

**立法會**  
***Legislative Council***

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**Panel on Economic Development**  
**Meeting on 12 December 2017**

**Background brief on regulation of unmanned aircraft systems**

**Purpose**

This paper provides background information on the regulation of unmanned aircraft systems ("UAS"), and summarizes the views expressed by Members on relevant matters in previous discussions.

**Background**

2. With the advent of aviation technology in recent years, UAS are widely used in many parts of the world. In Hong Kong, UAS are deployed for recreational or commercial uses such as aerial photographing, surveying and mapping, and gas pipe inspection. Under the existing civil aviation rules, UAS weighed less than 7 kg can be operated for recreation without permission, but they need to meet certain safety requirements<sup>1</sup>. However, use of UAS for business purpose requires prior permission from the Government, regardless of the UAS weight. The Civil Aviation Department ("CAD") is responsible for processing applications for non-recreational operations of UAS within Hong Kong.

3. As advised by the Administration, at present, there is neither standardized international requirement on the manufacture, import, sale and operations of UAS, nor a set of unified international regulatory guidelines and

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<sup>1</sup> UAS weighed below 7 kg are free from most provisions of the Air Navigation (Hong Kong) Order 1995 (Cap. 448C). But UAS are not allowed to fly above 300 feet, within 500 metres from aerodromes, over or within 50 metres of any person, vessel, vehicle or structure not under the control of the UAS operators. Reckless or negligent operation endangering any person or property is liable to prosecution.

principles. In order to enhance public safety, CAD has been monitoring closely the technological advancement of UAS and the development of regulatory regime of UAS around the world. CAD has also commissioned an overseas consultant to conduct a study on the regulation of UAS.

4. In conducting the study, the consultant will review the regulatory regime of UAS of other overseas aeronautical authorities (including Asia, Europe and North America), where particular emphasis would be placed on areas/regions with operating environments akin to Hong Kong. The consultant will also engage local stakeholders during the process. Having due regard to the above findings, the consultant will make recommendations to CAD on the framework and direction of regulating UAS, including but not limited to the categorization of UAS, registration and licensing mechanism of UAS as well as the planning of no-fly zones. The consultant will also make reference to and take into account the latest developments with regard to the safety standards and guidelines of UAS promulgated by the International Civil Aviation Organization.

5. At the same time, CAD will continue to strengthen its publicity and educational efforts through different channels, including its website, other relevant websites and publications, so as to raise the safety awareness of the relevant sectors and organizations, as well as the general public, about the operations of UAS. From May 2017 onwards, CAD made use of the television and radio to promote safety guidelines on UAS in order to strengthen the protection of public safety.

### **Concerns expressed by Members in previous discussions**

6. Members have all along been concerned about matters relating to the regulation of UAS, and called for a more systematic and effective regulation of UAS from the perspectives of safety, security and privacy protection. The relevant questions were raised at the Council meetings on 11 June 2014, 14 October 2015, 20 April 2016 and 24 May 2017 by Hon Andrew LEUNG, Ir Dr Hon LO Wai-kwok, Hon LEUNG Che-cheung, Hon Tony TSE and Hon Starry LEE. At the special meeting of the Finance Committee to examine the Estimates of Expenditure 2017-2018 on 5 April 2017, Hon Priscilla LEUNG and Ir Dr Hon LO Wai-kwok also raised questions on the regulation of UAS. Hyperlinks to these questions and the Administration's responses are provided in the **Appendix**.

7. In response to Members' recent enquiry on the progress of the consultancy study commissioned by CAD on the regulation of UAS, the Administration has advised that such study is expected to be completed within

2017. Taking into account the result of the consultancy study, CAD will make concrete recommendations on the way forward of regulating UAS, including whether there is a need to amend the legislation.

### **Latest development**

8. Hon Jeremy TAM wrote to the Panel on 24 October 2016 proposing to discuss the regulation of UAS. The Administration will update the Panel on the results of the consultancy study on reviewing the existing regulatory framework for the operation of UAS commissioned by CAD.

### **Relevant papers**

9. A list of relevant papers which are available on the Legislative Council Website (<http://www.legco.gov.hk>) is in the **Appendix**.

Council Business Division 4  
Legislative Council Secretariat  
6 December 2017

## Appendix

### List of relevant papers

<b>Issued by</b>	<b>Meeting date/ Issue date</b>	<b>Paper</b>
Council Meeting	11 June 2014	<a href="#">Council question on "Regulation and application of unmanned aircraft systems" raised by Hon Andrew LEUNG</a>
	14 October 2015	<a href="#">Council question on "Regulation of unmanned aircraft systems" raised by Ir Dr Hon LO Wai-kwok</a>
	14 October 2015	<a href="#">Council question on "Use of unmanned aircraft systems for photography purpose" raised by Hon LEUNG Che-cheung</a>
	20 April 2016	<a href="#">Council question on "Regulation of unmanned aircraft systems" raised by Hon Tony TSE</a>
	24 May 2017	<a href="#">Council question on "Regulation of unmanned aircraft systems" raised by Hon Starry LEE</a>
Finance Committee	5 April 2017 (Session No.13)	<a href="#">Administration's replies</a> (Question Serial No. 1137, 0942)