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運輸及房屋局
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**Transport and
Housing Bureau**
Government Secretariat
Transport Branch
East Wing, Central Government Offices,
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Tamar, Hong Kong

本局檔號 Our Ref.: THB(T)A 26/17/7

來函檔號 Your Ref.: CB4/PL/EDEV

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Mr Daniel Sin
Clerk to Subcommittee on Hong Kong Civil Aviation (Investigation of
Accidents) (Amendment) Regulation 2017 and Air Navigation (Hong Kong)
Order 1995 (Amendment) Order 2017
Legislative Council Complex
1 Legislative Council Road
Central
Hong Kong

30 June 2017

Dear Mr Sin,

Legislative Council
Subcommittee on Hong Kong Civil Aviation (Investigation of Accidents)
(Amendment) Regulation 2017 and
Air Navigation (Hong Kong) Order 1995 (Amendment) Order 2017

I refer to the letter from Hong Kong Airline Pilot Association (HKAPA) to the Subcommittee on Hong Kong Civil Aviation (Investigation of Accidents) (Amendment) Regulation 2017 and Air Navigation (Hong Kong) Order 1995 (Amendment) Order 2017 dated 25 June 2017. The Government would like to thank HKAPA's support for our plan to set up an independent Air Accident Investigation Authority under the Transport and Housing Bureau.

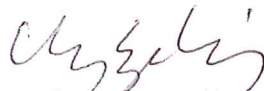
2. As HKAPA rightly points out, the purpose of investigating aircraft accidents and serious incidents under the Hong Kong Civil Aviation (Investigation of Accidents) Regulations (Cap. 448B) is to determine the circumstances and causes of the accidents or serious incidents concerned for preservation of life and avoidance of similar occurrences in future; it is not aimed for apportioning blame or liability. The proposed Regulation 10(2) of

Cap. 448B as amended ensures that an investigation shall be held in private.

3. We are fully aware of the latest standards and recommended practices promulgated by the International Civil Aviation Organization (ICAO) in Chapter 5.12 and Appendix 2 of Annex 13 to the Convention on International Civil Aviation concerning the protection of investigation records, inter alia, witness statements, cockpit voice recordings, airborne image recordings and any transcript from such recordings.

4. As committed by the Government in the consultation paper issued to the industry in March 2017, we are conducting a comprehensive review of Cap. 448B with reference to the relevant ICAO Annex 13 provisions and local circumstances, such that we will be in a position to introduce other necessary amendments to Cap. 448B in the 2018-19 legislative session. All inputs received from the industry will be taken into due consideration in the review. Once we come up with further legislative amendment proposals, please rest assured that we will duly consult the industry.

Yours sincerely,



(Miss Cheng Sze-ling)

for Secretary for Transport and Housing

c.c.:

Hon Jeremy Tam (Chairman of Subcommittee on Hong Kong Civil Aviation (Investigation of Accidents) (Amendment) Regulation 2017 and Air Navigation (Hong Kong) Order 1995 (Amendment) Order 2017)

Civil Aviation Department (Attn.: Mr Alan Shum, Assistant Director-General of Civil Aviation (Air Services and Safety Management))