

*Information Notice to the Members of the EASA Committee (June 2018).*

*Subject: Ongoing consultations on the draft Commission Implementing Regulation on the rules and procedures for the operation of unmanned aircraft.*

*Recently, the Commission has launched consultations on the draft Commission Implementing Regulation on the rules and procedures for the operation of unmanned aircraft. The Commission would like to stress that these discussions on the future Commission implementing Regulation are only preparatory and without prejudice to the final version of the new Regulation on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency (EASA), which is still to be formally adopted.*

*Therefore, any formal consultation of the EASA Committee will only take place once the aforementioned revised Regulation will have entered into force. The purpose of the ongoing consultations is only to provide early information on the possible content of a Commission's Implementing regulation on unmanned aircraft and facilitate its adoption as soon as possible, once all regulatory conditions are met.*

## **COMMISSION'S SERVICES DRAFT IMPLEMENTING REGULATION**

### **on the rules and procedures for the operation of unmanned aircraft**

Whereas:

- 1) In view of the fact that Unmanned aircraft operate within the airspace, alongside manned aircraft, regardless of their operating mass, uniform implementation of and compliance of rules and procedures should apply to unmanned aircraft and unmanned aircraft system ('UAS') operations.
- 2) Technologies for unmanned aircraft allow a wide range of possible operations. Requirements related to the airworthiness, the organisations, the persons involved in the operation of unmanned aircraft and unmanned aircraft operations should be set out and met in order to ensure safety for people on the ground and other airspace users during the operations of unmanned aircraft.
- 3) Such rules and procedures applicable to UAS operations should take into account the nature and risk of the operation or activity, the operational characteristics of the unmanned aircraft concerned and the characteristics of the area of operations such as the population density, surface characteristics, and the existence of buildings and other sensitive infrastructures.
- 4) The risk level criteria should be used to establish three categories of operations: the 'open', 'specific' and 'certified' categories and those operations for which certificates may be required, including for the design, production maintenance and operation of unmanned aircraft and their engines, propellers, parts, non-installed equipment and equipment to control them remotely, as well as for the personnel, including remote pilots and organisations involved in those activities.

- 5) Proportionate requirements should be applicable to both the ‘open’ and ‘specific’ categories of UAS operations in view of the level of risk involved, the operational characteristics of the unmanned aircraft concerned and the characteristics of the area of operation identified for each category.
- 6) In particular, operations in the ‘open’ category, which cover operations that present the lowest risks, should not require UAS that are subject to standard aeronautical compliance procedures, but should be conducted using the UAS classes that are defined in Regulation (EU) .../... [DA].
- 7) Operations in the ‘specific’ category should be conducted in accordance with the operation authorisation or the declaration as appropriate, using UAS complying with suitable technical requirements.
- 8) In order to facilitate the enforcement of this Regulation, a system of declaration by an operator should be applicable in case of low risk operations conducted in the ‘specific’ category for which a standard scenario has been defined with detailed mitigation measures;
- 9) When according to the risk assessment, UA operations involve large or complex UA operating continuously over open assemblies of people, in BVLOS conditions or within high-density airspace, or UA used for transport of people or the carriage of dangerous goods, which may result in high risk for third-parties in case of crash, in such cases, the type certification of the aircraft as well as approval of the operator organisation should be required and these operations should be classified as a “certified”.
- 10) There should be rules and procedures for the marking and identification of unmanned aircraft and for the registration of operators of unmanned aircraft.
- 11) The information about registration of certified unmanned aircraft and of operators of unmanned aircraft that are subject to a registration requirement should be stored in digital, harmonised, interoperable national registration systems, allowing competent authorities to access and exchange that information.
- 12) For reasons falling outside the scope of this Regulation, including public security or protection of privacy and personal data, Member States may lay down national rules in accordance with Union law.
- 13) National registration systems should comply with the applicable Union and national law on privacy and processing of personal data and the information stored in those registrations systems.
- 14) UAS operators and remote pilots should be aware of the applicable Union and national rules relating to the intended operations, in particular with regard to safety, privacy, data protection, liability, insurance, security and environmental protection.
- 15) Unmanned aircraft noise and emissions should be minimized as far as possible taking into account the operating conditions and various specific characteristics of individual Member States, such as the population density, where noise and emissions are of concern.
- 16) There should be rules and procedures for the conversion of national certificates into certificates complying with the conditions set out in this Regulation.
- 17) In order to ensure the proper implementation of this Regulation, appropriate transitional measures should be established. In particular, Member States and stakeholders should have sufficient time to adapt their procedures to the new regulatory framework before this Regulation enters into force.

- 18) This new regulatory framework applicable to UAS operations should be without prejudice to the applicable environmental and nature protection obligations otherwise stemming from national or Union law.
- 19) While, the “U-Space” system including the infrastructure, services and procedures to guarantee safe UA operations and supporting their integration into the aviation system is in development, this Regulation should already include requirements for the implementation of three important elements required to put in place the U-Space system, namely registration, geo-awareness and electronic identification.
- 20) Particular provisions for recreational flight activities conducted within the framework of model aircraft clubs and associations should also be set out.
- 21) The measures provided for in this Regulation are in accordance with the opinion of the committee established in accordance with Article 127 of Regulation (EU) .../... [new BR].

*Article 1*  
*Subject matter*

This Regulation sets out the rules and procedures for the operation of unmanned aircraft system (‘UAS’) in the ‘open’ category and the ‘specific’ category within the Single European Sky airspace, the registration of UAS operators and the marking of unmanned aircraft.

This Regulation also contains provisions on the rules and procedures for personnel, including remote pilots, the organisations involved in the operations, the issuance of certificates, and airspace restrictions.

*Article 2*  
*Definitions*

For the purposes of this Regulation, the definitions in Regulation (EU) .../... [new BR] shall apply.

The following definitions shall also apply:

- a. ‘unmanned aircraft’ means any aircraft operating or designed to operate autonomously or to be piloted remotely without a pilot on board;
- b. ‘unmanned aircraft system’ (‘UAS’) means an unmanned aircraft and the equipment to control it remotely;
- c. ‘unmanned aircraft system operator’ means any legal or natural person operating or intending to operate one or more UAS;
- d. ‘open’ category’ means a category of a UAS operation that, due to the low risk involved, requires neither a prior operational authorisation by the competent authority nor a declaration by the UAS operator before the operation takes place;
- e. ‘specific’ category’ means a category of a UAS operation that, due to the risks involved, requires an authorisation by the competent authority before the operation takes place, taking into account the mitigation measures identified in an operational risk assessment, except for certain standard scenarios for which a declaration by the UAS operator is sufficient;
- f. ‘certified category’ means a category of a UAS operation that, due to the nature and risk of the operation or activity, requires a certification of the UAS and the certification of the UAS operator, and the certification of remote pilots where applicable;

- g. 'standard scenario' means a defined type of UAS operation in the 'specific' category, for which mitigation measures have been determined after a risk assessment has been carried out by EASA, the competent authority or the UAS operators and which is made available as an acceptable means of compliance (AMC) by the European Aviation Safety Agency (EASA) or as an alternative means of compliance (AltMoC) by the competent authority;
- h. 'visual line of sight operation' ('VLOS') means a type of operation in which the remote pilot maintains continuous unobstructed and without any support visual contact with the UA, allowing the pilot to monitor the flight path of the unmanned aircraft in relation to other aircraft, people and obstacles for the purpose of keeping a sufficient distance from them;
- i. 'light UAS operator certificate' means a certificate issued to a UAS operator of light UAS by a competent authority as set out in part C of the Annex;
- j. 'model aircraft club or association' means an organisation legally established in a Member State for the purpose of conducting leisure flights, air displays, sporting activities or competition activities using UAS;
- k. 'competent authority' means the authority designated by the Member State, responsible for certification, authorisation, oversight, enforcement and registration in the Member State where the UAS operator has its principal place of business, or place of residence if the UAS operator is a natural person;
- l. 'acceptable means of compliance' (AMCs) means non-binding means of compliance with Regulation (EU) .../... [new BR] and its implementing rules adopted by EASA ;
- m. 'alternative means of compliance' (AltMoCs) means non-binding standards other than the existing AMCs adopted by EASA submitted by an applicant or a competent authority to ensure compliance with the rules;
- n. 'dangerous goods' means the items listed in the Annex [XX] that pose a risk to health, safety, property or the environment;
- o. 'electronic identification' means a system that allows for the verification of the identity of the unmanned aircraft operator as well as other relevant information without physical access to the UA;
- p. 'follow-me mode' means a mode of operation of a UAS where the unmanned aircraft constantly follows a person or a device within a predetermined radius;
- q. 'geo awareness system' means a system that detects a potential breach of airspace limitations and alert the UAS operators and pilots and so that they can take immediate and effective action to prevent or stop that breach;
- r. 'privately built UAS' means a UAS assembled or manufactured for the producer's own use, not including UAS assembled from sets of parts placed on the market as a single ready-to-assemble kits;
- s. 'autonomous operation' means an operation during which a unmanned aircraft operates without the remote pilot being able to intervene;
- t. 'uninvolved persons' means persons who are not participating in the unmanned aircraft flight operation and who are not aware of the instructions and safety precautions given by the UAS operator.
- u. 'making available on the market' means any supply of a product for distribution, consumption or use on the Union market in the course of a commercial activity, whether in exchange of payment or free of charge;
- v. 'placing on the market' means the first making available of a product on the Union market;

### Article 3

#### *UAS operations not requiring an authorisation ('open' category)*

1. UAS operations in the 'open' category shall comply with the following requirements:
  - a) the maximum flight distance from the surface shall be no more than 120 m, except when overflying a fixed obstacle of a height of more than 70 m in accordance with UAS.OPEN.10(2)(a);
  - b) remote pilots shall at all times keep UAS in the VLOS except in the event of operations conducted in accordance with UAS.OPEN.20(1)(b) and UAS.OPEN.70(4) of the Annex;
  - c) flights above open air assemblies of people are prohibited;
  - d) the operational requirements set out in UAS.OPEN.20, UAS.OPEN.30 and UAS.OPEN.40 of the Annex;
  - e) UA shall have a Maximum Take-Off Mass (MTOM) of less than 25 kg, be privately built or belong to one of the classes set out in Regulation (EU) .../... [DA] unless otherwise in accordance with Article 13 of this Regulation.
2. Those UAS operations shall not require any prior operational authorisation by the competent authority before the operation takes place.

### Article 4

#### *UAS operations requiring an authorisation, certificate or a declaration ('specific' category)*

3. UAS operations that do not fulfil one or more of the requirements set out in Article 3 and UAS.OPEN.20, UAS.OPEN.30 and UAS.OPEN.40 of the Annex shall fall within the 'specific' category of UAS operations.
4. The competent authority shall grant an authorisation to the UAS operators intending to carry out an operation in the 'specific' category, taking into account the risks and the mitigation measures identified in an operational risk assessment submitted by the UAS operator, or in a standard scenario in accordance with the requirements of Part B of the Annex.
5. Where UAS operators intend to apply a standard scenario requiring a declaration for a low risk operation in the 'specific' category with detailed mitigation measures, a declaration shall be addressed to the competent authority by the UAS operator in order to start operations after confirmation of receipt of the operation declaration by the competent authority.
6. Where the UAS operator holds a light UAS operator certificate, it shall be authorised to release its own operations in accordance with part C of the Annex and in accordance with the privileges received.
7. In accordance with Article 58 of Regulation (EU) .../... [new BR], where the risk of the operations identified in an operational risk assessment can only be mitigated through the certification of the UAS and the certification of the UAS operator, and the certification of remote pilots where applicable, the operation shall fall within the certified category.

### Article 5

#### *UAS operations conducted in the framework of model aircraft clubs and associations*

1. The competent authority may issue a model aircraft club or association with an operational authorisation in accordance with UAS.SPEC.040 of the Annex without

any further demonstration of compliance, on the basis of their established procedures, organisational structure, and management system.

2. That operational authorisation shall include the conditions and requirements of, as well as deviations from, the requirements set out in the Annex, and shall be limited to the territory of the Member State in which it was issued.

#### *Article 6*

##### *Registration of UAS operators and the marking of the unmanned aircraft*

1. Member States shall establish a digital interoperable system for the registration of UA operators and certified UA.
2. In accordance with Article 58 and point 4 of Annex IX [Regulation (EU) .../... [new BR], the competent authorities of the Member States shall issue a unique registration number for UAS operators operating a UA with a MTOM of more than 250 g and for certified UAs.
3. The UAS operator registration number shall consist of no more than eight digits, characters or symbols preceded by two Latin capital letters indicating the Member State in which the UAS operator is registered.
4. The Member States shall ensure that records are stored in digital, harmonised and interoperable national registration systems and shall ensure that such records are updated regularly and are accurate, secure and immediately accessible.
5. Information on the registration of UA and UAS operators subject to a registration requirement shall be accessible by the competent authorities through the repository of information referred to in Article 74 of Regulation (EU) .../... [new BR].
6. UAS operators shall register themselves in accordance with UAS.OPEN.060 or UAS.SPEC.060. When registering themselves, UAS operators shall at the very minimum provide the following information:
  - a) their full name and the date of birth for natural persons; or the name and identification number of the organisation;
  - b) the address where the natural person is residing or the address where the operator is established;
  - c) their email address and telephone number;
  - d) Organisations shall confirm the following statement by ticking the appropriate box: *'All personnel directly involved in the operations are competent to perform their tasks, and the UAS will be operated only by remote pilots with the appropriate level of competency'*;
7. UAS operators shall register themselves in the Member State where they have their principal place of business or residence and shall ensure that, if applicable, the UA is marked and is electronically identifiable.

#### *Article 7*

##### *Designation of the competent authority*

1. Each Member State shall designate the competent authority responsible for:
  - a) registering UAS operators and certified UA;
  - b) issuing, suspending or revoking certificates of remote pilot competency;

- c) issuing, amending, suspending or revoking authorisations, verifying and accepting declarations, light unmanned UAS operator certificate (LUC) and overseeing UAS operations in the ‘specific’ category;
  - d) making available information on airspace restrictions.
2. Where a Member State designates more than one entity as the competent authorities, it shall clearly define their respective areas of competence referred to in paragraph 1 of each competent authority.
3. The designated competent authorities shall cooperate in order to fulfil their tasks in accordance with this Regulation.
4. The competent authority shall:
  - a) establish procedures for registering UAS operators and certified UA in coordination with EASA via the repository of information referred to in Article 74 of Regulation (EU) .../... [new BR] and for the issuing of certificates and authorisation;
  - b) employ personnel with the sufficient knowledge, professional integrity, experience and training to perform the allocated tasks.
5. Member States shall ensure that the competent authorities provide sufficient guarantees to the Member States as regards the avoidance of conflicts of interests.

#### *Article 8*

##### *Tasks of the competent authority*

The competent authority shall:

- a) keep documents, records and reports concerning UAS operations, remote pilots and UAS operators;
- b) develop a risk-based oversight system for UAS operators that hold a declaration, authorisation or an LUC.
- c) establish audit planning based on the risk profile, compliance level and the safety performance of the UAS operators;
- d) carry out inspections with regard to UAS operators, inspect UAS, and ensure that UAS operators and remote pilots comply with this Regulation;
- e) implement a system to detect and examine incidents of non-compliance of UAS operators who have made a declaration, or UAS operators that the competent authority has authorised or certified;
- f) issue, amend, suspend, limit or revoke authorisations and issue, suspend, or revoke certificates as referred to in Article 7(1) which are required to carry out UAS operations in the ‘specific’ category;
- g) impose penalties as necessary in cases of non-compliance with the operational requirements set out in the authorisation or the declaration of non-compliance with the conditions applicable to the ‘open category’.
- h) establish, maintain and keep updated one or more registers of operational declarations, operational authorisations, certificates of remote pilot competency and light UAS operator certificates that are secure and immediately accessible;
- i) provide UAS operators with information and guidance that promotes the safety of UAS operations.

*Article 9*  
*Rules and procedures for the remote pilots*

Member States shall ensure that the national competent authorities are able to verify, where necessary, that remote pilots:

- a) have the appropriate competency in the subcategory of the intended UAS operations in accordance with UAS.OPEN.020, UAS.OPEN.030 and UAS.OPEN.040;
- b) comply with UAS.OPEN.050 and UAS.OPEN.060 if the remote pilot is also the UAS operator;
- c) comply with the minimum age, physical and mental conditions set out in Parts A and B of the Annex in order to ensure the safe operation of the UAS.

*Article 10*  
*Alternative means of compliance*

1. The competent authority shall examine all proposed AltMoCs proposed by UAS operators under its oversight in accordance with UAS.SPEC.115 and UAS.LUC.110 of the Annex on the basis of the documentation provided and, where necessary, shall inspect the UAS operator.
2. Where the competent authority approves the AltMoC, it shall, without delay:
  - a) notify the applicant that the AltMoC may be implemented and, where appropriate, amend the operational authorisation or certificate of the applicant accordingly;
  - b) provide EASA with a full description of the AltMocs, including any revisions to procedures and an assessment that demonstrates that those AltMocs comply with Parts B and C of the Annex.
  - c) inform all other Member States of any approved AltMoCs.
3. The competent authority shall establish a system of evaluating relevant AltMocs approved in other Member States in relation to its own activities, as well as to the activities of legal or natural persons under its oversight, to ensure compliance with this Regulation.
4. Where the competent authority uses AltMoCs to comply with Articles 55 and 56 of Regulation (EU) .../... [new BR] and its implementing rules it shall:
  - a) inform all natural or legal persons under its oversight of the content of AltMoCs;
  - b) notify EASA without delay.

*Article 11*  
*Operational conditions for airspace zones*

In accordance with point 1(3) of Annex IX of Regulation (EU) .../... [new BR], Member States may define airspace zones in which one or more of the following conditions apply:

- a) certain or all UAS operations are subject to prior authorisation or are prohibited;
- b) access is only allowed for certain UAS classes;
- c) access is only allowed for UAS equipped with electronic identification systems or geo awareness systems, or both;



- d) UAS operations are subject to compliance with the specified environmental standards.
1. On the basis of a risk assessment carried out by the competent authority, Member States may designate certain airspace zones in which UAS operations are exempt from one or more of the open category requirements or confirm the existing airspace zones.

Member States shall ensure that the information on those airspace zones is made publicly available in a digital format. The data on the airspace shall be provided in 3D geographic coordinates including time, longitude, latitude and altitude, in that order, with negative values for west, south, and below mean sea level. The longitude and latitude components (decimal degrees) shall be defined in accordance with the World Geodetic System of 1984 (WGS84). The vertical component shall be indicated in metres from the WGS84 EGM96 Geoid vertical datum.

#### *Article 12* *Safety information*

1. The competent authorities referred to in this Regulation and market surveillance authorities, as designated in accordance with Article 35 thereof, of Regulation (EU) .../... [DA], shall cooperate on safety matters and set out procedures for the efficient exchange of safety information.
2. Each UAS operator shall report to the competent authority on any safety-related occurrence and exchange information regarding its UAS in compliance with Regulation (EU) No 376/2014 of the European Parliament and of the Council<sup>1</sup>.
3. EASA and the competent authorities shall collect, analyse and publish safety information concerning UAS operations in their territory in accordance with Article 119 of Regulation (EU) .../... [new BR] and its implementing rules.
4. Upon receiving any of the information referred to in paragraphs 1, 2 or 3, EASA and the competent authority shall take the necessary measures to address any safety issues on the best available evidence and analysis, taking into account interdependencies between the different domains of aviation safety, and between aviation safety, cyber security and other technical domains of aviation regulation.
5. Where the competent authority or EASA takes measures in accordance with paragraph 4, it shall immediately notify all relevant interested parties and organisations that need to comply with those measures in accordance with Regulation (EU) .../... [new BR] and its implementing rules.

#### *Article 13* *Operation of non-compliant UAS in the 'open' category*

1. UAS operators may continue to operate under the 'open' category of operations UAS which do not comply with Regulation (EU) .../... [DA], and are not home-

---

<sup>1</sup> Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) No 1321/2007 and (EC) No 1330/2007 (OJ L 122, 24.4.2014, p. 18).

built, provided that they belong to a type of UAS that was placed on the market within two years of the date of entry into force of Regulation (EU) .../... [DA]:

- a) in subcategory A1 of the 'open' category, as defined in UAS.OPEN.020 of the Annex, provided that the unmanned aircraft has a maximum take-off mass of less than 250 g, including its payload;
- b) in subcategory A3 of the 'open' category, as defined in UAS.OPEN.040 of the Annex, provided that the unmanned aircraft has a maximum take-off mass between 250 g and 25 kg, including its payload.

#### *Article 14*

##### *Adaptation of authorisations, declarations and certificates*

1. Existing authorisations granted to UAS operators, declarations made by UAS operators and certificates of remote pilot competency issued on the basis of national law shall remain valid until [OP: please insert a date two years after the date of entry into force of this Regulation].
2. By [OP: please insert a date two years after the date of entry into force of this Regulation] Member States shall adapt their existing certificates of remote pilot competency and their UAS operator authorisations or declarations in accordance with this Regulation.
3. By [OP: please insert two years after the entry into force] ... at the latest, Member States who have decided to create zones pursuant to Article 11 shall convert the information referred to in the second subparagraph of Article 11(2).

#### *Article 15*

##### *Transitional provisions*

1. Without prejudice to Article 13, Member States may decide, for a transitional period of two years from the date of entry into force of this Regulation, to allow the use of UAS in the open category which do not comply with the requirements of Parts 1 to 5 of the Annex of Regulation (EU) .../... [DA] as follows:
  - a) UA with a maximum take-off mass of less than 900 g may be operated within the operational requirements set out in UAS.OPEN.020(1)(a) and UAS.OPEN.020(1)(b);
  - b) UA with a maximum take-off mass of less than 2 kg may be operated by keeping a minimum distance of 50 m from people and the remote pilots have a safety certificate at least equivalent to the one set out in UAS.OPEN.030 (2).

#### *Article 16*

##### *Entry into force and application*

1. This Regulation enters into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.
2. It applies from [3 months after the Regulation enters into force].
3. It shall apply to UAS operations conducted in the framework of model aircraft clubs and associations from [3 years after this Regulation enters into force].

## ANNEX

### UAS operations in the 'open' and 'specific' categories

#### PART A

##### UAS OPERATIONS IN THE 'OPEN' CATEGORY

UAS.OPEN.010 UAS operations in the 'open' category

1. The 'open' category of UAS operations is divided into three subcategories A1, A2 and A3, on the basis of operational limitations, requirements for the remote pilot and technical requirements for UAS.
2. Where the operation involves starting the flight of UA from a natural elevation in the terrain or on terrain with natural elevations, the UA shall remain at a maximum distance of 120 meters from the directly overflown terrain.

UAS.OPEN.020 UAS operations in subcategory A1

1. UAS operations in subcategory A1 shall:
  - (a) be conducted in such a way that the UA is not flown over an open-air assembly of people;
  - (b) by way of derogation from Article 3(1)(b), be conducted, when the follow-me mode is active, up to a distance of 50 m from the pilot or 50 m above the surface.
  - (c) be performed by a remote pilot who:
    - i in the case of a UA with a maximum take-off mass ('MTOM') less 250 g, has been familiarised with the instruction provided by the manufacturer for the operation of a UAS;
    - ii in the case of a UA class C1, as defined in Part 2 of the Annex to Regulation (EU) .../... [DA], has completed an online training course and passed an online theoretical knowledge examination provided by the competent authority or by an entity recognised by the competent authority. The examination shall comprise at least 60 multiple-choice questions distributed appropriately across the following subjects:
      - air safety
      - air law,
      - human performance limitations,
      - meteorology,
      - principles of flight,
      - operational procedures,
      - UAS flight performance and planning,
      - UAS general knowledge,
      - navigation,
      - privacy and data protection,
      - insurance,
      - security.
2. be performed with a UA:

- (a) that has an MTOM, including payload, of less than 250 g, in the case of a privately built UAS; or
- (b) that is marked as class C0 and complies with the requirements of that class, as defined in Part 1 of the Annex to Regulation (EU) .../... [DA]; or
- (c) that is marked as class C1 and complies with the requirements of that class, as defined in Part 2 of the Annex to Regulation (EU) .../... [DA] and operated with active and updated electronic identification and geo-awareness systems.

#### UAS.OPEN.030 UAS operations in subcategory A2

UAS operations in subcategory A2 shall:

1. be conducted in such a way that the UA is not flown over uninvolved persons and take place at a safe distance from them;
2. be performed by a remote pilot who holds a certificate of remote pilot competency. This certificate shall be obtained after:
  - (a) completing an online training course and passing the online theoretical knowledge examination as referred to in UAS.OPEN.020(1)(c)(ii);
  - (b) declaring the completion of independent practical training;
  - (c) passing an additional theoretical knowledge examination provided by the competent authority or by an entity recognised by the competent authority. The examination shall comprise at least 30 multiple-choice questions distributed appropriately across the following subjects:
    - i UAS flight planning and monitoring;
    - ii mass and balance;
    - iii technical and operational mitigations for ground risk
3. be performed with a UA marked as class C2 and complies with the requirements of that class, as defined in Part 3 of the Annex to Regulation (EU) .../... [DA], and operated with active and updated electronic identification and geo-awareness systems.

#### UAS.OPEN.040 UAS operations in subcategory A3

UAS operations in subcategory A3 shall:

1. be conducted in an area where the remote pilot reasonably expects that no uninvolved person will be exposed to danger within the range where the UA will be flown during the entire time of the UAS operation.
2. be conducted at a safe distance from the areas used for residential, industrial, commercial or recreational purposes.
3. be performed by a remote pilot who has completed an online training course and passed an online theoretical knowledge examination as defined in UAS.OPEN.030(1)(c)(ii); and
4. be performed with a UA:
  - (a) that has an MTOM, including payload, of less than 25 kg, in the case of a privately built UAS, or;

- (b) that is marked as class C2 and complies with the requirements of that class, as defined in Part 3 of the Annex to Regulation (EU) .../... [DA], and is operated with active and updated electronic identification and geo-awareness systems or;
- (c) that is marked as class C3 and complies with the requirements of that class, as defined in Part 4 of the Annex to Regulation (EU) .../... [DA], and is operated with active and updated electronic identification and geo-awareness systems; or
- (d) that is marked as class C4 and complies with the requirements of that class, as defined in Part 5 of the Annex to Regulation (EU) .../... [DA].

#### UAS.OPEN.050 Responsibilities of the UAS operator

The UAS operator shall ensure that:

1. operational procedures adapted to the type of operation and the risk involved are set and followed, and shall designate a remote pilot for each operation;
2. the remote pilots and all other personnel performing a task in support of the operations:
  - (a) have appropriate competency in the subcategory of the intended UAS operations in accordance with UAS.OPEN.020, UAS.OPEN.030 or UAS.OPEN.040 to perform their tasks or, for personnel other than the remote pilot, or have completed an on-the-job-training course developed by the operator
  - (b) have been informed about the UAS operator's procedures;
  - (c) are aware of any information relevant to the intended UAS operation concerning any flight restrictions or conditions published by the Member State of operation;
  - (d) are not under the influence of psychoactive substances or alcohol or are unfit to perform their tasks due to injury, fatigue, medication, sickness or other similar causes
3. in the case of an operation with a UA of one of the classes defined in Parts 1 to 5 of Regulation (EU) .../... [DA], that the UA is:
  - (a) accompanied by the corresponding EU declaration of conformity, including the reference to the appropriate class; and
  - (b) the related class identification label is affixed to the UA.
4. in the case of an operation in subcategory A2 or A3, that all involved persons present in the area of the operation have been informed of the risks and have explicitly agreed to participate.

#### UAS.OPEN.060 Registration of operators and marking of the UA

1. In the case of a UA with an MTOM of 250 g or more, including payload, UAS operators shall register in accordance with Article 6 of the Regulation, unless they have already registered in accordance with UAS.SPEC.060.
2. update their registration every time data requested in Article 6(x) of the Regulation is changed and renew the registration as required by the competent authority;
3. display the registration information on the UA; and
4. ensure that the UA is marked and that the UAS operator registration number is available through the electronic identification system, if available on the UA.

#### UAS.OPEN.070 Responsibilities of the remote pilot

1. Before starting a UAS operation, the remote pilot shall:
  - (a) obtain updated information relevant to the intended UAS operation about any flight restrictions or conditions published by the Member State of operation;
  - (b) Observe the operating environment, check the existence of obstacles and, unless operating in subcategory A1, check the presence of any uninvolved people; and
  - (c) ensure that the UAS is in a safe condition to safely complete the intended flight and that its mass, including its payload, does not exceed the MTOM defined by the manufacturer or the MTOM limit of its class;
  - (d) ensure that he/she is not under the influence of psychoactive substances or alcohol and is not unfit to perform their tasks due to injury, fatigue, medication, sickness or other similar causes
2. During flight, the remote pilot shall:
  - (a) ensure the safe operation of the UAS with respect to third parties on the ground or in the air;
  - (b) comply with the operational limitations in airspace zones;
  - (c) have the ability to take control of the UA, except in the case of a lost link or when operating a free-flight UA;
  - (d) operate the UAS in accordance with the instructions provided by the manufacturer, including any applicable limitations;
  - (e) keep the UA in VLOS and maintain a thorough visual scan of the airspace surrounding the UA in order to observe any other aircraft and not create any hazard to them and shall keep a safe distance from them;
3. During flight, remote pilots and UAS operators shall:
  - (a) not use the UA to drop any material or to carry or drop dangerous goods, except in connection with agricultural, horticultural or forestry activities in which the carriage or the dropping of those goods does not contravene any other applicable regulations;
  - (b) not fly close to or inside areas where an emergency response effort is ongoing unless they have permission to do so from the responsible emergency response services; and
  - (c) respect privacy rights and the environment and avoid any nuisance to people or animals.
4. For the purposes of point (e) of paragraph 2, the remote pilot may be assisted by a UA observer situated in the line of sight who, by unaided visual observation of the UA, assists the remote pilot in safely conducting the flight. Clear and effective communication shall be established between the remote pilot and the UA observer.

#### UAS.OPEN.080 Duration and validity of the certificates of remote pilot competency

1. The remote pilot competencies, required by UAS.OPEN.020(3)(b) and UAS.OPEN.040(2), shall be valid for three years.
2. The certificate of remote pilot competency, required by UAS.OPEN.030(3), shall be valid for 5 years.

3. The renewal of the remote pilot competencies and of the certificate of remote pilot competency is subject to the demonstration of competencies in accordance with UAS.OPEN.030(2) or UAS.OPEN.020(1)(c)(ii), as appropriate.

## *PART B*

### *UAS OPERATIONS IN THE 'SPECIFIC' CATEGORY*

UAS.SPEC.010 UAS operations in the 'specific' category

1. Any operation that does not fall under the operational requirements of the 'open' category, as defined in Article 3 and Subpart A, shall be subject to an operational risk assessment by the UAS operator, and relevant mitigation measures shall be put in place to address them.

UAS.SPEC.020 Operational risk assessment

1. Where the intended operation is not fully addressed by a standard scenario, or if a standard scenario has not been issued for that operation, the UAS operator shall:

- (a) provide the competent authority with an operational risk assessment for the intended operation, unless the operator holds a light UAS operator certificate (LUC) with the appropriate privileges, in accordance with Subpart C of this Annex; and
- (b) identify mitigation measures to be put in place in order to limit the risk of the intended operation.

2. When conducting the operational risk assessment, the UAS operator shall consider at least the following elements:

- (a) the characteristics of the area and the conditions under which the operation will be conducted;
- (b) the class of the airspace and the impact on other air traffic and air traffic management (ATM);
- (c) the design features and performance of the UAS;
- (d) the type of operations;
- (e) the level of competency of the remote pilot;
- (f) organisational factors;
- (g) the applicable security and privacy rules; and
- (h) the impact on the environment.

3. The UAS operator shall regularly evaluate the adequacy of the mitigation measures taken and update them where necessary.

UAS.SPEC.025 Standard scenarios

1. Upon request from a competent authority, EASA may issue standard scenarios.

2. Each standard scenario shall define whether the UAS operator shall submit an operational declaration to the competent authority or apply for an operational authorisation from the competent authority before conducting the corresponding UAS operation;

UAS.SPEC.030 Operational declaration

1. If required by the corresponding standard scenario, the UAS operator shall submit an operational declaration to the competent authority, unless the operator holds an LUC with the appropriate privileges, in accordance with Subpart C of this Annex.
2. Upon receipt of the declaration, the competent authority shall:
  - (a) verify that the declaration contains all the required information
  - (b) provide the UAS operator with a confirmation of receipt without undue delay; and,
  - (c) inform EASA
3. After receiving the confirmation of receipt of the operational declaration by the competent authority, the UAS operator is entitled to start the operation if all the conditions identified in the corresponding standard scenario are met and the required mitigation measures are in place.
4. The UAS operator shall notify the competent authority of any change to the statements or information contained in the operational declaration that they submitted. They shall do so without delay.

#### UAS.SPEC.035 Application for an operational authorisation

1. Before starting an operation that corresponds to a standard scenario that requires an operational authorisation or does not correspond to any standard scenario, the UAS operator shall submit an application for operational authorisation to the competent authority.
2. The UAS operator shall only start the operation after having received the operational authorisation.
3. The UAS operator shall submit an application for an updated operational authorisation if there are any significant changes to the operation or to the mitigation measures listed in the operational authorisation.
4. No authorisation shall be required if the UAS operator holds an LUC with the appropriate privileges, in accordance with Subpart C of this Annex.
5. The application for an operational authorisation shall include, at least, the following information:
  - (a) the registration number of the UAS operator;
  - (b) the name of the accountable manager or the name of the UAS operator in the case of a natural person;
  - (c) a description of the proposed operation of the UAS and the location(s) where the operation is intended to be conducted.
  - (d) a description of the UAS, including its performance in view of the conditions of the planned operation, the serial number of the UA and if the UA is registered, the UA registration number;
  - (e) a reference to the standard scenario under which the application is submitted, if applicable;
  - (f) if the operation is included in a standard scenario, all the documentation required by the standard scenario;
  - (g) where the operation is not included in a standard scenario, the operational risk assessment in accordance with UAS.SPEC.020;



- (h) the list of mitigation measures put in place by the UAS operator, as required by the standard scenario or proposed by the UAS operator if no standard scenario has been issued, with sufficient information for the competent authority to assess the adequacy of the mitigation means to address the risks;
- (i) the location(s) where the operation is intended to be conducted. and
- (j) a statement of compliance with the limitations and conditions applicable to the relevant standard scenario, if applicable;

#### UAS.SPEC.040 Issuing of an operational authorisation

1. Upon receipt of an application, the competent authority shall verify that it contains at least all the information and documentation listed in points (a) and (b) of paragraph 2.
2. The competent authority shall issue an authorisation to a UAS operator to conduct an operation in the 'specific' category without undue delay when it concludes that the operation:
  - (a) corresponds to a standard scenario requiring an authorisation that was already accepted by the competent authority, and that the following conditions are met:
    - i the mitigation measures required by the standard scenario have been put in place by the UAS operator;
    - ii an operations manual has been produced if required by the standard scenario; and
    - iii a procedure is in place for coordination with the relevant ATC unit(s) if the entire operation or part of it is to be conducted in controlled airspace; or
  - (b) does not correspond to a standard scenario and that the following conditions are met:
    - i the competent authority is satisfied with the operational risk assessment provided by the UAS operator under UAS.SPEC.020;
    - ii the mitigation measures established by the UAS operator reduce the risk of the operation to an acceptable level;
    - iii an operations manual has been produced; and
    - iv a procedure is in place for coordination with the relevant ATC unit(s) if the entire operation or part of it is to be conducted in controlled airspace.
3. The competent authority shall specify in the authorisation the conditions under which a UAS operator is authorised to conduct the intended operation.
4. The authorisation shall include the following information:
  - a) the registration number of the UAS operator and the serial number of the UA (and if the UA is registered, the UA registration number);
  - b) a reference to the operational risk assessment report developed by the UAS operator or a reference to the applicable standard scenario;
  - c) the operational limitations and conditions of the operation;
  - d) the mitigation measures that the UAS operator has to apply;
  - e) the location(s) where the operation is authorised to take place;
  - f) all documents and records relevant for the type of operation; and
  - g) the type of events that should be reported in addition to those defined in Article 72 of Regulation (EU) .../... [new BR]

## UAS.SPEC.050 Responsibilities of the UAS operator

The UAS operator shall:

1. ensure that operational procedures and limitations adapted to the type of the intended operation and the risk involved are established;
2. designate a remote pilot for each operation or, in the case of autonomous operations, ensure that during all phases of the operation, responsibilities and tasks are properly allocated in accordance with the procedures;
3. ensure that before conducting operations, remote pilots and all other personnel directly involved in the operations:
  - (a) are competent to perform their tasks in line with the applicable training identified by standard scenario or the operational risk assessment or, for personnel other than remote pilot, have completed the on-the-job-training developed by the operator ;
  - (b) have been informed about the UAS operator's procedures and operations manual, if required by UAS.SPEC.040(2);
  - (c) are aware of any information relevant to the intended UAS operation concerning any flight restrictions or conditions published by the Member State of operation;
  - (d) are in a physical and mental condition that would not endanger the safe operation of the UAS;
4. carry out each operation within the limitations, conditions, and mitigation measures defined in the standard scenario or specified in the operational authorisation;
5. keep a record of the information on UAS operations as required by the standard scenario or by the operational authorisation;
6. comply with the local conditions and procedures for airspace use established by the Member State of operation;
7. maintain the UAS in a suitable condition for safe operation and comply with UAS.SPEC.100, if required; and
8. in cases of autonomous operations, comply with the requirements defined in UAS.SPEC.070(2) and (3).

## UAS.SPEC.055 Responsibilities of model clubs and associations

Model clubs and associations that hold operational authorisations pursuant to Article 6 shall:

1. inform their members of the conditions and limitations defined in the operational authorisation issued by the competent authority;
2. assist the remote pilots who are members of the club or association, in achieving the minimum competency required to operate the UAS safely and in accordance with the conditions and limitations defined in the operational authorisation;
3. take appropriate action when informed that a member of a model club or association does not comply with the conditions and limitations defined in the operational authorisation, and, if necessary, inform the competent authority;
4. provide, upon request from the competent authority, documentation required for oversight and monitoring purposes.

## UAS.SPEC.060 Registration of operators and marking of their UA

UAS operators shall:

1. register themselves in accordance with Article 6 of the Regulation, unless already registered in accordance with UAS.OPEN.060;
2. register the UA when the UA concerned is issued a certificate of airworthiness or a restricted certificate of airworthiness;
3. display the registration information on the UA; ensure that the UA is marked and electronically identifiable if required by the operational authorisation or by the standard scenario requiring a declaration, as applicable.
4. update the registration every time there are changes to any of the registration data supplied by the operator to the authority, and renew the registration as required by the competent authority;

## UAS.SPEC.070 Responsibilities of the remote pilot

1. The remote pilot shall:
  - (a) be in a physical and mental condition that would not endanger the safe operation of the UAS;
  - (b) have the appropriate remote pilot competency; and
  - (c) comply with UAS.SPEC.050 and UAS.SPEC.060 if the remote pilot is also the UAS operator.
2. Before starting a UAS operation, the remote pilot shall:
  - (a) obtain updated information relevant to the intended operation about any flight restrictions or conditions established by the Member State of operation;
  - (b) ensure that the operating environment is compatible with the authorised or declared limitations and conditions or with the model club or association's procedures;
  - (c) ensure that the UAS is in a safe condition to complete the intended flight safely; and
  - (d) ensure that the information about the operation has been made available to the relevant air traffic service (ATS) unit, other airspace users and relevant stakeholders, if required to do so by the standard scenario, the operational authorisation or by the conditions published by the Member State for the zone of operation.
3. During the flight, the remote pilot shall:
  - (a) comply with the authorised or declared limitations and conditions or with the model club and association's procedures, as applicable;
  - (b) ensure the safe operation of the UAS with respect to third parties on the ground or in the air;
  - (c) comply with the operational limitations in airspace zones;
  - (d) operate the UAS within the limitations defined by the UAS operator;
  - (e) not fly close to or inside areas where an emergency response effort is ongoing unless they have permission to do so from the responsible emergency response services; and

- (f) respect privacy rights and the environment, and operate the UAS in a considerate way that minimises any nuisance to people or animals.

#### UAS.SPEC.075 Transferability of an operational authorisation

An operational authorisation is not transferable.

#### UAS.SPEC.080 Duration and validity of an operational authorisation

1. The competent authority shall specify the duration of the operational authorisation in the authorisation itself.
2. Notwithstanding paragraph 1, the authorisation remains valid if:
  - (a) the UAS operator remains compliant with the relevant requirements of this Regulation and with the conditions defined in the operational authorisation; and
  - (b) it has not been surrendered or revoked.
3. Upon revocation or surrender, the operational authorisation shall be returned to the competent authority without delay.

#### UAS.SPEC.090 Access

1. For the purpose of demonstrating compliance with this Regulation, a UAS operator shall grant to any person that is duly authorised by the competent authority access to any facility, UAS, document, records, data, procedures or to any other material relevant to its activity which is subject to authorisation or declaration, regardless of whether or not its activity is contracted or subcontracted to another organisation.

#### UAS.SPEC.100 Use of certified equipment and certified UA

1. if the UAS operation is conducted using a UA which has been issued a certificate of airworthiness or a restricted certificate of airworthiness, or using certified equipment, the UAS operator shall record the operation or service time in accordance either with the instructions and procedures applicable to the certified equipment, or with the organisational approval or authorisation.
2. The UAS operator shall follow the instructions referred to in the UA certificate or equipment certificate, and also comply with any airworthiness or operational directives issued by EASA.

#### UAS.SPEC.110 Operations in a Member State other than the Member State of Registration

1. Where an operation is conducted partially or totally in the airspace of a Member State other than the Member State of registration, the UAS operator shall:
  - (a) comply with the local conditions established by the Member State of operation in accordance with Article 11 of this Regulation and revise its mitigating measures to take them into account, when required;
  - (b) comply with the published local procedures for airspace use to obtain authorisation for individual flights when necessary;
  - (c) when conditions defined in UAS.SPEC.030 are applicable, submit an operational declaration to the competent authority of the Member State of operation in a language accepted by this competent authority and to the competent authority of the Member State of operation and in English;
  - (d) when conditions defined in UAS.SPEC.035 are applicable, apply for an operational authorisation to the Member State of registration including the revised

mitigating measures and compliance method to the published local procedures mentioned in (a) and (b).

2. The competent authority of the Member State where the UAS operator is registered, shall:

- (a) verify that the operator has complied with the local conditions established by the Member State of operation in accordance with Article 11 of this Regulation and revised its mitigating measures to take them into account if required;
- (b) verify that the operator has identified the published local procedures for airspace to obtain authorisation for individual flights and has integrated them in its operational procedures if necessary;
- (c) inform the competent authority of the Member State of operation that the above actions have been performed and that the authorisation or a confirmation of receipt has been issued accordingly.

UAS.SPEC.115 Alternative means of compliance (AltMoCs)

1. UAS operators may use means of compliance alternative to those adopted by EASA to establish compliance with Regulation (EU) .../... [new BR] and its implementing rules.
2. If a UAS operator wishes to use an AltMoC, it shall provide the competent authority with a full description of it before implementation. The description shall include any revisions to manuals or procedures that may be relevant, as well as an assessment that demonstrates compliance with Regulation (EU) .../... [new BR] and its implementing rules.
3. The operator may implement these AltMoCs subject to prior approval by the competent authority and upon receipt of the notification referred to in Article 10 of this Regulation.

### *PART C*

#### *LIGHT UAS OPERATOR CERTIFICATE (LUC)*

UAS.LUC.010 General requirements for an LUC

1. Any legal person is eligible to apply for a LUC under this Subpart.
2. An application for an LUC or for an amendment to an existing LUC shall be submitted to the competent authority and shall include the following information:
  - (a) a description of the UAS operator's management system, including its organisational structure and safety management system;
  - (b) the name(s) of the responsible UAS operator's personnel, including the person responsible for authorising operations with UASs; and
  - (c) a statement that all the documentation submitted to the competent authority has been verified by the applicant and found to comply with the applicable requirements.
3. An LUC holder may be granted the privilege to release their own operations if the requirements of this Subpart are met, in accordance with UAS.LUC.060.

UAS.LUC.020 Responsibilities of the LUC holder

The LUC holder shall:

1. ensure that the requirements of UAS.SPEC.050, UAS.SPEC.060 and UAS.SPEC.070 are met;

2. comply with the scope and privileges defined in its terms of approval;
3. establish and maintain a system for exercising operational control over any operation conducted under the terms of its LUC;
4. carry out an operational risk assessment of the intended operation in accordance with UAS.SPEC.020, when this is not fully addressed by a standard scenario or if a standard scenario for the operation has not been issued;
5. keep records of the following items in a manner that ensures protection from damage, alteration and theft for a period at least 3 years for operations conducted using the privileges specified under UAS.LUC.060:
  - (a) the operational risk assessment, when required according to paragraph 4, and its supporting documentation;
  - (b) all supporting documents as required by the standard scenario related to the operation conducted;
  - (c) mitigation measures taken; and
  - (d) the qualifications and experience of personnel involved in the UAS operation, compliance monitoring and safety management;
  - (e) Personnel records referred to in (d) shall be kept as long as the person works for the organisation and shall be retained until 3 years after the person has left the organisation.

#### UAS.LUC.030 Safety management system

1. A UAS operator who applies for an LUC shall establish, implement and maintain a safety management system corresponding to the nature and complexity of its activities. This shall include:
  - (a) a safety policy endorsed by the accountable manager that describe the overall philosophies and principles of the organisation with regard to safety, and related safety objectives, to form the basis for safety performance monitoring;
  - (b) the safety policy is the means whereby an organisation states its intention to maintain an where practicable improve the safety levels in all its activities and to minimise its contribution to the risk of an accident or serious incident as far as it is reasonably practicable
  - (c) the safety policy shall be communicated with visible endorsement throughout the organisation
  - (d) clearly defined lines of responsibility and accountability throughout the organisation, including the direct safety accountability of the accountable manager;
  - (e) procedures for ensuring that personnel remain trained and competent to perform their tasks;
  - (f) the identification of safety hazards caused by the activities of the UAS operator, as well as their evaluation and the management of associated risks, including taking action to mitigate those risks and verify the effectiveness of the action;
  - (g) documentation of all safety management system key processes, including a process for making personnel aware of their responsibilities and of the procedure for amending this documentation; these key processes include

- Safety reporting and internal investigations
- Operational control
- Communication on safety
- Training and safety promotion
- Compliance monitoring
- Safety risk management
- Management of change
- Interface between organisations
- Use of sub-contractors and partners

(h) an independent function to monitor the compliance of the UAS operator with the relevant requirements of this Regulation, including a system to provide feedback of findings to the accountable manager to ensure effective implementation of corrective measures as necessary; and

(i) a function to ensure that safety risks inherent to a service or product delivered through subcontractors are assessed and mitigated under the operator's safety management system.

2. The following key safety personnel shall be part of the operator's safety management system:

(a) an accountable manager who is a single identifiable person responsible for establishing, implementing and maintaining an effective safety management system; the functions of the accountable manager cannot be delegated.

(b) a safety manager responsible for coordinating the safety management system; and

(c) one or more people responsible for ensuring that the UAS operator remains compliant with the requirements of this Regulation at all times.

3. If the organisation holds one or more additional organisation certificates within the scope of Regulation (EU) .../... [new BR], the safety management system of the UAS operator may be integrated with the safety management system that is required by any of the additional certificate(s) held.

#### UAS.LUC.040 LUC manual

1. An LUC holder shall provide the competent authority with an LUC manual describing directly or by cross reference its organisation, the relevant procedures and the activities carried out. The manual shall contain a statement signed by the accountable manager that confirms that the organisation will at all times work in accordance with this Implementing Act and with the approved LUC manual. When the accountable Manager is not the Chief Executive Officer of the organisation the chief executive officer shall countersign the statement.

2. If any activity is carried out by partner organisations or subcontractors, the LUC manual shall include a relevant statement as well as written procedures on how the LUC holder will manage the relationship with those partner organisations or subcontractors.

3. The LUC manual shall be amended as necessary to retain an up-to-date description of the LUC holder's organisation, and copies of amendments shall be provided to the competent authority.

4. The UAS operator shall distribute the relevant parts of the LUC manual to all its personnel in accordance with their duties.

5. The content of the LUC manual shall not contravene the terms of approval or the privileges granted to the LUC holder.

#### UAS.LUC.050 Terms of approval of the LUC holder

1. The competent authority shall issue an LUC after it is satisfied that the UAS operator complies with UAS.LUC.020, UAS.LUC.030 and UAS.LUC.040.

2. The LUC shall include:

- (a) the UAS operator identification
- (b) the UAS operator's privileges
- (c) Authorised standard scenario(s), or type(s) of operation as applicable
- (d) the Authorised area, zone or class of airspace for operations, if applicable
- (e) any special limitations or conditions, if applicable

3. The terms of approval shall include the UAS operator's privileges, authorised activities, risk assessment methodology and operational limitations, as appropriate.

#### UAS.LUC.070 Changes in the LUC management system

After a LUC is issued, the following changes require prior approval by the competent authority:

1. any change in the terms of approval of the UAS operator; or
2. any significant change to the elements of the LUC holder's safety management system as required by UAS.LUC.030,

#### UAS.LUC.075 Transferability of an LUC

1. Except as a result of a change of ownership of the organisation, approved by the competent authority in accordance with UAS.LUC.070, a LUC is not transferable.

#### UAS.LUC.080 Duration and validity of an LUC

1. An LUC shall be issued for an unlimited duration. It shall remain valid subject to:

- (a) the LUC holder's continuous compliance with the relevant requirements of this Regulation and of the Member State that issued the certificate; and
- (b) it not having been surrendered or revoked.

2. Upon revocation or surrender, the LUC shall be returned to the competent authority without delay.

#### UAS.LUC.090 Access

For the purpose of demonstrating compliance with this Regulation, the LUC holder shall grant any person that is duly authorised by the competent authority access to any facility, UAS, document, records, data, procedures or to any other material relevant to its activity which is subject to certification, authorisation or declaration, regardless of whether or not its activity is contracted or subcontracted to another organisation.



UAS.LUC.110 Alternative means of compliance (AltMoCs)

1. A UAS operator may use means of compliance alternative to those adopted by EASA to establish compliance with Regulation (EU) .../... [new BR] and its implementing rules.
2. When a UAS operator wishes to use an AltMoC, it shall provide the competent authority with a full description of it before implementation. The description shall include any revisions to manuals or procedures that may be relevant, as well as an assessment that demonstrates compliance with Regulation (EU) .../... [new BR] and its implementing rules.
3. The operator may implement these AltMoCs subject to prior approval by the competent authority and upon receipt of the notification referred to in Article 10 of this Regulation.

DRAFT