

Office of The Ombudsman announces results of direct investigation into Civil Aviation Department's regulation of paragliding activities (with photo)

The following is issued on behalf of the Office of The Ombudsman:

The Ombudsman, Ms Winnie Chiu, today (May 26) announced at a press conference the completion of a direct investigation into the regulation of paragliding activities by the Civil Aviation Department (CAD), and made eight recommendations for improvement to the CAD.

Paragliding activities first appeared in Hong Kong in the 1990s and have become more popular in recent years. Nevertheless, related accidents have happened from time to time. Over the past four years, there have been two fatal accidents involving paraglider pilots in Hong Kong and one serious incident in which a paraglider collided with a vehicle when it mistakenly landed on a carriageway. The safety risk involved in paragliding activities is just too obvious to ignore. At present, while there is no specific legislation for regulating paragliding activities in Hong Kong, the CAD regulates paragliding activities under those provisions of the civil aviation laws that also cover paragliding.

Investigation by the Office of The Ombudsman revealed that the CAD only conducted a review on the regulation of local paragliding activities as late as 2018, before which the department had not proactively reviewed and modified its regulatory work. The CAD's enforcement and monitoring have not been adequate either, even after the establishment of a permit application mechanism for local paragliding air service providers in 2019. In addition, the effectiveness of regulatory efforts has also been dampened by the CAD's reliance on a non-governmental organisation for the management of paragliding activities and accident/incident investigation.

Ms Chiu said, "The CAD, as the department responsible for promoting and managing aviation safety, and for enforcing the legislation relevant to paragliding activities, has the duty to ensure that the paragliding activities would not jeopardise public or airspace safety. The Office recommends that the CAD take reference from overseas experience and discuss with local paragliding associations and stakeholders with a view to introducing a new system for managing paragliding activities. It should also participate in investigations and enforcement proactively in order to boost the effectiveness of regulation. Furthermore, for the sake of safety, we encourage members of the public interested in paragliding activities to choose services offered by eligible persons approved by the CAD."

The Office has made eight recommendations for improvement to the CAD,

which include:

- explore legislative or administrative measures, as suited for the local paragliding sector, to introduce a real-name registration scheme for paraglider pilots, a registration system for paragliding equipment, and an authorisation regime for local paragliding organisations;
- consider authorising or appointing officially the organisation(s) that the department deems appropriate to conduct investigations into paragliding accidents and incidents, and furnish the organisation(s) with specific guidelines such that the organisation(s) can uncover substantive information for the government authority to decide the necessary investigation and enforcement action;
- before referring complaint cases about allegedly illegal paragliding activities or services to the Hong Kong Police Force, the CAD should collate and analyse case information of those cases from the professional perspective of civil aviation safety for the Police's reference;
- strengthen enforcement efforts under the permit system for providing air services by paragliders and step up publicity about the system; and
- consider granting renewed permits with a validity period longer than six months.

The CAD has in general accepted all of the improvement recommendations.

The full investigation report has been uploaded to the website of the Office of The Ombudsman at www.ombudsman.hk for public information.

