



EMFU General Meeting
Gouda, 1 & 2 June 2019

Update on EASA regulations for Unmanned Aircraft

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Our objectives



- Recognition & differentiation for model flying within the regulations
- Removal of age restrictions
- Removal of registration requirements for individual aircraft
- Removal of height restrictions
- Removal of identification/conspicuity/geofencing requirements
- More proportionate/relevant product market requirements



No significant changes expected to Draft Regulations (or how wrong can you be?)



- Discussion with DG MOVE during EASA Workshop in July. Invited me to submit 'thoughts/concerns' for model flying (Submitted 26th July).
- DG MOVE Response (26th July): *"Thank you for these suggestions. We will take them very carefully into consideration so that the modellers can continue their activities without great fuss".*
- EASA contacted me on the 27th July to say that DG MOVE had just submitted a proposal to 'remove model flying conducted with Associations/Clubs from the EASA regulations and place it under National Regulation'.
- New Draft Regulations published by EC on 5th October.



No significant changes expected to Draft Regulations (or how wrong can you be?)



- High Level Drone Conference – Amsterdam. EASA/DG MOVE/DG GROW asked for our views on the latest Draft of the Regulation.
- We had ongoing correspondence with DG MOVE & EASA through December.
- We continued our exchange throughout January and had a 2 hour Webex with DG MOVE/EASA on 22nd January to discuss our suggestions, most of which were ‘positively’ received.
- EASA accepted our offer to provide input into the AMC/GM document which we submitted during April.



Current position with UA Regulations



- Implementing Act and Delegated Act voted through by EASA committee on 28 February.
- Delegated act was adopted by the EU Commission on 12 March.

Next steps:

- Implementing Regulation will be translated and then adopted and published by the EC around end of May 2019 (it was!)
- IR to be published in Journal on 12th June.
- EASA is now working on the revised AMC/GM to be published by end of Q3 2019.
- EASA developing Opinion for standard scenarios. Workshop in July and then Opinion published by end of Q3 2019.

The EASA Basic Regulation – 22 December 2017



Provided useful recognition for Model Flying

(20c) Model aircraft are considered as unmanned aircraft within the meaning of this Regulation and are used primarily for leisure activities. The delegated and implementing acts adopted under this on the basis of Regulation and concerning unmanned aircraft should take into account that such model aircraft have so far had a good safety record, especially those operated by members of model aircraft associations or clubs which developed specific codes of conduct for such activities. In addition, when adopting those delegated and implementing acts, the Commission should take account of the need for a seamless transition from the different national systems to the new Union regulatory framework so that model aircraft can continue to operate as they do today, also by taking into account existing best practices in the Member States.

Commission Implementing Act



(27) Since model aircraft are considered as UAS and given the good safety level demonstrated by model aircraft operations in clubs and associations, there should be a seamless transition from the different national systems to the new Union regulatory framework, **so that model aircraft clubs and associations can continue to operate as they do today**, as well as taking into account existing best practices in the Member States.

(28) In addition, considering the good level of safety achieved by aircraft of class C4 as provided in the Annex to this Regulation, low risk operations of such aircraft should be allowed to be conducted in the 'open' category. **Such aircraft, often used by model aircraft operators, are comparatively simpler than other classes of unmanned aircraft and should therefore not be subject to disproportionate technical requirements.**



Implementing Act – Article 9

Article 9

Minimum age for remote pilots

1. The minimum age for remote pilots operating a UAS in the ‘open’ and ‘specific’ category shall be 16 years.

Member States can lower age to 12 for ‘open’ and 16 for ‘specific’ categories, but variations only apply within their own territory.

5. Member States may define a different minimum age for remote pilots operating in the framework of model aircraft clubs or associations in the authorisation issued in accordance with Article 16.



Implementing Act (Competency & Registration Requirements)

Article 8

Rules and procedures for the competency of remote pilots



(3). Remote pilots operating in the framework of model aircraft clubs or associations shall comply with the minimum competency requirements defined in the authorisation granted in accordance with Article 16.

Article 14

Registration of UAS operators and 'certified' UAS

Member States shall establish and maintain accurate registration systems for UAS whose design is subject to certification and for UAS operators whose operation may present a risk to safety, security, privacy, and protection of personal data or environment.

(5). UAS operators shall register themselves:

- b. when operating within the 'specific' category an unmanned aircraft of **any mass**.

(8). **The UAS operators shall display their registration number on every unmanned aircraft** meeting the conditions described in paragraph 5.

EASA Technical Opinion & Draft Regulation



Registration Requirements

The Technical Opinion introduced a new requirement to carry a placard displaying the pilots registration information:

... a requirement has been added to equip UA with a fire-resistant placard displaying registration information. Deviations are possible for very small UA and for model aircraft

This was further addressed in the original AMC/GM document

*GM1 UAS.SPEC.060 Registration within model aircraft associations and clubs
Model clubs and associations may fulfil the UAS registration requirement on behalf of their members, and provide the related data to the entity designated for that purpose by the Member State. The procedures of model clubs and associations should define acceptable methods for their members to display the identification information on the UA.*

We have not seen the latest AMC/GM text, but we are aware the placard requirement is supported by several MS and EASA consider requirements for labelling model aircraft should be included in the Article 16 Authorisation.



Implementing Act – Article 16

Article 16

UAS operations in the framework of model aircraft clubs and associations

Upon request by a model aircraft club or association, the competent authority may issue an authorisation for UAS operations in the framework of model aircraft clubs and associations.

The authorisation referred to in paragraph 1 shall be issued in accordance with any of the following:

- a. relevant national rules;
- a. established procedures, organisational structure and management system of the model aircraft club or association, ensuring that:

Implementing Act – Article 16 (Association requirements)

Article 16

UAS operations in the framework of model aircraft clubs and associations



- i. remote pilots operating in the framework of model aircraft clubs or associations are informed of the conditions and limitations defined in the authorisation issued by the competent authority;
- ii. remote pilots operating in the framework of model aircraft clubs or associations are assisted in achieving the minimum competency required to operate the UAS safely and in accordance with the conditions and limitations defined in the authorisation;
- iii. the model aircraft club or association takes appropriate action when informed that a remote pilot operating in the framework of model aircraft clubs or associations does not comply with the conditions and limitations defined in the authorisation, and, if necessary, inform the competent authority;
- iv. the model aircraft club or association provides, upon request from the competent authority, documentation required for oversight and monitoring purposes.

An Article 16 authorisation is limited to the territory of the Member State in which it is issued.

Implementing Act – Article 16 (Registration requirements)



Article 16

UAS operations in the framework of model aircraft clubs and associations

4. Member States may enable model aircraft clubs and associations to register their members into the registration systems established in accordance with Article 14 on their behalf. If this is not the case, the members of model aircraft clubs and associations shall register themselves in accordance with Article 14.



Three options for Model Flying



1. OPEN CATEGORY

- Restrictive default age requirement of 16 (12) – barrier to participation?
- Limited to 120m from surface (last minute provisions agreed for slope soaring).
- Registration requirements.
- Competency test requirements.
- Last minute restoration of 'endangering' agreed for A3 Subcategory

2. Article 15

MS can define zones where requirements of OPEN Category can be varied/exempted.

3. Article 16

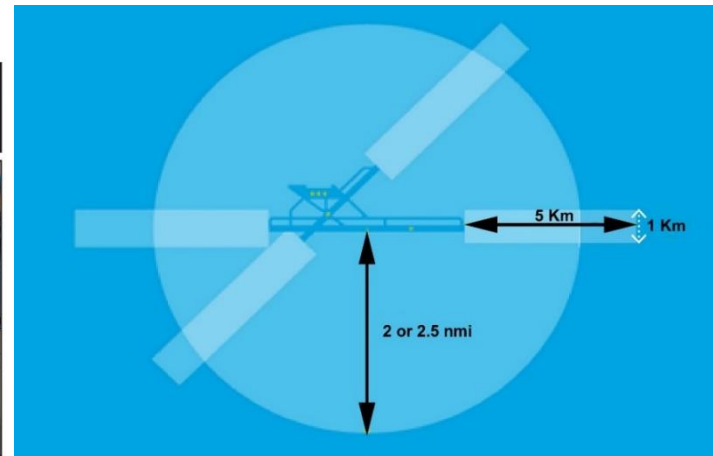
MS Authorisation to model flying clubs and associations in accordance with national rules or established procedures + Registration requirements



What Next?



- Try to provide further input into the AMC/GM.
- EASA Standard Scenario Workshop in July.
- Negotiations for rights of model flyers have shifted to MS rather than EASA/EC level. Already creating problems for some with interpretation.
- No end to Government/Regulatory interference in sight for some! (inc UK).



- Plenty of other regulatory battles to focus on, including conspicuity & U-Space.
- Some ongoing difficulties in differentiating model flying and drone operation.

Model Flying vs Recreational 'Drone' operation

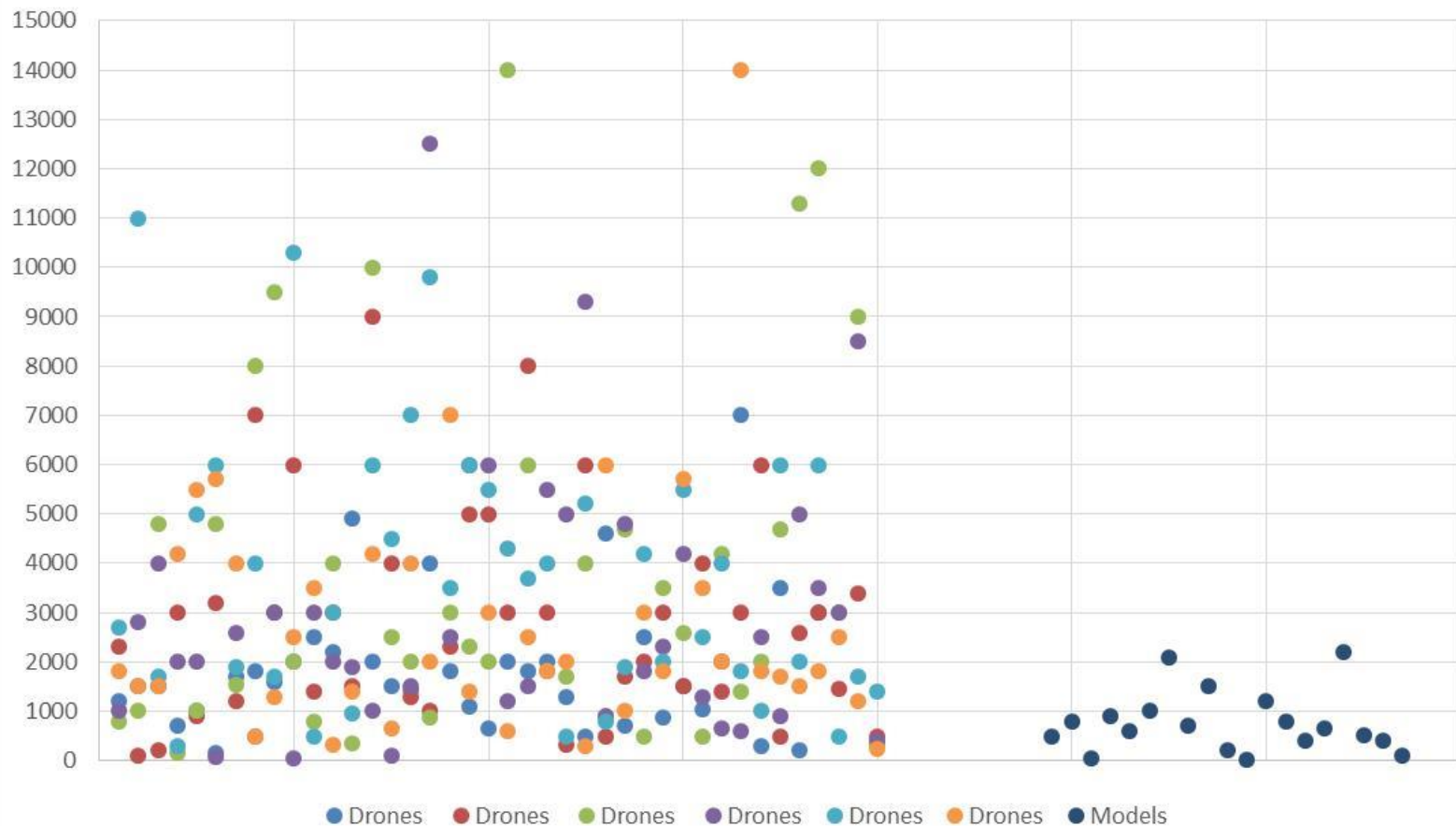


Model Aircraft	Recreational Camera Drone
Flown well within VLOS in order to retain orientation and control (and enjoyment)	Can be flown at the extremity of VLOS and beyond. No need to retain orientation!
Requires 'piloting' skills which must be learned	May require little or no skill to operate
<u>No</u> flight controller functionality for stability/GPS positioning/geofencing/return to home/autonomous flight etc	Flight controller may provide functionality for stability/GPS positioning/geofencing/return to home/autonomous flight etc
Flown as an 'aircraft' to enjoy the pleasure of flight	Flown as a 'flying camera' to capture images/video
Usually flown in appropriate locations	Easy to operate from inappropriate locations
Established community – awareness of regulations!	Some operators ignorant of the rules (or disregard them) required for legal operation
Established community – self policing/use legal equipment conforming to standards	Many individuals operating in isolation – some use of illegal equipment not conforming to standards
A good track record established over a century	A poor track record established over a few years
No problem if flown in accordance with existing regulations	But no problem if flown in accordance with existing regulations

UK Airprox reports



REPORTED ALTITUDES OF AIRPROXES
MANNED VS UNMANNED AIRCRAFT 2010-2017



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REPRESENTING MODELFLYERS IN EUROPE

- There is a lot to do and no end in sight!
- What we've done with EASA is only part of the picture!
- Thanks for listening!

