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Press Release /// Pressemitteilung

New EASA regulatory approach for RPAS operation

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RPAS – Remotely Piloted Aircraft Systems in Europe are increasingly being used in Europe, but under a fragmented regulatory framework.

Under the term RPAS or “Remotely Piloted Aircraft Systems” are included very large aircraft which resemble in size and complexity manned aircraft to professional, commercial micro aircraft – like systems from Ascending Technologies – and very small consumer electronics aircraft. Some people may call them UAS “Unmanned Aircraft Systems”, UAV “Unmanned Aerial Vehicle” or simply drones. Basic national safety rules already apply, but the rules differ widely across the EU and a number of key safeguards are not addressed in a coherent way.

The drone industry is diverse, innovative and international. It has an enormous potential for growth with the associated possibility to create jobs. To ensure a safe, secure and environmentally friendly development, and to respect the citizens’ legitimate concerns for privacy and data protection, EASA has been tasked by the European Commission — following the Riga Conference and its associated Declaration — to develop a regulatory

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framework for drone operations as well as concrete proposals for the regulation of low-risk drone operations.

Coherent European regulations for RPAS operations?

Both aspects are included in this Advance Notice of Proposed Amendment 2015-10 together with a chapter containing background information. Following this consultation, which shall end in 25 September 2015, the Agency will submit a technical opinion to the European Commission by the end of 2015.

Based on this information the European Commission has proposed to set new standards to regulate the operations of RPAS. The new standards will cover safety, security, privacy, data protection, insurance and liability. The aim is to allow European industry to become a global leader in the market for this emerging unmanned aircraft technology, while at the same time ensuring that all the necessary safeguards are in place.

For a long time RPAS developers and professional RPAS service providers and operators have been living between great expectations, hope and fear without real planning security.

EASA's new regulatory approach for RPAS operations

The European Aviation Safety Agency (EASA) presented its new regulatory approach for safely operating remotely piloted aircraft systems (RPAS). This marks a significant change in the way aviation safety regulations are developed, becoming proportionate to the risks they aim to address.

'This concept is the first tangible result of the new regulatory approach in EASA, where we first listen to the users and then we draft rules proportional to the risks' said Patrick Ky, EASA Executive Director, 'these rules will ensure a safe and fertile environment for this much promising industry to grow'.

EASA is following a new regulatory approach for safely operating remotely piloted aircraft systems. This flexible approach, called EASA Concept of Operations for Drones, has been based on input from users and manufacturers of RPAS and provides a set of rules which are proportionate and risk based. In other words, safety requirements are in relation to the risk an activity poses to the operator and to third parties (e.g. general public). The greater the risk the higher the requirements. This is done in order to ensure there is no compromise in safety, but there is a flexible environment for this promising RPAS industry to grow.

Integrating RPAS into the European civil airspace

The concept defines three RPAS categories, with an 'open category' at the lower end. For these drones the intention is to have no specific regulations, with the exception of possibly

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mandating equipment which would implement 'no-fly-zones', like cities or critical sites. The safety rules that will be developed at the European level will be based on this EASA Concept of Operations for Drones and on the regulations already adopted in some EU Member States. They will be harmonised at the global level with international standards.

This A-NPA reflects the principles laid down in the Riga Declaration. It follows a risk- and performance-based approach; it is progressive- and operation-centric. It introduces three categories of operations as already proposed in the published EASA Concept of Operations for Drones:

- **'Open' category (low risk):** safety is ensured through operational limitations, compliance with industry standards, requirements on certain functionalities, and a minimum set of operational rules. Enforcement shall be ensured by the police.
- **'Specific operation' category (medium risk):** authorisation by National Aviation Authorities (NAAs), possibly assisted by a Qualified Entity (QE) following a risk assessment performed by the operator. A manual of operations shall list the risk mitigation measures.
- **'Certified' category (higher risk):** requirements comparable to manned aviation requirements. Oversight by NAAs (issue of licences and approval of maintenance, operations, training, Air Traffic Management (ATM)/Air Navigation Services (ANS) and aerodrome organisations) and by EASA (design and approval of foreign organisations).

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This regulatory framework will encompass European rules for all drones in all weight classes. The amendments to Regulation (EC) No 216/2008 which are under way will reflect the above. This change will be part of the 'aviation package' legislative proposal to be issued in November 2015 by the European Commission.

View original: http://www.easa.europa.eu/document-library/notices-of-proposed-amendment/npa-2015-10

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