

中華人民共和國  
香港特別行政區政府  
The Government of the Hong Kong Special Administrative Region  
of the People's Republic of China

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6 June 2025

Ms Vanessa CHENG  
Assistant Legal Adviser  
Legislative Council Secretariat  
Legislative Council Complex  
1 Legislative Council Road, Central  
Hong Kong

Dear Ms CHENG,

**Small Unmanned Aircraft (Amendment) Order 2025  
(L.N. 82 of 2025)**  
**Air Navigation (Hong Kong) Order 1995 (Amendment) Order 2025  
(L.N. 83 of 2025)**

I refer to your letter dated 30 May 2025 regarding the captioned Amendment Orders which were gazetted on 28 May 2025. In response to the questions raised in your letter, please find our bilingual reply at **Annex**.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Alison Tse".

( Ms Alison TSE )

Assistant Secretary for Transport and Logistics 9B

Encl.

**L.N.82**

**Q1. Under the new section 14(1A) of the Small Unmanned Aircraft Order (Cap. 448G) (as added by section 8(1) of L.N. 82), if a small unmanned aircraft (“SUA”) is operated for a flight in accordance with a permission granted under section 37 of Cap. 448G, the information recorded by a safety system as required under section 11(1)(d) in connection with the flight—(a) must be kept for six months beginning on the date on which the flight begins; and (b) must be accessible in Hong Kong by an authorized officer. In this regard, please clarify whether the Director-General of Civil Aviation (“DGCA”) would issue and publish a safety requirements document under section 63 of Cap. 448G providing guidance on how to comply with the requirements (in relation to the data retention and accessibility requirements) under the new section 14(1A) of Cap. 448G.**

A1. 在經修訂的《小型無人機令》第 14 條（備存安全系統記錄的資訊的責任）下，新增的第 14（1A）條就須獲得民航處許可後才可進行操作的小型無人機，加入條文，要求其相關資訊須備存 6 個月，及須是獲授權人員可在香港接達的，以便執法。此外，根據經修訂的《小型無人機令》第 56 條（要求出示文件或紀錄等的權力），凡獲授權人員合理懷疑有人已犯、正犯或即將犯《小型無人機令》所訂罪行，該人員可要求有關人士出示根據第 14（1A）條規定須備存，由安全系統就該次飛行記錄的資訊。根據《小型無人機令》第 56 條第（5）款規定，就由安全系統記錄的資訊而言，如有關資訊是以電子紀錄形式儲存或能夠以電子紀錄形式檢索的，獲授權人員可要求該資訊以可閱或能夠在電腦上檢索的形式並以可移走形式出示。民航處將於《2025 年小型無人機（修訂）令》生效前，於民航處網站透過《安全規定文件》，闡述上述要求。

A1. Under the amended section 14 (Duty to keep information recorded by safety system) of the Small Unmanned Aircraft Order (“SUA Order”), new section 14(1A) requires information in respect of the small unmanned aircraft (“SUA”) operated under the Civil Aviation Department (“CAD”)’s prior permission to be kept for 6 months and be accessible in Hong Kong by an authorized officer to facilitate enforcement. In addition, under the amended section 56 (Power to require production of documents or records etc.) of the SUA Order, if an authorized officer reasonably suspects that an offence under the SUA Order has been committed, is being committed or is about to be committed, the officer may require the person to produce the information recorded by the safety system in respect of the flight required to be kept under the new section 14(1A). According to section 56(5) of the SUA Order, if the information is stored or is capable of being retrieved in the form of an electronic record, the authorized officer may require the information to be produced in a form in which it is either legible or capable of being retrieved on a computer and in which it can be removed. Before the Small Unmanned Aircraft (Amendment) Order 2025 comes into operation, the Civil Aviation Department (“CAD”) will elaborate the above requirements through the Safety Requirements Document to be published on the CAD website.

**Q2. Section 15(1) of Cap. 448G provides that if SUA is operated for a flight, it must be operated in compliance with all operating requirements applicable to the aircraft at all times during the flight. Under section 17(1) of Cap. 448G, DGCA may, by notice published in the Gazette, specify any other requirement that DGCA considers it necessary in the interests of aviation safety or public safety (which will not be subsidiary legislation by virtue of section 17(5) of Cap. 448G). Please clarify the requirements in relation to aviation safety and public safety that may be specified by DGCA for operating a category C aircraft for the purposes of section 17(1) of Cap. 448G.**

A2. 根據《2025 年小型無人機（修訂）令》，重量超過 25 公斤但不超過 150 公斤的丙類無人機，操作人士必須事先獲得民航處許可。為切合特定的運作需要，在顧及安全、操作和技術要求的前提下，民航處會按個別情況考慮及審批個案。民航處所簽發的許可將因應個別個案的特定運作需要，列明所適用的為保障航空安全或公共安全的條件。為方便公眾和業界理解相關許可的申請要求、安全和操作考慮，民航處將於《2025 年小型無人機（修訂）令》生效前，於民航處網站發布有關操作丙類無人機的安全規定。

According to the Small Unmanned Aircraft (Amendment) Order 2025, operating a category C aircraft weighing over 25 kg but not more than 150 kg shall be required to obtain prior permission from the CAD. As the permission will cater for the specific operational needs, it will be considered and granted by the CAD on a case-by-case basis taking into account the relevant safety, operational and technological requirements. Taking into account the specific operational needs, conditions specific to the individual application to safeguard aviation and public safety will be set out by the CAD in the permission. To facilitate the public and the industry to understand the relevant application requirements, safety and operational considerations, before the Small Unmanned Aircraft (Amendment) Order 2025 comes into operation, the CAD will publish the safety requirements relevant to the operations of category C aircraft on the CAD website.

### **L.N.83**

**Q3(a). Under the new Article 82A of the Air Navigation (Hong Kong) Order 1995 (Cap. 448C) (as added by section 3 of L.N. 83), “unconventional aircraft” is defined to mean an aircraft falling within a class or description specified under the new Article 82C(2) of Cap. 448C. Under the new Article 82C(1) of Cap. 448C, it is provided that the Chief Executive (“CE”) must from time to time issue an instrument that CE considers suitable for providing practical guidance in respect of the new Part IXA, and the instrument must specify a class or description of aircraft for the purposes of the new Part IXA (the new Article 82C(2)). It is further provided under the new Article 82C(3) that a class or description of aircraft may be specified in an instrument if CE is satisfied that the class or description of aircraft is unconventional. We note that it is not provided that such instrument to be issued by CE will be published in the Gazette. Please clarify the reason(s) for not publishing such instrument (i.e. practical guidance in Article 82C) in the Gazette.**

A3(a). 建議的第 82C 條下有關非傳統航空器試飛活動的實務指引旨在為低空經濟「監管沙盒」試點項目（試點項目）申請人提供技術和運作相關指引，以促進非傳統航空器的試飛活動。該實務指引將會公開發布（例如於民航處網頁發布），以便公眾及試點項目的潛在申請人參閱，並會因應技術進步及國際間的發展不時更新。在未來為非傳統航空器訂立專用法例時，民航處會全面審視國際間就非傳統航空器的標準及建議措施的發展，以及發布相關指引文件的機制。

The practical guidance in respect of trials of unconventional aircraft under the proposed Article 82C serves to provide technical and operational guidance for the low-altitude economy regulatory sandbox (Sandbox) applicants, with a view to facilitating trial flights of unconventional aircraft. The practical guidance will be published in public domain such as CAD website and readily accessible by the general public and potential Sandbox applicants. The guidance will be updated from time to time taking into account technological advancement and international development. When formulating the dedicated legislation for unconventional aircraft in future, CAD will holistically review the international development of the standards and recommended practices for unconventional aircraft as well as the mechanism to promulgate the relevant guidance materials.

**Q3(b). Please clarify the considerations that would likely be considered by CE for determining whether a class or description of the aircraft is unconventional.**

A3(b). 第 448C 章的現行條文主要為規管傳統航空器而設，例如已於現行條文內妥為定義的定翼機及直升機。然而，其中多項條文並不適合用於規管非傳統航空器以促進香港低空經濟的發展。因此，我們建議修訂第 448C 章以促進各類非傳統航空器的試飛活動，例如電動垂直起降飛行器（eVTOL）、動力升空器、多旋翼航空器等。此外，第 448C 章的建議修訂將容許發布實務指引以供公眾及低空經濟「監管沙盒」試點項目的潛在申請人參閱，當中會指明非傳統航空器的描述。考慮到非傳統航空器技術迅速及難以預計的發展，建議的修訂可以靈活的方式指定適合進行試驗的各類創新型態的航空器，以促進香港低空經濟的發展。

The existing provisions in Cap 448C are designed mainly for regulating conventional aircraft including aeroplanes and helicopters, which are well-defined under the existing provisions. However, many of the provisions under Cap 448C are found to be ill-suited for regulating unconventional aircraft to promote the low-altitude economy in Hong Kong. Hence the amendment to Cap 448C are proposed to facilitate the trials of different types of unconventional aircraft such as electrical Vertical Take Off and Landing (eVTOL) aircraft, powered-lift aircraft, multicopters, etc. In addition, the proposed amendment to Cap 448C also allows the publication of practical guidance, which will specify the description of unconventional aircraft, for viewing by the general public and potential sandbox applicants. Taking into account the rapidly evolving technologies for unconventional aircraft, which may not be foreseeable for the time being, the proposed legislative amendment allows the flexibility to specify such innovative forms of aircraft eligible for trials to foster the development of low-altitude economy in Hong Kong.