



EUROPEAN MODEL FLYING UNION  
REPRESENTING MODEL FLIERS IN EUROPE

# Session 6

## EU Regulation and Related Issues

EUROPEAN MODEL FLYING UNION



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## EU Regulation – State of Play (1):

- **“Basic Regulation” (Regulation 2018/1139 of 4 July 2018 on common rules in the field of civil aviation and establishing EASA)**
  - **What’s covered and what not under EU law?**
    - **Basic Regulation UAS (Art. 3(30) and Section VII)**
    - **Recitals: “operate as they do today” and “in the framework of”**
    - **Annex I Exclusions (Ultralight, tethered <1 kg, ...)**
    - **Mandates “secondary” legislation**
  - **Review/revision not before new Commission (Autumn 2024)**

## EU Regulation – State of Play (2):

- **“Implementing Regulation” (under “Basic Regulation”, Regulation 2019/947 on the rules and procedures for the operation of unmanned aircraft)**
  - **Contains Article 16 exemption**
  - **Defines and sets requirements for open category, specific category as well as Article 16**
  - **CANNOT exempt (types of) aeromodelling from EU law or remove registration requirement**
- **Article 16 Authorisations finalised in most MS?**
- **Review/revision: EASA to start preparations end 2023/early 2024**

## **EU Regulation – State of Play (3):**

- **“Delegated Regulation” (under “Basic Regulation”, Regulation 2019/945 on unmanned aircraft systems and on third-country operators of unmanned aircraft systems)**
  - **Rules for certification of UAS**
  - **Rules for third-country operators**
- **AMC and GM to Regulations 2019/945 and 2019/947**
  - **“guidelines” and non-binding explanations related to secondary legislation**
- **No key issues for us (but keep eye on “specific category spillovers”)**

## EU Regulation – State of Play (4):

- **“U-Space Regulation” (under “Basic Regulation”, Regulation 2021/664 on a regulatory framework for the U-space)**
  - **Exemption for activities under Article 16 Authorisation**
  - **Framework for work on e-conspicuity**
- **AMC and GM to Regulations 2021/664**
  - **Multiple references to aeromodelling**
  - **“guidelines” and non-binding explanations related to U-Space**
- **Exemption “Red Herring” – contradicted by AMC/GM as well as actions EASA and national authorities**
- **Engage in work on e-conspicuity with Europe Airports and DMFV/Droniq**

## **EU Regulation – State of Play (5):**

- **2030 EU Biodiversity Strategy/Nature Restoration law**
  - **Already now national biodiversity protection rules may affect model flying and flying sites, impacts likely to grow**
  - **Most restrictions due to national implementing decisions, but often (falsely) using EU rules as excuse**
- **Explore what issues/threats are**
- **Support/provide info to members?**
- **National associations to keep an eye on implementation EU rules!**

## EU Regulation – State of Play (6):

- **Other initiatives?**
  - **EU initiatives on security threats from drones?**
    - **EMFU and Europe Airsports submissions in March 2023**
    - **?**
  - **“Catch” new initiatives early:**
    - **help of members**
    - **Europe Air Sports**

## EU Regulation – EMFU Interests and Priorities (1)

- **Interests:**
  - **Support the economic and social role of aeromodelling**
  - **Encourage new entrants into the sport**
  - **Limited resources**
  - **Requirements corresponding to risk**
  - **Regulatory continuity and certainty**
  - **Respect for diversity**



## **EU Regulation – EMFU Interests and Priorities (2)**

- **Main Priorities:**
  - **Regulatory continuity, no major new changes**
  - **Recognise that we're different from "drones"**

## EU Regulation – EMFU Interests and Priorities (3)

- **Basic Regulation:**
  - **Relation model flying/UAS/General Aviation?**
    - **Future-proof model flying rules!**
  - **Exempt individual categories:**
    - **Tethered flight?**
    - **Free flight?**
  - **Exempt from registration requirement?**

## **EU Regulation – EMFU Interests and Priorities (4)**

- **Implementing Regulation:**
  - **Clarify that Article 16 is not specific category**
  - **Clarification of “in the framework of”?**
  - **Simplify Article 16(2)?**
  - **Registration of individual pilots (individuals, not clubs)?**
  - **No minimum age requirement**
  - **Remove 10kg limit slope soaring/clarify FES**
  - **“Uninvolved persons” – hikers/bikers that are warned?**

## **EU Regulation – next steps:**

- **Concrete proposal changes Implementing Regulation to EASA**
- **Explore options for changes to Basic Regulation:**
  - **Europe Airsports**
  - **European Commission**
- **U-Space: focus on electronic conspicuity**
  - **Europe Air Sports**
  - **EASA**
  - **DMFV/Droniq**
- **Biodiversity/Nature Protection:**
  - **First analysis of new rules/identify issues?**