) The application fee mentioned in subparagraph (2) for the grant of an approval under Article 11(6)(c) of the Order is \$0 if—
- (a) the applicant was granted an approval under Article 11(6)(c) of the Order; and
- (b) the approval is still in force when the application is made.
- (5) The fee for making the investigations required by the Chief Executive for the purpose of satisfying himself or herself that an approval (including any subsequent approval) should remain in force is as follows—
- (a) in respect of the initial period (or part of it) during which the approval remains in force—
- (i) where the first day of the initial period falls on or after 13 January 2012 but before 13 January 2013, \$7,700 or, if the cost of making those investigations exceeds \$7,700, an amount equal to that cost but not exceeding \$192,800;
- (ii) where the first day of the initial period falls on or after 13 January 2013 but before 13 January 2014, \$11,150 or, if the cost of making those investigations exceeds \$11,150, an amount equal to that cost but not exceeding \$278,500; or
- (iii) where the first day of the initial period falls on or after 13 January 2014, \$16,100 or, if the cost of making those investigations exceeds

- \$16,100, an amount equal to that cost but not exceeding \$402,500; and
- (b) in respect of each subsequent financial year (or part of it) during which the approval remains in force—
- (i) where the financial year begins on 1 April 2012, \$7,700 or, if the cost of making those investigations exceeds \$7,700, an amount equal to that cost but not exceeding \$192,800;
- (ii) where the financial year begins on 1 April 2013, \$11,150 or, if the cost of making those investigations exceeds \$11,150, an amount equal to that cost but not exceeding \$278,500; or
- (iii) where the financial year begins on or after 1 April 2014, \$16,100 or, if the cost of making those investigations exceeds \$16,100, an amount equal to that cost but not exceeding \$402,500.
- (6) In this paragraph—
initial period, in relation to an approval, means the period beginning on the date on which the approval comes into force and ending on 31 March next following;
subsequent approval, in relation to an approval, means—
- (a) any subsequent approval granted as a result of an application made while the approval is in force; and
- (b) any approval granted as a result of an application made while any subsequent approval mentioned in paragraph (a) is in force.”
- (22) 附表，在緊接第 9 段之前的標題，在“Part III”之後 —
 加入
 “of the Order”。

- (23) 附表，在緊接第 10 段之前的標題，在“14(5)”之後 —
 加入
 “of the Order”。
- (24) 附表，在緊接第 11 段之前的標題，在“12”之後 —
 加入
 “of the Order”。
- (25) 附表，第 11 段 —
 將該段重編為第 11(1)段。
- (26) 附表，第 11(1)(a)段 —
 廢除
 “or inclusion in a licence without type rating”
 代以
 “a licence without type rating or for the inclusion of a category or sub-division of a category in a licence”。
- (27) 附表，第 11(1)(a)(i)段 —
 廢除
 “for each sub-division of a category”。
- (28) 附表，第 11(1)(a)(i)段 —
 廢除
 “\$ 80”
 代以
 “\$605”。
- (29) 附表，第 11(1)(a)(ii)段 —
 廢除

- “\$130”
代以
“\$605”。
- (30) 附表，第 11(1)(a)(iii)段 —
廢除
“\$230”
代以
“\$605”。
- (31) 附表，第 11(1)(a)(iv)段 —
廢除
“\$230”
代以
“\$605”。
- (32) 附表，第 11(1)(b)(i)段 —
廢除
“\$ 80”
代以
“\$535”。
- (33) 附表，第 11(1)(b)(ii)段 —
廢除
“\$230”
代以
“\$535”。
- (34) 附表，第 11(1)(b)(iii)段 —

- 廢除
“\$230”
代以
“\$535”。
- (35) 附表，第 11(1)(c)段 —
廢除
“\$120”
代以
“\$310”。
- (36) 附表，第 11(1)(d)段 —
廢除
“\$230”
代以
“\$310”。
- (37) 附表，第 11(1)(e)段 —
廢除
“\$120”
代以
“\$535”。
- (38) 附表，在第 11(1)段之後 —
加入
“(2) The fees for taking examinations for the grant or variation of a licence or for the inclusion of a category or sub-division of a category or type rating in a licence are—

- (a) for every multiple choice question paper \$315
- (b) for every essay question paper .. \$775
- (3) The application fee for approval of any course of training or instruction under Article 12(6)(a) of the Order is an amount equal to the cost of making the investigations required by the Chief Executive but not exceeding \$192,800.
- (4) Subject to subparagraph (5), the application fee for authorization under Article 12(6)(b) of the Order to conduct examinations or tests is an amount equal to the cost of making the investigations required by the Chief Executive but not exceeding \$192,800.
- (5) The application fee mentioned in subparagraph (4) is \$0 if—
 - (a) the applicant was granted an authorization under Article 12(6)(b) of the Order; and
 - (b) the authorization is still in force when the application is made.
- (6) The fee for making the investigations required by the Chief Executive for the purpose of satisfying himself or herself that an authorization (including any subsequent authorization) under Article 12(6)(b) of the Order should remain in force, in respect of each financial year (or part of it) during which the authorization remains in force, is an amount equal to the cost of making those investigations but not exceeding \$192,800.
- (7) Subject to subparagraph (8), the application fee for approval under Article 12(6)(c) of the Order to provide or conduct any course of training or instruction is an amount equal to the cost of making the investigations required by the Chief Executive but not exceeding \$192,800.

- (8) The application fee mentioned in subparagraph (7) is \$0 if—
 - (a) the applicant was granted an approval under Article 12(6)(c) of the Order; and
 - (b) the approval is still in force when the application is made.
- (9) The fee for making the investigations required by the Chief Executive for the purpose of satisfying himself or herself that an approval (including any subsequent approval) under Article 12(6)(c) of the Order should remain in force, in respect of each financial year (or part of it) during which the approval remains in force, is an amount equal to the cost of making those investigations but not exceeding \$192,800.
- (10) Subject to subparagraph (11), the application fee for approval as a qualified person under Article 12(6)(d) of the Order to furnish reports to the Chief Executive is an amount equal to the cost of making the investigations required by the Chief Executive but not exceeding \$192,800.
- (11) The application fee mentioned in subparagraph (10) is \$0 if—
 - (a) the applicant was granted an approval under Article 12(6)(d) of the Order; and
 - (b) the approval is still in force when the application is made.
- (12) The fee for making the investigations required by the Chief Executive for the purpose of satisfying himself or herself that an approval (including any subsequent approval) under Article 12(6)(d) of the Order should remain in force, in respect of each financial year (or part of it) during which the approval remains in force, is an

amount equal to the cost of making those investigations but not exceeding \$192,800.

(13) In this paragraph—

subsequent approval, in relation to an approval, means—

- (a) any subsequent approval granted as a result of an application made while the approval is in force; and
- (b) any approval granted as a result of an application made while any subsequent approval mentioned in paragraph (a) is in force;

subsequent authorization, in relation to an authorization, means—

- (a) any subsequent authorization granted as a result of an application made while the authorization is in force; and
- (b) any authorization granted as a result of an application made while any subsequent authorization mentioned in paragraph (a) is in force.”。

(39) 附表，在緊接第 12 段之前的標題 —

廢除

“therein (Article 20)”

代以

“in licences (Articles 20 and 20A of the Order)”。

(40) 附表，第 12(1)(a)段 —

廢除

在“grant of a”之後的所有字句

代以

“professional pilot’s licence, private pilot’s licence or a licence to act as a flight engineer—

- (i) in the case of an applicant holding a licence to act as a flight crew member issued in a jurisdiction outside Hong Kong \$2,055

- (ii) in any other case \$1,100”。

(41) 附表，第 12(1)(b)段 —

廢除

在“renewal of a”之後的所有字句

代以

“professional pilot’s licence or a licence to act as a flight engineer \$595”。

(42) 附表，第 12(1)(c)段 —

廢除

在“renewal of a”之後的所有字句

代以

“flight radio-telephony operator’s restricted licence (except in the case of an applicant holding a professional pilot’s licence or a licence to act as a flight engineer) \$595”。

(43) 附表，第 12 段 —

廢除第(2)節

代以

- “(2) The fees for taking examinations in connection with a licence to act as a flight crew member are—
- (a) for each examination for the grant of a private pilot's licence, the inclusion of a rating in the licence, the inclusion of an endorsement or restriction in the licence, or the renewal of any such inclusions \$880
- (b) for each examination for the grant or renewal of a professional pilot's licence or a licence to act as a flight engineer, the inclusion of a rating in the licence, the inclusion of an endorsement or restriction in the licence, or the renewal of any such inclusions \$895”。
- (44) 附表，第 12(3)段 —
廢除
“grant”
代以
“inclusion”。
- (45) 附表，第 12(3)(a)段 —
廢除
在“inclusion of”之後的所有字句
代以
“a flying instructor's rating or assistant flying instructor's rating in a pilot's

- licence \$680”。
- (46) 附表，第 12(3)(b)段 —
廢除
在“aircraft in”之後的所有字句
代以
“a flying instructor's rating or assistant flying instructor's rating in a pilot's licence \$595”。
- (47) 附表，第 12(3)(c)段 —
廢除
“\$140”
代以
“\$595”。
- (48) 附表，第 12(4)段 —
廢除
“\$130”
代以
“\$155”。
- (49) 附表，在第 12(4)段之後 —
加入
“(4A) The fee for the inclusion of an instrument rating in a professional pilot's licence or private pilot's licence is \$595
- (4B) The fee for the inclusion of an additional aircraft type rating in a

- Private Pilot's Licence (Helicopters) is \$595
- (4C) The fee for the inclusion of an additional group rating in a Private Pilot's Licence (Aeroplanes) is \$595
- (4D) The fee for the inclusion of an endorsement in respect of language proficiency in a pilot's licence is \$595
- (4E) The application fee for approval of a flight simulator under Article 20(10) of the Order is an amount equal to the cost of making the investigations required by the Chief Executive but not exceeding \$209,700.
- (4F) The application fee for approval of any course of training or instruction under Article 20(11)(a) of the Order is an amount equal to the cost of making the investigations required by the Chief Executive but not exceeding \$1,033,700.
- (4G) The application fee for authorization under Article 20(11)(b) of the Order to conduct examinations or tests is an amount equal to the cost of making the investigations required by the Chief Executive but not exceeding \$209,700.
- (4H) The application fee for approval under Article 20(11)(c) of the Order to provide any course of training or instruction is an amount equal to the cost of making the investigations required by the

- Chief Executive but not exceeding \$209,700.
- (4I) The application fee for approval as a qualified person under Article 20(11)(d) of the Order to furnish reports to the Chief Executive is an amount equal to the cost of making the investigations required by the Chief Executive but not exceeding \$209,700.”
- (50) 附表，第 12 段 —
廢除第(5)節
代以
“(5) In this paragraph—
private pilot's licence means a licence of one of the following classes—
(a) Private Pilot's Licence (Aeroplanes);
(b) Private Pilot's Licence (Helicopters and Gyroplanes);
(c) Private Pilot's Licence (Balloons and Airships);
(d) Private Pilot's Licence (Gliders);
professional pilot's licence means a licence of one of the following classes—
(a) Commercial Pilot's Licence (Aeroplanes);
(b) Multi-Crew Pilot's Licence (Aeroplanes);
(c) Air Transport Pilot's Licence (Aeroplanes);
(d) Commercial Pilot's Licence (Helicopters and Gyroplanes);
(e) Air Transport Pilot's Licence (Helicopters and Gyroplanes);
(f) Commercial Pilot's Licence (Balloons);

- (g) Commercial Pilot's Licence (Airships);
- (h) Commercial Pilot's Licence (Gliders).”。
- (51) 附表，在緊接第 13 段之前的標題，在“21”之後 —
加入
“of the Order”。
- (52) 附表，第 13 段 —
廢除
“For an official flying test (if required)”。
- (53) 附表，第 13 段 —
廢除
“initial issue”
代以
“issue”。
- (54) 附表，第 13 段 —
廢除
“\$100”
代以
“\$485”。
- (55) 附表，第 13 段 —
廢除
“For the renewal of a certificate \$ 90”。
- (56) 附表，在第 13 段之後 —
加入

- “Permission to drop articles etc. from aircraft (Article 40 of the Order)
- 13A. The application fee for permission to drop articles or wind drift indicators from an aircraft under paragraph (f) or (g) of the proviso to Article 40(2) of the Order is \$1,470.”。
- (57) 附表，在第 13A 段之後 —
加入
“Permission to drop persons from aircraft (Article 41 of the Order)
- 13B. The application fee for permission to drop persons from an aircraft under Article 41(1) of the Order is \$1,470.”。
- (58) 附表，在第 13B 段之後 —
加入
“Permission to carry munitions of war (Article 43 of the Order)
- 13C. The application fees for permission to carry munitions of war under Article 43(1) of the Order are—
 - (a) for permission for a specified period of time \$785
 - (b) for permission for a single consignment \$565”。
- (59) 附表，在第 13C 段之後 —
加入
“Permission relating to captive balloons etc. (Article 70 of the Order)
- 13D. The application fee for the grant of permission in respect of captive balloons, kites, balloons, airships, gliders or

parascending parachutes under Article 70(1) of the Order is \$1,470.”。

(60) 附表，在緊接第 14 段之前的標題 —

廢除

“Article 68”

代以

“Article 73 of the Order”。

(61) 附表，在第 14 段之後 —

加入

“Permission for aerial photography or aerial survey etc. (Article 84 of the Order)

14A. The application fee for the grant of permission in respect of aerial photography, aerial survey or any other form of aerial work under Article 84 of the Order is \$1,470.”。

(62) 附表，在緊接第 15 段之前的標題 —

廢除

“Article 91(3)”

代以

“Article 97(3) of the Order”。

(63) 附表，第 15 段 —

廢除

“\$50”

代以

“\$78”。

(64) 附表，在第 15 段之後 —

加入

“Approval to furnish reports (Article 101 of the Order)

16. The application fee for the grant or variation of an approval under Article 101 of the Order is an amount equal to the cost of making the investigations required by the Chief Executive but not exceeding \$192,800.”。

(65) 附表，在第 16 段之後 —

加入

“Permission for low flying (Rule 5 of Schedule 14 to the Order)

17. The application fee for the grant of permission for low flying under Rule 5 of Schedule 14 to the Order is \$1,470.”。

(66) 附表，在第 17 段之後 —

加入

“Permission for carriage etc. of dangerous goods (Regulation 3 of Schedule 16 to the Order)

18. The application fee for permission to carry, load or suspend dangerous goods under Regulation 3(1) of Schedule 16 to the Order is \$6,800.”。

行政長官

2011 年 月 日

註釋

本規例修訂《香港飛航(費用)規例》(第 448 章，附屬法例 D)(*規例*)，主要是 —

- (a) 就規例附表所訂明的費用的支付訂定條文；
- (b) 調整規例附表所訂明的某些費用的款額，以期收回全數成本；
- (c) 就《1995 年飛航(香港)令》(第 448 章，附屬法例 C)所規定的某些事宜，訂定新的費用項目；
- (d) 將擔任空勤人員的執照的批出或續期的考試費用的架構簡化；
- (e) 刪去關於確認證明書的續期的費用項目；及
- (f) 反映正式飛行測試已遭取消。

《2011 年民航(飛機噪音)(證明)(修訂)規例》

(由財經事務及庫務局局長憑藉《民航(飛機噪音)條例》(第 312 章)第 9 條而根據《釋義及通則條例》(第 1 章)第 29A 條訂立)

1. 生效日期

本規例自 2012 年 1 月 13 日起實施。

2. 修訂《民航(飛機噪音)(證明)規例》

《民航(飛機噪音)(證明)規例》(第 312 章，附屬法例 A)現予修訂，修訂方式列於第 3 條。

3. 修訂附表 2(費用)

(1) 附表 2，第 1 項 —

廢除

“\$1,105”

代以

“\$505”。

(2) 附表 2，第 2 項 —

廢除

“\$1,105”

代以

“\$505”。

(3) 附表 2，第 3 項 —

廢除

“\$ 580”

代以

“\$200”。

財經事務及庫務局局長

2011 年 月 日

註釋

本規例旨在調低申請批給噪音標準合格證明書及申請發出噪音標準合格證明書的複本所須繳付的費用。

費用建議詳情

調整費用或最高費用以悉數收回成本

有六項費用項目收費高於成本，其中包括載於《香港飛航(費用)規例》的續發較大型飛機的適航證明書的費用，以及載於《民航(飛機噪音)(證明)規例》的申請批給噪音標準合格證明書和發出噪音標準合格證明書複本的費用。這些費用應一次過下調至悉數收回成本的水平。另一方面，有 48 項費用低於成本，應一次過調高，惟下列費用會分三年調整：

- (a) 批出或更改航空運輸企業經營許可證(經營許可證)的最高費用的組成項目；
- (b) 為給予任何人認可而視察維修或設計機構的最低及最高費用；以及
- (c) 簽發滑翔機或氣球適航證明書及適航證明書認可證的費用。

簡化批出或續發空勤人員執照的考試費架構

2. 我們建議簡化批出或續發空勤人員執照的考試費架構。現時，機師和隨機工程師須通過各項考試，以取得規定資格，並須支付考試費。由於舉行各項考試的成本相若，我們建議把考試費歸納為兩項項目，分別為私人機師執照考試，以及專業機師執照或隨機工程師執照的考試。實施上述建議後，《香港飛航(費用)規例》第 5 條(關於正式飛行測試費用)將會廢除。

刪除過時收費項目

3. 由於民航處不再續發執照認可證，我們建議刪除續發認可證的費用。

新收費項目

4. 目前，民航處為業界免費提供若干服務；而就另一些服務所訂的收費水平，則未能悉數收回成本。為提供法律依據以收回服務成本，我們建議增訂費用項目，涵蓋以下服務：

- (a) 審批飛行模擬器；
- (b) 為簽發空勤人員執照而認可培訓課程、培訓者、考核者或提交報告者；
- (c) 簽發空勤人員執照予持有香港以外司法管轄區所發出的空勤人員執照的申請人；
- (d) 在機師執照加簽儀表飛行等級或飛機型號等級；
- (e) 在機師執照加簽有關語文能力的批註；
- (f) 為簽發飛機維修工程師執照而認可培訓課程、培訓者、考核者或提交報告者；
- (g) 飛機維修工程師執照考試；
- (h) 為任何有關民航的目的而認可任何人以提交報告；以及
- (i) 批准運載危險品或軍火，放飛繫留氣球、滑翔機或拖引式降落傘，繫泊飛船，或跳降落傘、低飛、進行空中攝影或空中測繪。

5. 審批飛行模擬器，以及為簽發空勤人員執照而認可飛行培訓課程及相關的人的收費，現時納入經營許可證費用內。新費用項目訂立後，這些費用將不再列作經營許可證的部分費用。

新訂收回成本條文

6. 我們建議訂定條文，訂明民航處不論有否收取按金，均可在申請獲批准¹、申請人撤回申請、民航處拒絕申請或申請因其他原因失效的情況下，收回進行關於該等申請的調查成本。上述申請的費用並非定額收費，而是按調查成本釐定。

¹ 這些申請根據《1995年飛航(香港)令》提交，可能涉及：

- (a) 批出或更改航空運輸企業經營許可證；
- (b) 簽發或更改沒有適航證明書的飛機飛行許可證；
- (c) 簽發飛機適航證明書或適航證明書認可證(滑翔機和氣球除外)；
- (d) 審批發動機；
- (e) 給予維修機構認可，或對該認可的更改；
- (f) 審批飛機和設備；
- (g) 簽發機場牌照；
- (h) 審批飛行模擬器；
- (i) 認可飛行培訓或教授課程；
- (j) 授權或認可任何人，以作飛行培訓或教授；
- (k) 給予任何人認可，以提交報告，或對該認可的更改；
- (l) 認可維修培訓或教授課程；
- (m) 授權或認可任何人，以作維修培訓或教授。

對持份者的影響

航空運輸企業經營許可證持證機構

經營許可證持證機構主要受到經營許可證最高費用¹調高和適航證明書續期費用調低所影響。

2. 我們預計，調高經營許可證的最高費用，將不會影響現時已支付全部成本的航空公司。與此同時，調低適航證明書的續期費用，則可為這些經營者每年節省 10 萬元至 600 萬元。

3. 至於其他現時無須支付全部調查成本的持證機構，將會受到經營許可證最高費用分期遞增的影響，但部分增加的費用，會因適航證明書續期費用減少而抵銷。我們估計，與現時收費比較，上述經營者每年額外支付的費用，第一年為 10 萬元至 100 萬元，第二年為 30 萬元至 100 萬元，第三年為 60 萬元至 100 萬元。

維修及設計機構

4. 維修及設計機構主要受到民航處執行視察的最高費用調高所影響²。與現時收費比較，現時繳付法例所訂最高費用(即 133,400 元)的機構，在收費建議實施後首年或須多付最多 59,400 元，第二年 145,100 元，第三年 269,100 元。

維修訓練機構

5. 由於開徵認可維修培訓課程及相關機構或人員的新收費，維修訓練機構須支付額外費用，金額視乎民航處的調查範圍而定。根據過往經驗，認可費用為 7,500 元(就相對簡單的個案而言)至超過 10 萬元(就大機構而言)。

¹ 批出或更改經營許可證的費用，相等於民航處進行調查的成本，但以按《香港飛航(費用)規例》附表第 2 段計算的最高費用為上限。

² 視察維修及設計機構的費用，相等於民航處進行調查的成本，但以《香港飛航(費用)規例》附表第 8 段所訂的最低及最高費用為限。

飛行訓練機構

6. 由於開徵審批飛行模擬器和為簽發空勤人員執照而認可飛行培訓課程及相關的人的新費用，並非經營許可證持有者的飛行訓練機構，須支付約 62,000 元至 263,000 元。確實費用視乎處理申請所需的工時、飛行訓練機構是否位於香港以外地方，以及申請審批或認可的項目和組合而定。

空勤人員和飛機維修工程師

7. 簽發空勤人員執照方面，由於考試費和執照費調高，一般而言，專業機師執照申請人須多付 2,400 元，私人機師執照申請人則須多付 6,200 元。

8. 簽發飛機維修工程師執照方面，由於徵收新考試費和調高執照費，一般而言，飛機維修工程師執照申請人須多付 5,200 元。

其他持份者

9. 民航處會就批准航空公司運載危險品或軍火徵收新費用。航空公司如申請為期兩年的批准，須支付 785 元至 6,800 元，金額視乎所申請的批准而定。

10. 此外，民航處會就批准放飛氣球、滑翔機或拖引式降落傘，或繫泊飛船，或跳降落傘、低飛、進行空中攝影或空中測繪徵收新費用。上述每項申請收費 1,470 元。

費用建議的影響

《2011 年香港飛航(費用)(修訂)規例》的財政影響方面，當費用及收費調整建議分期實施後，與現時收入比較，政府首年收入會淨增加約 350 萬元，第二年 450 萬元，第三年及以後每年 590 萬元。

2. 《2011 年民航(飛機噪音)(證明)(修訂)規例》的財政影響方面，當費用及收費調整建議實施後，政府每年收入會減少約 14,000 元。

3. 民航處定期檢討日常管理和程序，以期通過提高效率 and 精簡程序，降低服務成本。釐定調整費用及收費的建議時，民航處已把這些措施節省的開支計算在內。