

# CAD urges public not to interfere with aircraft or aeronautical communication

The Civil Aviation Department (CAD) today (September 20) reminded the public not to interfere with flying aircraft by operating drones or interrupt aeronautical communication by transmitting radio waves, in order to avoid jeopardising aviation safety and contravening the law.

A spokesman for the CAD said it was noted that there were online posts about operating drones in the neighbourhood of Hong Kong International Airport (HKIA) to obstruct or interfere with airport operation and air traffic, as well as posts about testing radio waves at various locations in the territory to interrupt aeronautical communication. Such acts are not only illegal but also very dangerous.

"As an international and regional aviation hub, Hong Kong handles a high volume of air traffic and a large number of passengers every day. During peak hours, flights may consecutively arrive at or depart from HKIA in a frequency of less than a minute. Regardless of the intentions of the operators, flying drones illegally in the area of the airport and its vicinity may cause aircraft incidents and put passengers as well as the public at risk," the spokesman said.

The CAD reminded the public not to operate drones in the area of HKIA and within a five-kilometre radius of the aerodrome to avoid jeopardising aviation safety. The Air Navigation (Hong Kong) Order 1995 (Cap. 448C) stipulates that any person who recklessly or negligently acts in a manner likely to endanger an aircraft or any person therein commits an offence and is liable on conviction to a fine and to imprisonment for two years.

Under section 35 of the Airport Authority Bylaw (Cap. 483A), no person shall, within the Bylaw Area, fly a model plane (including a drone). Offenders shall be liable on conviction to a maximum penalty of a fine of \$50,000 and imprisonment for six months. Under section 3 of the Airport Authority Bylaw, the Bylaw Area shall comprise (i) all the Restricted Area; (ii) all that portion of the Airport Area no part of which is either in the Restricted Area or on any road or length of road; and (iii) all the designated roads, but shall not include any area within an area referred to in (i), (ii) or (iii) which is also within the MTR area.

The Airport Authority Hong Kong has obtained a High Court order for the continuation of the interim injunction order which restrains persons from unlawfully and wilfully obstructing or interfering with the proper use of HKIA. Any person who neglects to obey or comply with the order, or any person who assists or incites, aids or abets another in disobeying the order, may be held in contempt of court and be liable to imprisonment or a fine. Enforcement proceedings may be taken to compel persons to comply with the order.

As well, according to the Telecommunications Ordinance (Cap. 106), it is an offence for any person to possess a radiocommunications apparatus without a valid licence and/or knowingly and without lawful excuse to use an apparatus (whether or not it is an apparatus for telecommunications) to cause harmful interference with any other lawful telecommunications services or apparatus. Upon conviction, the offender is liable to a fine and to imprisonment for two years for the former offence, and to a fine and to imprisonment for six months for the latter offence.

"The Government will closely monitor the situation and take appropriate measures and actions to ensure air traffic safety," the spokesman said.