

Ombudsman probes 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 (March 18) announced the launch of a direct investigation to examine the Civil Aviation Department (CAD)'s regulation of paragliding activities.

In recent years, paragliding has been gaining popularity in Hong Kong. Incidents or accidents related to paragliding activities have happened from time to time. Last year, a paraglider collided with a vehicle when making an emergency landing on a public road. That accident has raised public concern about the safety of paragliding activities and whether the Government has in place adequate regulation for such activities.

At present, the CAD is empowered by two pieces of legislation to regulate paragliding activities. Pursuant to the Air Navigation (Hong Kong) Order 1995, any person who recklessly or negligently causes or permits an aircraft (including a paraglider) to endanger any other person or property is liable to prosecution. Moreover, it is an offence under the Air Transport (Licensing of Air Services) Regulations for any person to offer air services for hire or reward by paragliders except under a permit granted by the Director-General of Civil Aviation.

There are currently two major paragliding organisations in Hong Kong. The CAD maintains close liaison with them and proactively provides safety advice on paragliding activities. Should there occur any incident or accident in relation to paragliding activities, one of the paragliding organisations will investigate and submit a report to the CAD.

The Office of The Ombudsman's preliminary inquiry has revealed that no application for the permit to operate services for hire or reward by paragliders was made to the CAD between 2017 and 2019. The CAD received four applications in 2020, and its website shows that as at end of February 2021, two valid permits have been granted. To date, no prosecution has been initiated for any offence under the relevant legislation. Meanwhile, the Internet abounds with promotions and accounts on the experiences of fee-charging paragliding courses or taster flying sessions available locally.

Ms Chiu said, "Paragliding activities entail a certain level of safety risk. Improper operation of paragliders may not only impact on the safety of airspace in Hong Kong, but may also pose a danger to the public on the ground. The CAD is the department responsible for promoting and managing aviation safety. It is incumbent upon the CAD to ensure proper regulation of paragliding activities and to follow up on suspected improper or illegal paragliding activities to help ensure public safety. In this connection, I

have decided to initiate this direct investigation to probe whether the CAD has effectively regulated paragliding activities and taken adequate follow-up actions."

The Ombudsman welcomes views from members of the public on this topic. Written submissions should reach the Office of The Ombudsman by April 18, 2021:

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