

# THE CHINESE UNIVERSITY OF HONG KONG

## **Guidelines on Operation of Small Unmanned Aircraft at CUHK** **(formerly known as Guidelines on Operation of Unmanned Aerial Systems at CUHK?)**

### 1. Introduction

The Small Unmanned Aircraft (SUA), commonly known as drone, has been gaining popularity over the past few years both in Hong Kong and worldwide. Starting from 1 June 2022, the SUA operations is regulated under the Small Unmanned Aircraft Order (SUA Order), Cap.448G of the Laws of Hong Kong, based on the weight of the SUA and the operational risk level. In order to maintain SUA operations safe and orderly on campus, this set of guidelines has been drawn up for those who intend to operate SUA for teaching and research purposes as well as for other non-commercial (but not recreational) activities within the campus. The guidelines apply to all operations of SUA on campus, regardless whether the remote pilot concerned is from the University community or an external party.

### 2. Major principles

- The flying of SUA within the airspace of the University campus must be approved by the University in advance and in compliance with the SUA Order (application form).
- Only operations for legitimate purposes related to University activities, viz. research, teaching, operational or promotional activities of the University will be allowed. Operation of SUA for recreational purpose is not allowed on campus. Applicants should be members of staff or students and applications should be made on a Department/Unit basis. Applications from external parties should be submitted through the University Department/Unit hosting/co-sponsoring the proposed activities on campus.
- The SUA must not fly over the No Flying Zones (Appendix 1) and staff/student quarters at CUHK, as well as inside buildings or premises.
- The application for flying SUA within the airspace of the University shall be approved only if:
  - ✓ The procedure set out in the following section has been complied with properly;
  - ✓ Adequate insurance coverage of the operation has been procured; and
  - ✓ The associated risks and privacy issues from the use of the SUA have been properly addressed.

### 3. Application procedures

Apart from the internal requirement of the University, applicants should take note of the corresponding regulatory requirements under the SUA Order, including registration and labelling of SUA, registration of remote pilot, training and assessment, equipment, operating requirements and insurance.

- (a) All applications, with the purpose of flight(s), the proposed schedule and area(s) of operation clearly stated, should be made on the designated proforma.
- (b) First-tier endorsement by the Chairman/Head of the hosting Department/Unit should be granted upon affirming the legitimate purpose of operating SUA on campus, as well as the assurance that competent remote pilot will be engaged for the flight and there be an undertaking for full compliance with these guidelines.

- (c) For advanced operation stipulated in the SUA Order, the applicant should obtain prior permission from the Civil Aviation Department (CAD) before submitting application to the University.
- (d) An application endorsed by the Chairman/Head of the hosting Department/Unit should be submitted to the Estates Management Office (EMO) not less than 7 working days\* from the date of flight to coordinate the vetting process by the following Professional and Administrative Service (PAS) Units for advice to the approval authority:
  - (i) Estates Management Office (EMO) to assess/advise on the availability of the proposed operation areas;
  - (ii) University Safety Office (USEO) to assess/advise on the proposed operation areas and safety concerns, if any;
  - (iii) Security Office (SCU) to assess/advise on the proposed schedule and orderly operation of SUA; and
  - (iv) Audio-Visual Division (CUAV) to arrange site test(s) for the remote pilot to ascertain the safe operation of the SUA on campus, particularly for the remote pilot only with standard rating assigned by CAD.

\* Urgent case may be considered as far as practicable if special reason can be provided in the application.
- (e) Upon clearance from the PAS units (viz., EMO, USEO, SCU and CUAV), the applicant may submit the application for consideration/approval by the respective University authority, i.e. Faculty Dean in the case of faculty-based units and Supervising Officers in the case of non-faculty-based units.
- (f) Upon approval by the relevant authority:
  - (i) The applicant should inform SCU for issuance of internal permit to enable the flying operation.
  - (ii) The applicant should arrange for an appropriate insurance to be taken out in the joint name with the University or liaise with the service provider of the flying operation to arrange for such insurance coverage to be payable by the service provider. Departments/Units could contact Business Unit for the insurance requirements of the University.

#### 4. SUA to be Operated by Students of CUHK

Students who wish to operate a SUA for non-recreational purpose should submit the application (a) through their affiliating Departments/Units OR (b) in the name of a student body through the Office of Student Affairs (OSA), which must have been registered under the Student Union or the OSA. It shall be the responsibility of the student applicant or the concerned student body to submit and follow through the application to CAD and EMO set out in paragraph 3 above. OSA only assumes the role of coordination for the application from the student body.

#### 5. Privacy Concerns

Users of the SUA should be particularly mindful of the need to respect personal data privacy to eliminate or reduce the harmful effects of these highly privacy-intrusive features. The SUA must not fly over the *No Flying Zones* (Appendix 1) and staff quarters/student hostels at CUHK.

The use of a SUA with camera is regulated by the Personal Data (Privacy) Ordinance [Cap. 482] as it may involve the collection of personal data. The Office of the Privacy Commissioner for Personal Data issued the Guidance on CCTV Surveillance and Use of Drones: ([https://www.pcpd.org.hk/english/resources\\_centre/publications/files/GN\\_CCTV\\_Drones\\_e.pdf](https://www.pcpd.org.hk/english/resources_centre/publications/files/GN_CCTV_Drones_e.pdf))

This guide contains reminders that remote pilots (i.e. those who operate camera equipped drones) are regulated by the Personal Data (Privacy) Ordinance (including the Data Protection Principles therein) and have a duty to respect personal privacy. The guide also offers guidelines on recording, handling recorded images, retention and encryption of image transmission. However, the guide does not have the force of law, so the Government must necessarily rely on the Personal Data (Privacy) Ordinance or other existing laws when evaluating any public offenses involving drones (and SUA).

## 6. Operation of SUA

Before the operation of the SUA, the applicant via the hosting Department/Unit concerned should issue notice to all relevant parties who may be involved or affected. During the operation, the hosting Department/Unit (or the service provider) must ensure their risk control measures have been properly implemented, and they are well prepared for any emergencies. One staff member (or a student representative in the case of a student body) should be assigned by the hosting Department/Unit concerned as the officer-in-charge on the spot, who should carry the internal permit issued by SCU throughout the operation.

All operations of SUA on campus should follow the safety guideline for the operation of SUA established by CAD. Users of SUA must comply with all applicable requirements:

< <https://www.cad.gov.hk/english/sua.html> >

## 7. Suspension of SUA

Operation of the SUA may be suspended if:

- there is any unsafe act;
- deviation from the approved flight plan and/or risk control measures is observed;
- the emergency plan/procedure is not ready; or
- any legitimate concern or valid complaint from the public or occupant of the University is received.

## 8. Violations of the University's policies and guidelines

Any violations of the University's policies and guidelines will be handled in accordance with applicable disciplinary procedures and depending on the gravity of the case, can be a subject of civil proceedings in court.

### **Useful references:**

- CAD - Small Unmanned Aircraft Order (Cap.448G)  
<https://www.cad.gov.hk/english/sua.html>
- Guidance Note on CCTV Surveillance and Use of Drones:  
([https://www.pcpd.org.hk/english/resources\\_centre/publications/files/GN\\_CCTV\\_Drones\\_e.pdf](https://www.pcpd.org.hk/english/resources_centre/publications/files/GN_CCTV_Drones_e.pdf))