

立法會
Legislative Council

LC Paper No. CB(4)1657/20-21

(These minutes have been seen by
the Administration)

Ref: CB4/SS/8/20

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

**Minutes of the first meeting held on
Tuesday, 10 August 2021, at 11:00 am
in Conference Room 2A of the Legislative Council Complex**

Members present : Hon WONG Ting-kwong, GBS, JP (Chairman)
Hon MA Fung-kwok, GBS, JP
Hon CHAN Han-pan, BBS, JP
Hon LEUNG Che-cheung, SBS, MH, JP
Hon SHIU Ka-fai, JP
Hon YUNG Hoi-yan, JP
Hon LUK Chung-hung, JP
Hon Tony TSE Wai-chuen, BBS, JP

Member absent : Hon LAU Kwok-fan, MH, JP

**Public Officers
attending** : Agenda item II

Transport and Housing Bureau

Miss Winnie TSE

Deputy Secretary for Transport and Housing (Transport) 4

Mr TE Chi-wang

Principal Assistant Secretary for Transport and Housing
(Transport) 9

Civil Aviation Department

Miss Linda SO, JP

Deputy Director-General of Civil Aviation (2)

Miss Clara WONG
Assistant Director-General of Civil Aviation (Air Services
and Safety Management)

Mr Michael YUEN
Chief Operations Officer (Technical Administration)

Department of Justice

Mr Wallace NG
Senior Government Counsel (Acting)

Mr Vincent WAI
Government Counsel

Clerk in attendance : Ms Shirley CHAN
Chief Council Secretary (4)5

Staff in attendance : Miss Rachel DAI
Assistant Legal Adviser 2

Ms Shirley TAM
Senior Council Secretary (4)5

Ms Carol WONG
Council Secretary (4)5

Ms Zoe TONG
Legislative Assistant (4)5

Miss Mandy LUI
Clerical Assistant (4)5

Action

I. Election of Chairman

Mr WONG Ting-kwong, the member of the highest precedence among those present at the meeting, presided over the election of Chairman. He invited nominations for the chairmanship of the Subcommittee.

2. Mr LEUNG Che-cheung nominated Mr WONG Ting-kwong and the nomination was seconded by Mr Tony TSE. Mr WONG accepted the nomination.

Action

As Mr WONG was nominated for the chairmanship, Mr CHAN Han-pan, the member with the highest precedence among those present not nominated for the office, took over from Mr WONG to preside over the election and called for other nominations.

3. There being no other nomination, Mr WONG Ting-kwong was elected Chairman of the Subcommittee. Mr WONG then took the chair.

4. Members agreed that there was no need to elect a Deputy Chairman.

II. Meeting with the Administration

[File Ref: THB(T)CR 59/951/08, L.Ns. 115 to 119 of 2021, LC Paper Nos. LS99/20-21, and CB(4)1320/20-21(01) to (06)]

Discussion

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

Follow-up actions

6. The Administration was requested to provide information/written response to the following –

- (a) specific measures to facilitate different types of small unmanned aircraft ("SUA") operations by different sectors/industries such as drone racing, multi-drone show, surveying, 3D mapping and filming, etc. taking into account the ever-evolving technological development of SUA;
- (b) given that operations of Category B SUA and operations of Category A1/A2 SUA exceeding the respective operating requirements specified by the Civil Aviation Department ("CAD") are required to seek prior permission from CAD before flight, consider streamlining the procedure for vetting and approval of such applications with a view to shortening the processing time;
- (c) given the imposition of insurance requirements on SUA for Category A2 Operations and Category B Operations, discuss with the insurance sector to formulate different SUA-related insurance products with affordable premium and flexible choices of duration to suit the needs of different SUA owners/operators; and
- (d) consider designating specific locations in Hong Kong with electric fence for people of all ages to fly SUA for recreational purpose without

Action

the need for taking out insurance policies before flight.

(Post-meeting note: The Administration's response was issued to members vide LC Paper No. CB(4)1371/20-21(02) on 17 August 2021.)

III. Any other business

Invitation for views

7. Members agreed to post a notice on the Legislative Council ("LegCo") website to invite written views on the subsidiary legislation.

(Post-meeting note: A relevant notice was posted on LegCo website on 10 August 2021.)

Legislative timetable and extension of the scrutiny period

8. Members agreed that the Chairman would move a motion at the Council meeting of 18 August 2021 to extend the scrutiny period of the subsidiary legislation to the Council meeting of 8 September 2021. If the scrutiny period was extended, the deadline for giving notices of amendments to the subsidiary legislation would be 1 September 2021.

Date of next meeting

9. The Chairman instructed that a further meeting should be held to start the section-by-section examination of the subsidiary legislation. Members would be informed of the date of the next meeting in due course.

(Post-meeting note: Members were informed vide LC Paper No. CB(4)1351/20-21 on 10 August 2021 that the next meeting was scheduled for Tuesday, 17 August 2021 at 4:30 pm.)

10. There being no other business, the meeting ended at 12:52 pm.

**Proceedings of the first meeting of
the Subcommittee on Subsidiary Legislation to
Regulate the Operation of Small Unmanned Aircraft
on Tuesday, 10 August 2021, at 11:00 am
in Conference Room 2A of the Legislative Council Complex**

Time marker	Speaker	Subject(s)	Action required
Agenda item I – Election of Chairman			
000352 – 000732	Mr WONG Ting-kwong Mr LEUNG Che-cheung Mr Tony TSE Mr CHAN Han-pan	Election of Chairman	
Agenda item II – Meeting with the Administration			
000733 – 001401	Chairman Administration	Briefing on the subsidiary legislation [File Ref: THB(T)CR 59/951/08]	
001402 – 002621	Chairman Mr LUK Chung-hung Administration	Discussion on the proposed operating requirements for the operation of small unmanned aircraft ("SUA") under the new regulatory regime and the applicability of the regime in view of the evolving technology The Administration was requested to discuss with the insurance sector to formulate SUA-related insurance products with affordable premium and flexible choices of duration.	Follow-up
002622 – 003738	Chairman Mr MA Fung-kwok Administration	Discussion on the impact of the new regulatory regime on drone racing activities, the requirement to obtain prior permission from the Civil Aviation Department ("CAD") for Category B operations and relevant processing time, and measures provided by the Administration to facilitate different types of SUA operations	Follow-up
003739 – 005634	Chairman Mr Tony TSE Administration	Discussion on the regulation of SUA in the past, the impact of the new regulatory regime on the surveying sector, operating and insurance requirements under the new regulatory regime, and fees to be charged by CAD for processing applications for permissions or provision of services The Administration was requested to consider streamlining the procedure for vetting and approval of applications for permissions to operate SUA.	Follow-up
005635 – 010822	Chairman Mr CHAN Han-pan Administration	Discussion on market availability and premium level of the SUA-related insurance products in Hong Kong The Administration was requested to consider designating specific locations in Hong Kong with electric fence for	Follow-up

Time marker	Speaker	Subject(s)	Action required
		people of all ages to fly SUA for recreational purpose without the need for taking out insurance policies before flight.	
010823 – 012237	Chairman Mr SHIU Ka-fai Administration	Discussion on the risk of allowing minors to fly SUA in busy urban areas and the related legal responsibility, as well as the training and assessment requirements for remote pilots under the new regulatory regime	
012238 – 013122	Chairman Mr LEUNG Che-cheung Administration	Discussion on allowing young people to fly SUA at designated locations for recreational purpose, designation of restricted flying zones, and measures to enforce the equipment requirements under the new regulatory regime	
013123 – 013723	Chairman Mr LUK Chung-hung Administration	Discussion on fees to be charged by CAD on provision of services and time required for CAD to process applications for permissions to operate SUA	
013724 – 014213	Chairman Mr MA Fung-kwok Administration	Discussion on the impact on drone racing activities under the new regulatory regime and formulating guidelines to facilitate different types of SUA operations	
014214 – 014727	Chairman Mr Tony TSE Administration	Discussion on the training and assessment requirements under the new regulatory regime, SUA operation for news reporting, and interference to SUA operation	
014728 – 015120	Chairman Mr CHAN Han-pan Administration	Mr CHAN Han-pan reiterated his suggestion of allowing SUA operation at designated locations for recreational purpose	Follow-up
Agenda item III – Any other business			
015121 – 015649	Chairman Mr CHAN Han-pan	Invitation for views Legislative timetable and extension of the scrutiny period Date of next meeting Closing remarks	