

# LCQ7: Formulating laws and regulations on low-altitude economy

Following is a question by the Hon Chan Siu-hung and a written reply by the Secretary for Transport and Logistics, Mr Lam Sai-hung, in the Legislative Council today (November 20):

Question:

The Chief Executive has announced in the 2024 Policy Address that the Working Group on Developing Low-altitude Economy will be established, and is expected to commence studies and planning work on the relevant issues in the first half of next year. There are views that with the gradual emergence of various types of Advanced Air Mobility (AAM) (including aircrafts of different altitudes such as small unmanned aircrafts, manned and unmanned aircrafts weighing more than 25 kilograms, electric vertical take-off and landing aircrafts, and electric short take-off and landing aircrafts) and their shared use of the lower airspace, even if the Government relaxes restrictions on "beyond-line-of-sight flying activities" as well as those on the weight and loading of unmanned aircrafts and amends the existing Small Unmanned Aircraft Order (Cap. 448G), such arrangements cannot cover and regulate all types of AAM. In this connection, will the Government inform this Council:

(1) whether it will draw reference from the experience of our country, the United States, Japan and European Union countries in enacting legislation and formulate dedicated laws and regulations for explicitly regulating the flight and related activities of aircrafts in the lower airspace, so as to safeguard aviation safety and public safety;

(2) whether it will draw reference from the Regulation of the Shenzhen Special Economic Zone on Promoting the Low Altitude Economy Industry and enact an ordinance to promote the low-altitude economy industry of Hong Kong, which covers areas such as infrastructure, construction and operation, aviation services, industrial application, industrial support, technology and innovation, safety management and legal liabilities, so as to provide legal protection for the promotion of the high-quality development of Hong Kong's low-altitude economy industry; and

(3) given that the Working Group on Developing Low-altitude Economy will foster and enhance technical interface with the Mainland and explore with the Mainland the joint establishment of low-altitude cross-boundary air routes, whether the Government will, as an effort to break through the limitations imposed by the varied laws and regulations of various cities, explore the feasibility of setting up "interdepartmental working groups on cross-boundary low-altitude economy" with the relevant departments of other cities in the Guangdong-Hong Kong-Macao Greater Bay Area, so as to align with the laws and regulations of those cities as well as their standards and specifications on low-altitude infrastructure and low-altitude smart information infrastructure

systems, and to establish unified low-altitude aviation management standards, co-ordinated management mechanisms and so on; if so, of the details; if not, the reasons for that?

Reply:

President,

The Chief Executive announced in the 2024 Policy Address to establish the Working Group on Developing Low-altitude Economy. The Working Group convened its first meeting on November 12 this year to discuss the overall development strategy and work plan for low-altitude economy (LAE). With a forward-looking mindset and from the perspective of a facilitator, the Working Group will embark on relevant work from the perspectives of taking forward Regulatory Sandbox (Sandbox) pilot projects, enhancing legislation, studying and planning for low-altitude infrastructure, and establishing the Greater Bay Area low-altitude cross-boundary corridor.

In consultation with the Innovation, Technology and Industry Bureau, the Security Bureau, the Civil Aviation Department (CAD), the Customs and Excise Department and the Hong Kong Police Force, the reply to the Hon Chan Siu-hung's question is as follows:

(1) The current Small Unmanned Aircraft (SUA) Order (Cap. 448G) adopts a risk-based approach in regulating the operations of SUA weighing not more than 25 kilograms. With the ever-evolving technological development, apart from SUA, different types of Advanced Air Mobility (AAM) are emerging, including larger, i.e. weighing more than 25kg manned and unmanned aircraft. At present, the International Civil Aviation Organization has yet to formulate unified international standards and recommended practices for AAM. Nevertheless, in order to facilitate the long-term development of low-altitude flying activities, it is necessary to ensure that a legal basis is in place for the operations and applications of AAM in Hong Kong, so as to safeguard aviation safety while promoting LAE. In this connection, the Transport and Logistics Bureau and the CAD have already started to review the existing civil aviation and other relevant legislation and regulatory regime. In the process, reference will be made to similar legislation and standards imposed by the civil aviation authorities of other major regions (including Mainland China, Australia, Canada), with due consideration given to Hong Kong's present needs and long-term development.

The Government will collaborate with the industry and partner organisations to implement the Sandbox pilot project by batches starting from early next year. The pilot projects will be conducted under different scenarios (for example, different weather conditions, geographical environment, contingency situations) to test different technical requirements, including the safe operation of unmanned aircraft, signal reception, obstacle avoidance function and emergency procedures of the unmanned aircraft. The data and experience gathered from the implementation of the Sandbox pilot projects will help the Government formulate appropriate regulations in the long run.

(2) LAE can be applied widely in different areas and help promote the development of the economy and various industries, thereby injecting new impetus to the economy of Hong Kong. One of the important tasks of the Working Group is to promote cross-bureaux and inter-departmental co-operation in order to ensure the smooth implementation of LAE-related initiatives. Various bureaux and departments will maintain close communication and explore ways to expand and enrich the application scenarios for low-altitude flying activities progressively, thereby promoting the development of various industries, such as logistics, innovation and technology, tourism. The Working Group will also study and plan a set of regulatory framework applicable to low-altitude flying activities, with the objective of establishing a set of unified standards in areas such as regulations, infrastructure and low-altitude management, so as to support the long-term development of LAE. Meanwhile, the Government will continue to keep in view the latest development in the Mainland and other regions, in particular the relevant regulations and guidelines issued by Mainland cities.

As regards industrial application and support, the Government has all along been supporting research and development (R&D) in different technology areas through the Innovation and Technology Fund (ITF), including supporting local universities, R&D centres and enterprises to conduct R&D in electronics, data transfer and processing, which are related to LAE, through funding schemes under the ITF. To promote the development of the I&T industry, the Government encourages enterprises (including those involved in industries related to LAE) to set up R&D centres and new smart production lines in Hong Kong, including enabling production activities by capitalising on resources of Hong Kong's existing manufacturing industry, to promote the development of the real economy.

(3) As mentioned in the 2024 Policy Address, the Government will promote interface with the Mainland, such as to discuss the joint establishment of low-altitude cross-boundary air routes, immigration and customs clearance arrangements and supporting infrastructure, with a view to laying the foundation for future cross-boundary low-altitude flying activities (for example, cross-boundary helicopter and drone delivery).

The Government will continue to actively liaise and communicate with the Mainland authorities to discuss and sort out matters relating to cross-boundary low-altitude flying activities.