



Comment-Response Document (CRD) 2022-06

RELATED NPA: 2022-06 — RELATED OPINION: No 03/2023 — RMT.0230 SUBTASK C#1

30.8.2023

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1. Summary of the outcome of the consultation

Please refer to *Section 2.4. What are the stakeholders' views — outcome of the consultation of Opinion No 03/2023*¹.

¹ <https://www.easa.europa.eu/en/document-library/opinions>



2. EASA responses to individual comments

In responding to the comments, the following terminology is applied to attest EASA's position:

- (a) **Accepted** — EASA agrees with the comment and any proposed change is incorporated into the text.
- (b) **Partially accepted** — EASA either partially agrees with the comment or agrees with it but the proposed change is partially incorporated into the text.
- (c) **Noted** — EASA acknowledges the comment, but no change to the text is considered necessary.
- (d) **Not accepted** — EASA does not agree with the comment or proposed change.

SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
(General Comments)	0	826	FOCA (Switzerland)	Noted	
(General Comments)	0	147	GdF	Noted	Ensuring aviation safety remains the primary objective of the regulatory framework.
(General Comments)	0	146	GdF	Noted	
(General Comments)	0	112	IFATCA	Noted	Ensuring aviation safety remains the primary objective of the regulatory framework.
(General Comments)	0	111	IFATCA	Noted	
(General Comments)	0	296	ASD	Accepted	EASA has already started the preparatory work for the next update of Regulation (EU) 2018/1139, and possible amendments affecting unmanned aircraft systems are under discussion.
(General Comments)	0	148	GdF	Accepted	EASA is well aware of these safety risks. This NPA aims to ensure safety for the targeted operations. One example is the permission for type#3 operations in urban environments as a first step according to predefined rules only. At a later stage, when verified and certified systems (such as DAA) are widely available and all aspects including spectrum are fulfilled, these limitations may be lifted.
(General Comments)	0	999	General Aviation Manufacturers Association (GAMA)	Noted	
(General Comments)	0	911	FAA	Accepted	EASA has simplified the concept and the terminology, and distinguishes now only between CMU components which are critical / non-critical for the operation.
(General Comments)	0	531	FAA	Noted	Ensuring aviation safety remains the primary objective of the regulatory framework. Aviation safety can only be of benefit to the aviation market. EASA does not adopt the definition of 'powered-lift aircraft' for the purpose of identifying aircraft categories. Powered-lift aircraft is a concept defined exclusively in Regulation (EU) No 1178/2011; hence, having a relevance only for the purpose of issuing a pilot licence. There are neither airworthiness nor operational requirements defined for powered-lift aircraft. The proposed definition of VTOL-capable aircraft establishes a new aircraft category having a relevance both in the airworthiness and the operational domains (Air Operations, Flight Crew Licensing, SERA).
(General Comments)	0	514	Ferrovial Vertiports	Noted	



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(General Comments)	0	507	DGAC FR (Mireille Chabroux)	Noted	<p>With regard to the various subjects addressed by the comment:</p> <ul style="list-style-type: none"> - The proposed draft regulations for VTOL-capable aircraft operations are aligned with the type-certification requirements (as mandated by SC VTOL) that are being used for the certification of VTOL-capable aircraft designs. The proposed Part-IAM is designed to accommodate any other equivalent certification basis that might be available in the EU or in a third country in the future. Part-IAM has been conceived as a technology-agnostic technical document in order to be able to cater for future technologies or for performance limitations of current technologies. - The rules are not being drafted on purpose for the first demonstrators, but quite the opposite: the first demonstrators are being improved thanks to the parallel development of the IAW, CAW and Air Operations rules. The processes are intertwined. - While EASA acknowledges the request for developing more performance-based rules, these rules seem to be undermined by the lack of understanding of how the related safety objectives should be achieved. The proposal for preservation of the final reserve fuel is an indicative example of how difficult a paradigm shift is. The proposal, despite being linked to a manoeuvre, does not require that this manoeuvre should be executed, because if it's executed, there won't be any final reserve fuel left. Actually, the proposal is linked to the amount of energy necessary to execute a go-around manoeuvre; such amount will depend on the design and performance characteristics of the aircraft and cannot, therefore, be determined by the regulator. - The need for AMC and GM is fully acknowledged, and the comments are a helpful tool to fine-tune the future requirements and establish the need for specific GM. - The definition of 'predefined routes' is in the regulatory proposal because the concept will be used as a safety-mitigation measure, where appropriate, and as decided by the NAAs. Such measures are typically introduced via AMC. 'Predefined routes' is only one of the possible means to achieve the objective established by the rule. - UAM operations may take place in congested areas: in this case, operators of VTOL-capable aircraft need to divert to alternate aerodromes. This is excluded for VEMS operations. Operators of VTOL-capable aircraft in NAM, not certified for commercial air transport of passengers, may divert to any suitable operating site. Diversion to an aerodrome is not only an operational requirement; it stems from the type-certification basis for VTOL-capable aircraft certified in the 'enhanced' category. - The proposed amendments to SERA do not address IFR rules. En-route IFR will be addressed with a separate rulemaking task at a later stage.
(General Comments)	0	436	Europe Air Sports	Noted	Specific concerns have been addressed in the relevant comments.
(General Comments)	0	366	LBA	Noted	
(General Comments)	0	285	Andreas Becker	Noted	
(General Comments)	0	269	EUMETNET ASP	Noted	<p>NPA 2022-06 only contains the draft implementing act. Similar to aeroplanes and helicopters, reference to Annex V (Part-MET) to Regulation (EU) 2017/373 will also be made in the AMC. The AMC will require that the operator use appropriate meteorological information from certified meteorological service providers that complies with points (a) and point (e) of point MET.TR.215 of Annex V (Part MET) to Regulation (EU) 2017/373.</p> <p>The operator may use supplementary meteorological information only if it is based on data from certified meteorological service providers and is not transformed or tampered with, except for the purpose of presenting the data in the correct format.</p> <p>As to whether existing meteorological information will be sufficient for UAM operations, please note that the PIC of the VCA can only take off if all vertiports to be used for the flight are at or above the VMC conditions. Moreover, the operation can only take place if an adequate</p>



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					number of en-route vertiports is available and ready to accommodate VCA traffic should a diversion (including for meteorological reasons) happens to be necessary. The operator of a VTOL-capable aircraft should take into account the probability of encountering unfavourable meteorological conditions as well, such as severe turbulence and descending air currents. Also, the operator should ensure that the PIC has access to current information regarding aerodromes, including their operational status and prevailing meteorological conditions.
(General Comments)	0	15	ACI EUROPE	Noted	
(General Comments)	0	1288	European Helicopter Association	Noted	This comment is a duplication of comment #884. Please, refer to the response to comment #884.
(General Comments)	0	24	AOPA Sweden	Noted	
(General Comments)	0	1222	Aerospace Industries Association	Not accepted	The proposed amendments to continuing airworthiness (CAW) in NPA 2022-06 do not include the scope of UAS carrying passengers. The scope of this NPA is limited to certified UAS used in the “‘specific” category of UAS operations’. However, please note that this NPA proposes (alleviated) cybersecurity requirements for new Part-CAO.UAS organisation ensuring the CAW of such UAS (please, refer to point CAO.UAS.102). The CAW regulatory framework for the ‘certified’ category of UAS operations will be proposed with a future NPA. The proposed amendments to the IAW Regulation define the certification process applicable to UAS, irrespective of their categories of operation. Information security management system requirements applicable to organisations involved in the certification of aircraft will be mandated via points 21.A.139A and 21.A.239A respectively, as amended by Commission Delegated Regulation (EU) 2022/1645. Operational rules for passenger-carrying UAS are not addressed by the present regulatory proposal, and they will be developed in the context of RMT.0230 Subtask C#6.
(General Comments)	0	1212	European Cockpit Association	Not accepted	Ensuring aviation safety remains the primary objective of the regulatory framework. Aviation safety can only be of benefit to the aviation market.
(General Comments)	0	1187	European Cockpit Association	Noted	The general objective is the full integration of all traffic together with manned aviation. However, to enable initial operations in the near future, a stepwise approach is necessary. That’s why, in the initial phase, MVCA will be treated like manned traffic.
(General Comments)	0	539	AIRBUS	Noted	
(General Comments)	0	1104	EUROCONTROL	Noted	
(General Comments)	0	1089	EUROCONTROL	Not accepted	The term ‘manned VTOL-capable aircraft’ shall be understood differently from ‘unmanned aircraft’ which is defined as an aircraft operating or designed to operate autonomously or to be piloted remotely without a pilot on board (refer to Article 3(31) of Regulation (EU) 2018/1139).
(General Comments)	0	4	Moshe	Accepted	Comments fully supported. Further, e.g. in U-space, ground-based systems using the ID broadcasted by the UAS to locate traffic and avoid collisions, respective V2V networks need to be implemented stepwise (e.g. detect-and-avoid systems will be essential to ensure safe operations). However, at this stage, the NPA addresses only MVCA.
(General Comments)	0	1258	THALES	Noted	
(General Comments)	0	1177	European Cockpit Association	Accepted	Text amended.
(General Comments)	0	1039	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Not accepted	According to Regulation (EU) 2018/1139, the CMU is not an appliance nor a part of it, neither a product; therefore, it is not possible to reduce the number of recurrences.



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(General Comments)	0	1038	Austro Control	Noted	
(General Comments)	0	653	NGFT	Noted	Your comment refers to multiple topics, each of which is addressed under the dedicated parts.
(General Comments)	0	952	FAA	Noted	
(General Comments)	0	924	ADAC Luftrettung gGmbH	Partially accepted	Only amended requirements are contained in an NPA. However, due to this comment, it has been noted that the title 'Subpart J' is missing.
(General Comments)	0	890	European Helicopter Association	Not accepted	The definitions associated with VTOL-capable aircraft have been aligned as much as possible with the existing ones. See Annex I 'Definitions'.
(General Comments)	0	884	European Helicopter Association	Partially accepted	<p>1. EASA does not share EHA's views regarding the future merging of the VTOL and helicopter concepts in the foreseeable future. VTOL-capable aircraft are considered an emerging category that will need to further develop and mature. VTOL-capable aircraft currently under development have been designed in such a way that their configuration to unmanned aircraft is possible even today, with the caveat that this configuration will be certified for passenger operations in the near future. Urban operations with VTOL-capable aircraft for air taxi and similar services will only be acceptable to the public if noise and pollution levels are low. EASA is not aware of current helicopter concepts under development that have similar ambitions in terms of pilotless operations and reduced noise levels. The proposed amendments to the Regulation do not attempt to allow operations like MNPS, RVSM, LVO, etc., for VTOL-capable aircraft. These operations are specifically excluded from the scope.</p> <p>2. For the airworthiness of aircraft, the safety analysis has identified that system safety objectives should be at least as high as for large aeroplanes (each 'catastrophic' failure condition should be not more frequent than 10^{-9}/flight hour). Even with this state-of-the-art objective, the resulting safety level of VTOL-capable aircraft due to random system failures is numerically below the safety of a large aeroplane due to the different Concept of Operations, and instead is getting close to the safety of a bus/coach. Different safety objectives for different types of operations are provided through the categories 'basic' and 'enhanced'.</p> <p>3. It is agreed that the operational environment, such as the weather and the population overflown, has to be considered. It is both common safety assessment practice and EASA's expectation for VTOL products that the classification of failure conditions is accomplished by fully considering all relevant factors. In particular, intensifying factors such as adverse operational or environmental conditions which reduce the ability of the flight crew to cope with a failure condition have to be considered. For the airworthiness of the aircraft, the 10^{-9} objective is equivalent to the one for large CAT aircraft. EASA has introduced additional requirements such as 'No single failure should lead to a "catastrophic" failure condition', or in-service monitoring, have also been introduced to minimise other causes of accidents which would potentially further degrade the safety level. EASA will carefully monitor the fleet data and related incidents to confirm or adjust the technical safety objectives, also in correlation with the operational picture. The specificities of urban environments are addressed through the category 'enhanced' and corresponding requirements such as 'continued safe flight and landing to vertiports'. The issues related to weather conditions are understood by EASA and relevant actions are already taken to investigate further details in due time.</p> <p>4. The proposal and the arguments to defer VEMS operations to an unspecified point in future are not accepted. It is, however, agreed that VTOL-capable aircraft cannot be used like helicopters in highly sensitive HEMS operations. For this reason, EASA has developed a separate regulatory basis for emergency medical services performed with VTOL-capable aircraft: these are called 'VEMS'. VEMS operations differ from HEMS operations. The currently known design of the cabins of VTOL-capable aircraft is not fit for the transport of patients, and such aircraft will be predominantly used in day VFR operations.</p> <p>5. With regard to the argument 'commercial versus non-commercial operations', please refer to the response to comment #1020.</p> <p>6. The current regulatory proposal does not include requirements for aerial work operations (i.e. SPO).</p> <p>7. The proposed amendments do not limit the use of vertiports to VTOL-capable aircraft only. Vertiports need to meet certain minimum technical specifications and provide a minimum set of services in order to be compliant with the definition of 'adequate aerodrome'.</p>



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					<p>current Prototype Technical Specifications already identify the design criteria and requirements for VTOL-capable aircraft certified in the 'enhanced' category. In general, other aircraft may also use vertiport infrastructure, provided that their dimensions and performance characteristics are suitable for the specific vertiport, its obstacle limitation surfaces and applicable take-off / approach / landing profiles.</p> <p>8. Corridors/predefined routes are proposed for the initial phase of operations in order to ensure safety, avoid collisions between VTOL-capable aircraft and other aircraft, and reduce ground risk and environmental impacts. Once traffic figures increase, technical capabilities (such as DAA, for example) will be required in order to minimise such restrictions.</p> <p>9. VTOL-capable aircraft operators and operations are all subject to the requirements of Part-ORO of Regulation (EU) No 965/2012. This means that VTOL-capable aircraft operators are required to establish a SMS.</p>
(General Comments)	0	882	European Helicopter Association	Noted	Your comment refers to multiple topics, each of which is addressed under the dedicated parts.
(General Comments)	0	1348	ADF, Working Group of German Aviation Noise Commissions	Noted	
(General Comments)	0	1459	ADF, Working Group of German Aviation Noise Commissions	Noted	EASA is actually working on defining noise-measurement methodologies as a prerequisite to elaborate and identify potential noise limits for UAS and VTOL-capable aircraft.
1. About this NPA	16	1027	Danish Civil Aviation and Railway Authority - DCARA	Accepted	
1. About this NPA	16	473	JEDA	Noted	
1. About this NPA	16	367	Linth Air Service	Not accepted	<p>The proposed regulatory framework addresses the airworthiness aspects of 'certified' UAS operated in the 'specific' category and the operational requirements applicable to manned VTOL-capable aircraft. Autonomous UAS operations are excluded from the scope of the regulatory proposal. However, different levels of automation are assumed: the UAS operator remains in control of the operation.</p> <p>The approach to regulate IAM operations is risk based and proportionate. Existing regulations applicable to aircraft and helicopters would not be sufficient to address the specificities of IAM operations. EASA has decided to regulate IAS and IAM not by means of exceptions, but with the creation of a dedicated set of rules and certification requirements that would ensure the same (or higher) level of safety for today's aviation for the same types of operations and associated risks.</p> <p>The societal acceptance of IAS and IAM operations is being fostered through different initiatives at various levels in the participation of and coordination with the affected stakeholders (e.g. municipalities, regional authorities, etc.). In addition, EASA is developing a methodology for the noise measurement of drones with a view to establishing noise limits where applicable.</p>
1. About this NPA	16	1245	Direction de l'Aviation Civile	Noted	
1. About this NPA	16	1166	AESA	Not accepted	Integrating the CU in the IAW and CAW regulatory framework is indeed one of the main challenges of this RMT and there is no one-size-fits-all solution. For example, the ARC is issued for the UA, but checking certain information coming from the CU(s) using that UA belongs to the airworthiness review process. Based on the comments received, EASA makes an effort to clarify certain of these aspects.



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2. In summary - why and what	18	792	German Unmanned Aviation Association (VUL)	Not accepted	<p>The concept of AAM was originally developed by NASA and later adopted by the FAA. The term is defined in the U.S. Congress in Senate Bill 516 ('AAM Coordination and Leadership Act') and it refers to 'a transportation system that transports people and property by air between two points in the United States using aircraft with advanced technologies, including electric aircraft or electric vertical take-off and landing aircraft, in both controlled and uncontrolled airspace'.</p> <p>The definition adopted by the FAA does not cover all those operations that may be performed with new aircraft types and that do not involve the transportation of people or goods, but rely on dedicated systems or sensors (e.g. cameras, antenna relays, etc.). With the notion of IAS, EASA intends to develop a conceptual definition for all types of operations for which EASA is entitled to regulate in accordance with its remit defined in Regulation (EU) 2018/1139.</p> <p>In addition, the FAA definition refers to US airspace configuration and management which may differ from the European one. The concept of IAS (including its subset IAM) has been also recently adopted at political level by the European Commission through the publication of the 'European Drone Strategy 2.0'.</p>
2. In summary - why and what	18	149	GdF	Not accepted	<p>The definition of 'IAM operations' is provided in the proposed amendment of Article 2(12) of Commission Regulation (EU) No 965/2012, and it refers to 'commercial and non-commercial operations with VTOL-capable aircraft in congested (urban) and non-congested areas'.</p> <p>With the notion of IAS, EASA intends to develop a conceptual definition for all types of operations for which EASA is entitled to regulate in accordance with its remit defined in Regulation (EU) 2018/1139.</p> <p>For this reason, IAS include both operations which imply the transportation of cargo and passengers (IAM) and those operations that are not involved with the transportation of cargo or passengers (aerial operations) which rely on dedicated systems or sensors (e.g. cameras, antenna relays, etc.).</p> <p>The notion of IAM relies on three complementary and interdependent pillars:</p> <ul style="list-style-type: none"> - the safe, secure and sustainable mobility of passengers and cargo, - the new generation technologies, - the integration into a multimodal transportation system.
2. In summary - why and what	18	9	ACI EUROPE	Not accepted	<p>The concept of AAM was originally developed by NASA and later adopted by the FAA. The term is defined in the U.S. Congress in Senate Bill 516 ('AAM Coordination and Leadership Act') and it refers to 'a transportation system that transports people and property by air between two points in the United States using aircraft with advanced technologies, including electric aircraft or electric vertical take-off and landing aircraft, in both controlled and uncontrolled airspace'.</p> <p>The definition adopted by the FAA does not cover all those operations that may be performed with new aircraft types and that do not involve the transportation of people or goods, but rely on dedicated systems or sensors (e.g. cameras, antenna relays, etc.).</p> <p>With the notion of IAS, EASA intends to develop a conceptual definition for all types of operations for which EASA is entitled to regulate in accordance with its remit defined in Regulation (EU) 2018/1139.</p> <p>In addition, the FAA definition refers to US airspace configuration and management which may differ from the European one. The concept of IAS (including its subset IAM) has been also recently adopted at political level by the European Commission through the publication of the 'European Drone Strategy 2.0'.</p>
2. In summary - why and what	18	116	IFATCA	Not accepted	<p>'IAS' is meant to provide a placeholder for all types of operations that may be conducted by UAS and VTOL-capable aircraft and, more generally, by new airborne technologies.</p> <p>Therefore, 'IAS' may include the transportation of cargo or passengers, as well operations with specific sensors or systems.</p>



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2. In summary - why and what	18	115	IFATCA	Not accepted	Urban environments must be considered a 'congested area' in accordance with the definition provided in point (24) of Annex I to Regulation (EU) No 965/2012. Urban operations (i.e. operations into, within or out of congested areas) are subject to specific operational requirements as defined in the newly proposed Annex IX (Part-IAM) to Regulation (EU) No 965/2012. Non-urban operations (i.e. operations entirely outside congested areas) are subject to different operational requirements. Therefore, UAM operations shall be considered separately from non-UAM (NAM) operations. Specific requirements are detailed in proposed Annex IX (Part-IAM).
2. In summary - why and what	18	114	IFATCA	Not accepted	The notion of IAM relies on three complementary and interdependent pillars: - the safe, secure and sustainable mobility of passengers and cargo, - the new generation technologies, - the integration into a multimodal transportation system.
2. In summary - why and what	18	113	IFATCA	Not accepted	The definition of 'IAM operations' is provided in the proposed amendment of Article 2(12) of Commission Regulation (EU) No 965/2012, and it refers to 'commercial and non-commercial operations with VTOL-capable aircraft in congested (urban) and non-congested areas'.
2. In summary - why and what	18	289	FlightSafety International	Not accepted	The focus on the benefit for citizens and the aviation market is meant to provide the reason for triggering the EASA regulatory proposal process. These generic benefits have to be extensively understood as an advantage for the whole civil community and as excluding any malicious use of new airborne technologies.
2. In summary - why and what	18	80	Supernal	Noted	Helicopters are excluded from the proposed definition of VTOL-capable aircraft due to the presence of up to two power-driven rotors on the vertical axis. EASA will not adopt the definition of 'powered-lift aircraft' for the purpose of identifying aircraft categories.
2. In summary - why and what	18	81	Supernal	Not accepted	The IAM concept collects all operations associated with the transportation of passengers or goods, irrespective of where they take place. The UAM concept identifies that subset of IAM operations taking place in urban environments (i.e. congested areas as defined in point (24) of Annex I to Regulation (EU) No 965/2012).
2. In summary - why and what	18	1313	JEDA	Noted	The focus on the benefit for citizens and the aviation market is meant to provide the reason for triggering the EASA regulatory proposal process. These generic benefits have to be extensively understood as an advantage for the whole civil community and as excluding any hostile use of new airborne technologies. At the current stage of regulatory development, the acronym 'IAS' is not enforceable by means of dedicated regulation, but is intended to serve as a conceptual model to identify the set of operations and services enabled by the above technologies.
2. In summary - why and what	18	532	FAA	Noted	The operational areas for VTOL-capable aircraft are identified by the notion of 'congested areas' as opposed to 'non-congested areas'. Such definitions are laid down in point (24) of Annex I to Regulation (EU) No 965/2012. 'Urban areas' have to be understood as 'congested areas' whereas 'non-urban areas' as 'non-congested areas'.
2. In summary - why and what	18	457	Volocopter GmbH	Noted	The focus on the benefit for citizens and the aviation market is meant to provide the reason for triggering the EASA regulatory proposal process. These generic benefits have to be extensively understood as an advantage for the whole civil community and as excluding any hostile use of new airborne technologies.



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					At the current stage of regulatory development, the acronym IAS is not enforceable by means of dedicated regulation, but is intended to serve as a conceptual model to identify the set of operations and services enabled by the above technologies.
2. In summary - why and what	18	248	Civil Aviation Authority the Netherlands	Noted	<p>The reference to a multimodal transportation system is not meant to identify transportation technologies capable of being used on the ground, in the air or at sea, but rather to identify the integration of new airborne technologies in the current transportation system (e.g. vertiports or operating sites in cities, train or bus stations, parking lots, harbours, etc.).</p> <p>The proposed rules are not meant to be applicable to gyroplanes as they do not fall into the category of VTOL-capable aircraft as defined by the regulatory proposal.</p> <p>EASA RMT.0731 Subtask 2 will provide the operational rules for gyroplanes.</p>
2. In summary - why and what	18	67	Wingcopter GmbH	Noted	<p>1. Rules for manned VTOL-capable aircraft used in SPO (aerial work) will be developed based on industry needs. At the moment, there are no use cases that warrant the establishment of a common regulatory framework. Unmanned aircraft are already being used for some aerial work activities; these activities are regulated in accordance with the 'specific' category UAS operations (Commission Implementing Regulation (EU) 2019/947 and Commission Delegated Regulation (EU) 2019/945).</p> <p>2. UAS operations in the 'specific' category are already covered by existing Commission Implementing Regulation (EU) 2019/947 and Commission Delegated Regulation (EU) 2019/945. The proposed amendments to Commission Regulation (EU) No 965/2012 do not cover yet the requirements for UAS operations in the 'certified' category and they will be addressed by future regulatory proposals. The intended regulatory framework for UAS operations in the 'certified' category will require the availability of an AOC.</p> <p>3. UAS operations are planned to be covered by the comprehensive remote pilot licensing framework which is under development under RMT.0230. The remote pilot licence (RPL) will be required for pilots involved in the operation of certified UAS ('conventional' UAS, unmanned VTOL-capable aircraft). RPL training will follow the CBTA methodology and will need to take place at approved training organisations (ATOs). Subsequent training tailored to the specific operational environment will need to take place at the operator, similar as it is the case today already for conventional aviation.</p> <p>4. Part-IAM and other amendments to Regulation (EU) No 965/2012 are not aimed at avoiding congested and hostile areas; quite the opposite: their objective is to allow manned VTOL-capable aircraft operations in congested and hostile areas by establishing a level of safety equivalent to that of traditional manned operations with helicopters (military, HEMS, some high-risk SPO). The use of already available helicopter routes (over highways and/or waterways) is one way of achieving this acceptable level of safety. More may be found in Chapter 4 'Impact assessment' of NPA 2022-06.</p>
2. In summary - why and what	18	8	ACI EUROPE	Not accepted	<p>The concept of AAM was originally developed by NASA and later adopted by the FAA. The term is defined in the U.S. Congress in Senate Bill 516 ('AAM Coordination and Leadership Act') and it refers to 'a transportation system that transports people and property by air between two points in the United States using aircraft with advanced technologies, including electric aircraft or electric vertical take-off and landing aircraft, in both controlled and uncontrolled airspace'.</p> <p>The definition adopted by the FAA does not cover all those operations that may be performed with new aircraft types and that do not involve the transportation of people or goods, but rely on dedicated systems or sensors (e.g. cameras, antenna relays, etc.). With the notion of IAS, EASA intends to develop a conceptual definition for all types of operations for which EASA is entitled to regulate in accordance with its remit defined in Regulation (EU) 2018/1139.</p>



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					In addition, the FAA definition refers to US airspace configuration and management which may differ from the European one. The concept of IAS (including its subset IAM) has been also recently adopted at political level by the European Commission through the publication of the 'European Drone Strategy 2.0'.
2. In summary - why and what	18	7	ACI EUROPE	Not accepted	<p>The concept of AAM was originally developed by NASA and later adopted by the FAA. The term is defined in the U.S. Congress in Senate Bill 516 ('AAM Coordination and Leadership Act') and it refers to 'a transportation system that transports people and property by air between two points in the United States using aircraft with advanced technologies, including electric aircraft or electric vertical take-off and landing aircraft, in both controlled and uncontrolled airspace'.</p> <p>The definition adopted by the FAA does not cover all those operations that may be performed with new aircraft types and that do not involve the transportation of people or goods, but rely on dedicated systems or sensors (e.g. cameras, antenna relays, etc.).</p> <p>With the notion of IAS, EASA intends to develop a conceptual definition for all types of operations for which EASA is entitled to regulate in accordance with its remit defined in Regulation (EU) 2018/1139.</p> <p>In addition, the FAA definition refers to US airspace configuration and management which may differ from the European one. The concept of IAS (including its subset IAM) has been also recently adopted at political level by the European Commission through the publication of the 'European Drone Strategy 2.0'.</p>
2. In summary - why and what	18	1213	European Cockpit Association	Not accepted	There is a need to regulate IAM operations internationally in order to cover the scope of the related ICAO SARPs under development (e.g. RPAS IFR cargo operations).
2. In summary - why and what	18	1319	Markus Engelhart - umlaut	Noted	<p>The requirements have not been increased. The certification of UAS in SAIL V and VI is already reflected in the AMC to Article 11 of Implementing Regulation (EU) 2019/947: 'When according to the SAIL or to the claimed mitigation means, the level of assurance of the above OSOs and/or mitigation means is "high" (i.e. SAIL V and VI), a verification by EASA is required according to Article 40(1)(d) of Regulation (EU) 2019/945.'</p> <p>Note also that the 'certified category of operation' includes also certified operators and certified pilots, not only certified UAS.</p>
2. In summary - why and what	18	548	DJI Technology	Not accepted	<p>Rotorcraft are excluded from the proposed definition of VTOL-capable aircraft by the definition itself and due to the presence of up to two power-driven rotors on the vertical axis.</p> <p>In all applicable EU regulations, the definitions of all aircraft categories are given in a manner that aircraft may be either manned or unmanned.</p>
2. In summary - why and what	18	546	DJI Technology	Not accepted	<p>The definition of 'unmanned aircraft' is provided in Article 3(30) of Regulation (EU) 2018/1139 while the definition of 'unmanned aircraft system' is provided in Article 2(2) of Commission Implementing Regulation (EU) 2019/947 and Article 3(3) of Commission Delegated Regulation (EU) 2019/945.</p> <p>'VTOL-capable aircraft' is a new aircraft category distinguished from aeroplanes and rotorcraft. Any aircraft can be 'manned' (with a pilot on board) or 'unmanned' (without a pilot on board).</p> <p>Both UAS and manned VTOL-capable aircraft may perform IAM/UAM operations.</p>
2. In summary - why and what	18	1103	EUROCONTROL	Not accepted	'Urban environment' is defined by the term 'congested area' as per the definition provided in point (24) of Annex I to Commission Regulation (EU) No 965/2012.
2. In summary - why and what	18	1002	General Aviation Manufacturers Association (GAMA)	Not accepted	The focus on the benefit for citizens and the aviation market is meant to provide the reason for triggering the EASA regulatory proposal process.



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					<p>These generic benefits have to be extensively understood as an advantage for the whole civil community and as excluding any hostile use of new airborne technologies.</p> <p>At the current stage of regulatory development, the acronym 'IAS' is not enforceable by means of dedicated regulation, but is intended to serve as a conceptual model to identify the set of operations and services enabled by the above technologies.</p>
2. In summary - why and what	18	1018	AESA	Not accepted	<p>NPA 2022-06 covers already the operational requirements applicable to manned VTOL-capable aircraft.</p> <p>A separate NPA is needed to address operations with unmanned VTOL-capable aircraft (considered UAS from a legal point of view), operated in the 'certified' category.</p>
2. In summary - why and what	18	953	FAA	Noted	<p>The definition of 'innovative aerial services', and consequently the definition of 'innovative air mobility', focuses on new airborne technologies. There might be other complementary components of innovative technologies located elsewhere, but the airborne component is an essential qualifier and cannot be disregarded. The application of an existing technology (e.g. batteries, etc.) in a new domain creates a 'new generation' of use for that technology. The novelty shall not be understood only in terms of 'new concept / new technology', but also in terms of 'new use' of existing technology.</p>
2. In summary - why and what	18	923	ADAC Luftrettung gGmbH	Noted	
2. In summary - why and what	18	893	European Helicopter Association	Not accepted	<p>The proposals deal with novel types of operations to be performed by novel aircraft designs. The operational concept and terms are aligned with the certification requirements available under SC VTOL.</p>
2. In summary - why and what	18	971	ENAC - Ente Nazionale per l'Aviazione Civile	Noted	<p>Traditional two-rotor tiltrotor designs (e.g. AW609) are excluded from the scope of the regulatory proposal.</p> <p>EASA plans to review the approach to operational rules applicable to tiltrotors in the context of RMT.0731 Subtask 3.</p>
2. In summary - why and what	18	827	FOCA (Switzerland)	Noted	<p>EASA does not adopt the definition of 'powered-lift aircraft' for the purpose of identifying aircraft categories.</p> <p>EASA plans to review the approach to aircraft categorisation of tiltrotors and operational rules applicable to tiltrotors in the context of RMT.0731 Subtask 3.</p>
2. In summary - why and what	18	822	UAV DACH e.V.	Noted	<p>The focus on the benefit for citizens and the aviation market is meant to provide the reason for triggering the EASA regulatory proposal process.</p> <p>These generic benefits have to be extensively understood as an advantage for the whole civil community and as excluding any hostile use of new airborne technologies.</p> <p>At the current stage of regulatory development, the acronym IAS is not enforceable by means of dedicated regulation, but is intended to serve as a conceptual model to identify the set of operations and services enabled by the above technologies.</p>
2. In summary - why and what	18	795	German Unmanned Aviation Association (VUL)	Not accepted	<p>The concept of AAM was originally developed by NASA and later adopted by the FAA. The term is defined in the U.S. Congress in Senate Bill 516 ('AAM Coordination and Leadership Act') and it refers to 'a transportation system that transports people and property by air between two points in the United States using aircraft with advanced technologies, including electric aircraft or electric vertical take-off and landing aircraft, in both controlled and uncontrolled airspace'.</p> <p>The definition adopted by the FAA does not cover all those operations that may be performed with new aircraft types and that do not involve the transportation of people or goods, but rely on dedicated systems or sensors (e.g. cameras, antenna relays, etc.).</p> <p>With the notion of IAS, EASA intends to develop a conceptual definition for all types of operations for which EASA is entitled to regulate in accordance with its remit defined in Regulation (EU) 2018/1139.</p>



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					In addition, the FAA definition refers to US airspace configuration and management which may differ from the European one. The concept of IAS (including its subset IAM) has been also recently adopted at political level by the European Commission through the publication of the 'European Drone Strategy 2.0'.
2. In summary - why and what	18	794	German Unmanned Aviation Association (VUL)	Not accepted	<p>The concept of AAM was originally developed by NASA and later adopted by the FAA. The term is defined in the U.S. Congress in Senate Bill 516 ('AAM Coordination and Leadership Act') and it refers to 'a transportation system that transports people and property by air between two points in the United States using aircraft with advanced technologies, including electric aircraft or electric vertical take-off and landing aircraft, in both controlled and uncontrolled airspace'.</p> <p>The definition adopted by the FAA does not cover all those operations that may be performed with new aircraft types and that do not involve the transportation of people or goods, but rely on dedicated systems or sensors (e.g. cameras, antenna relays, etc.).</p> <p>With the notion of IAS, EASA intends to develop a conceptual definition for all types of operations for which EASA is entitled to regulate in accordance with its remit defined in Regulation (EU) 2018/1139.</p> <p>For this reason, IAS include both operations which imply the transportation of cargo and passengers (IAM) and those operations that are not involved with the transportation of cargo or passengers (aerial operations) which rely on dedicated systems or sensors (e.g. cameras, antenna relays, etc.).</p> <p>The notion of IAM relies on three complementary and interdependent pillars:</p> <ul style="list-style-type: none"> - the safe, secure and sustainable mobility of passengers and cargo, - the new generation technologies, - the integration into a multimodal transportation system. <p>In addition, the FAA definition refers to US airspace configuration and management which may differ from the European one. The concept of IAS (including its subset IAM) has been also recently adopted at political level by the European Commission through the publication of the 'European Drone Strategy 2.0'.</p>
2.1.1. ICAO and third-country references relevant to this RMT	20	270	EUMETNET ASP	Not accepted	<p>In non-urban areas, VCA en-route operations shall not be performed lower than 500 ft above ground or water, or above the highest obstacle, and in urban areas 1 000 ft above the highest obstacle.</p> <p>ICAO Annex 3 is also applicable to traffic operating below flight level 100.</p>
2.1. Why we need to amend the rules - issue/rationale	20	151	GdF	Noted	
2.1. Why we need to amend the rules - issue/rationale	20	150	GdF	Noted	
2.1.3.1 Drone Strategy 2.0	21	1326	Gregory Walden	Accepted	Text amended.
2.1.2. Links with other RMTs	21	271	EUMETNET ASP	Noted	<p>So far, there is no amendment foreseen for Part-MET.</p> <p>Within U-space airspace the weather information service will be defined in more detail based on available AMC & GM and future studies and experience gained with initial operations.</p> <p>While operations evolve, necessary amendments will be initiated.</p>



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					It must be noted that MVCA operations may take place in U-space / urban environments, but also outside U-space / urban environments where they would make use of traditional MET services.
2.1.2. Links with other RMTs	21	249	Civil Aviation Authority the Netherlands	Noted	
2.1.3.1 Drone Strategy 2.0	21	1214	European Cockpit Association	Noted	
2.1.3.2 Security aspects for vertiports	22	883	Ferrovial Vertiports	Noted	The responsibility for aviation security regulations and their interpretation is beyond the EASA's mandate; nevertheless, from a technical point of view, EASA shares the opinion presented by Ferrovial Vertiports in relation to the benefits resulting from Regulation (EC) No 1254/2009 and the overall approach presented in the comment.
2.2. What we want to achieve - objectives	22	152	GdF	Noted	The comment is fully understood. It is expected that AMC and GM will further clarify the U-space concept, and in particular the DAR concept.
2.2. What we want to achieve - objectives	22	82	Supernal	Noted	
2.1.3.2 Security aspects for vertiports	22	476	JEDA	Noted	EASA remains committed to supporting the European Commission in its work aimed at developing common rules and approach for vertiport security.
2.3. How we want to achieve it - overview of the proposed amendments	23	1179	European Cockpit Association	Accepted	Text amended.
2.3. How we want to achieve it - overview of the proposed amendments	23	272	EUMETNET ASP	Noted	Under the transitional arrangements (draft Article 4f, as presented in the NPA), current CPL(A) or CPL(H) holders will receive type-specific training to acquire the competence to operate VTOL-capable aircraft in general. Aspects related to a particular operational environment (e.g. urban areas) will be addressed through training to be delivered under the responsibility of the operator (under Part-IAM). At the same time, for the later ab initio licensing framework (VTOL-capable aircraft pilot licence (VPL)) which is to be developed with a second NPA, the plan is to include training elements that are sufficiently generic to be included in initial licensing training (e.g. urban meteorology in the theory subject 'Meteorology').
2.3.1.2 Scope	24	867	FOCA (Switzerland)	Accepted	A clarification will be included throughout the text to clarify the associated risk for UAS operations.
2.3.1.2 Scope	24	69	Thurling Aero Consulting	Not accepted	The regulatory framework under development still assumes the pilot-in-the-loop concept of operations. The role of the pilot may be either in actively controlling or monitoring the operation. Even with these assumptions, operations of one remote pilot controlling/monitoring multiple unmanned aircraft at the same time would still be allowed.
2.3.1.1 Background	24	68	Thurling Aero Consulting	Not accepted	The regulatory framework under development still assumes the pilot-in-the-loop concept of operations. The role of the pilot may be either in actively controlling or monitoring the operation. Even with these assumptions, operations of one remote pilot controlling/monitoring multiple unmanned aircraft at the same time would still be allowed.
2.3.1.2 Scope	24	1281	XSUN	Not accepted	Also when optionally certified, the CMU is referred to under the UA TC. As for the option of the dedicated TC, the comment does not provide explanation of why it would be inappropriate or why the ETSO option would be preferable. Please consider that in order to have an ETSO approval, EASA needs first to formally publish the ETSO referring to a defined standard. Also, please consider that the TC option is fully compliant with the ICAO approach.



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2.3.1. Initial airworthiness (IAW)	24	1009	General Aviation Manufacturers Association (GAMA)	Noted	The consideration of the CMU as associated element in the FAA approach is known to EASA. However, EASA proposes to utilise the proven TC process, and only as an option. In doing so, full compliance with the approach laid down in ICAO Annex 8, as amended for RPAS, is ensured. EASA and the FAA have regular discussions on certification policy harmonisation.
2.3.1.2 Scope	24	835	FAA	Noted	The observation is noted; however, the CMU is still referred to under the UA TC even where the option of dedicated TC is utilised.
2.3.1.3 Overview of the main proposed amendments to Commission Regulation (EU) No 748/2012	25	352	Thurling Aero Consulting	Partially accepted	NPA 2022-06 proposes a certification process for certified UAS that are operated in the 'specific' category through amendments to Commission Regulation (EU) No 748/2012. The same certification process is expected to be applicable to UAS in the 'certified' category. No further amendments to Commission Regulation (EU) 748/2012 are planned with regard to this aspect.
2.3.1.3 Overview of the main proposed amendments to Commission Regulation (EU) No 748/2012	25	291	FlightSafety International	Accepted	'The application shall be made' was implied; however, the phrase has been improved.
2.3.1.3 Overview of the main proposed amendments to Commission Regulation (EU) No 748/2012	25	84	Supernal	Noted	The comment does not suggest a specific need for improvement. The CMU may also have a very complex configuration constituted by a multitude of elements integrated into different rooms of a building. Any configuration is in principle possible. It may serve to control the operation of many UAS at the same time and in different airspace blocks.
2.3.1.3 Overview of the main proposed amendments to Commission Regulation (EU) No 748/2012	25	83	Supernal	Not accepted	The notion of 'unmanned' refers only to the presence of a pilot on board the aircraft. An aircraft may be unmanned and with passengers on board. This is a logical consequence of the definition of 'unmanned aircraft' provided in Article 3(30) of Regulation (EU) 2018/1139.
2.3.1.3 Overview of the main proposed amendments to Commission Regulation (EU) No 748/2012	25	465	Airbus-Regulations-SRg	Noted	An unmanned aircraft is an aircraft; therefore, point 21.A.163 applies to unmanned aircraft without changes.
2.3.1.3 Overview of the main proposed amendments to Commission Regulation (EU) No 748/2012	25	608	ASD	Accepted	Reference has been added to point 21.A.431B(a)(1)(iv).
2.3.1.3 Overview of the main proposed amendments to Commission Regulation (EU) No 748/2012	25	1011	General Aviation Manufacturers Association (GAMA)	Accepted	The sentence in the Explanatory Note of the Opinion has been amended to refer to standard repairs to the correct requirement.



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2.3.1.3 Overview of the main proposed amendments to Commission Regulation (EU) No 748/2012	25	1008	General Aviation Manufacturers Association (GAMA)	Accepted	The sentence has been corrected in the Explanatory Note of the Opinion.
2.3.1.3 Overview of the main proposed amendments to Commission Regulation (EU) No 748/2012	25	877	FOCA (Switzerland)	Accepted	It has been considered for the Explanatory Note of the Opinion.
2.3.1.4.1 Design of CU and CU components	26	355	Thurling Aero Consulting	Not accepted	'Best of breed' components, complying with industrial standards, may be utilised by DOAs having UAS in the scope. There is already guidance available for the use of COTS equipment in aircraft design which may be applicable.
2.3.1.4.1 Design of CU and CU components	26	153	GdF	Not accepted	C2 link service providers will not be an aviation approved organisation under the future regulation applicable to the operation of UAS subject to certification. The reason is that the performance requirements for C2 link service providers will depend on the level of automation of the aircraft and the operations being performed, and this cannot be harmonised in the context of aviation for all aircraft and types of operation. Nevertheless, according to draft Part IV of ICAO Annex 6, the C2 link service provider, having safety-critical functions, will need to be under safety oversight through the safety management of the UAS operator. To facilitate this, voluntary industry standards (e.g. second edition of ISO 21384-3) may be used as AMC.
2.3.1.4.1 Design of CU and CU components	26	117	IFATCA	Noted	Please, refer to the response to comment #153.
2.3.1.4.1 Design of CU and CU components	26	287	ASD	Partially accepted	Outer and core layer are not defined or used in the rule. Therefore, this terminology (core / outer layer) has been removed from the Explanatory Note.
2.3.1.4.1 Design of CU and CU components	26	286	ASD	Partially accepted	The objective of the definition was to exclude from the type design of the UAS the infrastructural elements supporting the C2 link which are not under the control of the TC holder (e.g. satellite service, internet, mobile communication infrastructure, etc.) and, therefore, cannot be in the UAS configuration subject to certification. The definition of CU has been modified; the exclusion will be addressed within the Explanatory Note of the Opinion and future GM.
2.3.1.4.1 Design of CU and CU components	26	268	Hagop Kazarian	Not accepted	For UA and CMU certification, a DOA is always required. Point 21.A.14(b) and (c) is not applicable to unmanned aircraft.
2.3.1.4 Command unit (CU) and CU components	26	987	Austro Control	Noted	Only the distinction between critical and non-critical components for the operation is retained in point 21.A.308. In this context, the concept of criticality will be developed at AMC & GM level in the second planned NPA.
2.3.1.4.1 Design of CU and CU components	26	963	ENAC - Ente Nazionale per l'Aviazione Civile	Partially accepted	Please, refer to the response to comment #287.
2.3.1.4.1 Design of CU and CU components	26	948	FAA	Noted	Only the distinction between critical and non-critical components for the operation is retained in point 21.A.308. In this context, the concept of criticality will be developed at AMC & GM level in the second planned NPA.
2.3.1.4.1 Design of CU and CU components	26	533	FAA	Noted	A CMU may be associated to multiple UA as long as the UA can be certified with that CMU (the CMU integration and installation is to be addressed under the UA TC even where the CMU has optionally its own TC). The TC of the CMU will not necessarily refer to specific UA.



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					This NPA proposes also the amendment of Section B in a consistent manner with this concept. 'Outer' and 'core' have been removed from the Explanatory Note as they are not used in the rule.
2.3.1.4.1 Design of CU and CU components	26	10	ACI EUROPE	Noted	
2.3.1.4.1 Design of CU and CU components	26	1327	Gregory Walden	Partially accepted	The definition of CU has been revised by removing the reference to external infrastructure, and detailed AMC & GM will be provided in a future NPA to address external infrastructure.
2.3.1.4.1 Design of CU and CU components	26	605	ASD	Partially accepted	The TC holder is the TC holder of the CMU if the CMU is certified, otherwise it is the TC holder of the aircraft. EASA agrees that the contribution of the TC holder is of primary importance. Only the distinction between critical and non-critical components for the operation is retained in point 21.A.308. In this context, the concept of criticality will be developed at AMC & GM level in the second planned NPA.
2.3.1.4.1 Design of CU and CU components	26	603	ASD	Partially accepted	Core and outer layer have been deleted as they are not even mentioned in the adaptation of Part 21. Only the distinction between critical and non-critical components for the operation is retained in point 21.A.308. In this context, the concept of criticality will be developed at AMC & GM level in the second planned NPA.
2.3.1.4.1 Design of CU and CU components	26	587	AIRBUS	Accepted	ELA1/2 concepts are not applicable to UA. If an ELA1 aircraft is converted into UA, its operation will imply a certain risk level as defined by the UAS Regulation, not comparable with the operation of a (manned) ELA1/2. Therefore, the TC holder will need to hold a DOA in order to convert it into UA. The approach has been clarified in the Explanatory Note.
2.3.1.4.1 Design of CU and CU components	26	571	AIRBUS	Partially accepted	Please, refer to the response to comment #605.
2.3.1.4.1 Design of CU and CU components	26	1105	EUROCONTROL	Accepted	'Evidence' will be used instead of 'substantiation'.
2.3.1.4 Command unit (CU) and CU components	26	988	Austro Control	Partially accepted	Core/outer layer have been removed as they are not used in the rule; only the distinction between critical and non-critical components for the operation is retained in point 21.A.308. In this context, the concept of criticality will be developed at AMC & GM in the second planned NPA.
2.3.1.4.1 Design of CU and CU components	26	1016	General Aviation Manufacturers Association (GAMA)	Partially accepted	Please, refer to the response to comment #605.
2.3.1.4.1 Design of CU and CU components	26	1015	General Aviation Manufacturers Association (GAMA)	Partially accepted	Please, refer to the response to comment #988.
2.3.1.4.1 Design of CU and CU components	26	1013	General Aviation Manufacturers Association (GAMA)	Accepted	Please, refer to the response to comment #587.
2.3.1.4 Command unit (CU) and CU components	26	990	Austro Control	Not accepted	Please, refer to the response to comment #69.
2.3.1.4.1 Design of CU and CU components	26	962	ENAC - Ente Nazionale per l'Aviazione Civile	Partially accepted	Please, refer to the response to comment #286.
2.3.1.4.1 Design of CU and CU components	26	570	AIRBUS	Partially accepted	Please, refer to the response to comment #1015.
2.3.1.4.1 Design of CU and CU components	26	812	UAV DACH e.V.	Partially accepted	Please, refer to the response to comment #1015.



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2.3.1.4.1 Design of CU and CU components	26	796	German Unmanned Aviation Association (VUL)	Noted	
2.3.1.4.2 Production of CU and CU components	28	354	Thurling Aero Consulting	Not accepted	Please, refer to the response to comment #355.
2.3.1.4.2 Production of CU and CU components	28	1307	JEDA	Partially accepted	Please, refer to the response to comment #1015.
2.3.2.1 General approach	28	477	JEDA	Noted	
2.3.1.4.2 Production of CU and CU components	28	458	Volocopter GmbH	Partially accepted	Please, refer to the response to comment #1015.
2.3.2. Continuing airworthiness (CAW)	28	1253	Direction de l'Aviation Civile	Not accepted	Regulation (EU) 2015/640 will be applicable in cases where existing manned aircraft configurations may be converted into unmanned versions through changes to the design.
2.3.1.4.4 CU identification	28	1216	European Cockpit Association	Not accepted	The approach is similar to that for engines, and the same comment regarding responsibility issues could be provided as regards the approach to engines for manned aircraft, which is being followed since a long time. The aircraft TC holder remains the ultimate responsible for integration. Regarding the second comment, EASA does not certify, for example, the GNSS satellite network; however, manned aircraft navigation systems are under the TC of the aircraft. The operator is responsible for the quality of the service and is audited by the competent authority.
2.3.2. Continuing airworthiness (CAW)	28	578	Murzilli Consulting	Not accepted	The scope of the NPA excludes, at this stage, requirements for UAS operated in the 'certified' category. Requirements for the transfer from the 'specific' to the 'certified' category will be addressed with a subsequent NPA relevant to the 'certified' category.
2.3.1.4.2 Production of CU and CU components	28	1017	General Aviation Manufacturers Association (GAMA)	Partially accepted	Please, refer to the response to comment #1015.
2.3.1.4.2 Production of CU and CU components	28	797	German Unmanned Aviation Association (VUL)	Partially accepted	Please, refer to the response to comment #812.
2.3.2.2 Draft delegated act (DA) on the continuing airworthiness of UAS	29	356	Thurling Aero Consulting	Not accepted	NPA 2022-06 proposes a set of continuing airworthiness requirements applicable to certified UAS operated in the 'specific' category. A new delegated act is needed to address the continuing airworthiness of UAS operated in the 'certified' category.
2.3.2.2 Draft delegated act (DA) on the continuing airworthiness of UAS	29	154	GdF	Not accepted	From the side of airworthiness, occurrence reporting is addressed by point CAO.UAS.120 in the NPA. From the operator side, this is currently addressed by Article 19(2) of Commission Implementing Regulation (EU) 2019/947.
2.3.2.2 Draft delegated act (DA) on the continuing airworthiness of UAS	29	85	Supernal	Not accepted	The EU regulatory framework for drones is developed following an operation-centric approach. This is the reason why the CAW requirements in this NPA are adapted to the 'specific' category of UAS operations. A future NPA will address the 'certified' category.
2.3.2.2 Draft delegated act (DA) on the continuing airworthiness of UAS	29	478	JEDA	Partially accepted	The scope of ISO 23665 is more related to remote pilots and their training, but EASA is involved in the assessment of UAS standards (including those related to continuing airworthiness). Further, and in respect to comment #1260, minimum competence for certifying staff will be proposed in an AMC to point CAO.UAS.035(e).



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2.3.2.2 Draft delegated act (DA) on the continuing airworthiness of UAS	29	467	Volocopter GmbH	Partially accepted	<p>Please, refer to Article 1 of the draft CAW Regulation: the CAW framework starts applying upon the issuance of the airworthiness certificate. Article 7 of amended Commission Implementing Regulation (EU) 2019/947 imposes the obtention of the airworthiness certificate for high-risk operations; it does not prevent from requesting and obtaining an airworthiness certificate in other cases. The obtention of the airworthiness certificate while performing lower-risk operations will impose compliance to the CAW Regulation.</p> <p>Besides, if the operator temporarily stops higher-risk operations, there is no obligation to surrender the airworthiness certificate, but in this case the CAW Regulation continues to apply.</p> <p>A GM to Article 7(2) of Commission Implementing Regulation (EU) 2019/947 has been proposed to clarify this.</p>
2.3.2.2 Draft delegated act (DA) on the continuing airworthiness of UAS	29	466	Airbus-Regulations-SRg	Not accepted	<p>According to the operation-centric approach followed for the regulatory framework for drones, not all drones operated in the 'specific' category need to be certified, and not all certified drones need to comply with Part-ML.UAS (e.g. operations over remote areas conducted with a certified UAS).</p> <p>Only those UAS for which a CofA is required need to comply with Part-ML.UAS (please, refer to Article 7 of Commission Implementing Regulation (EU) 2019/947).</p>
2.3.2.2 Draft delegated act (DA) on the continuing airworthiness of UAS	29	1234	European Cockpit Association	Not accepted	<p>Having regard to equivalent manned aviation rules for continuing airworthiness, imposing SMS to an organisation managing UAS operated in the 'specific' category does not seem proportionate. However, the information security issues are acknowledged, and this is the reason why 'light' cybersecurity requirements have been developed with point CAO.UAS.102.</p>
2.3.2.2 Draft delegated act (DA) on the continuing airworthiness of UAS	29	1233	European Cockpit Association	Not accepted	<p>Please, refer to the response to comment #85.</p>
2.3.2.2 Draft delegated act (DA) on the continuing airworthiness of UAS	29	1308	JEDA	Partially accepted	<p>Please, refer to the response to comment #467.</p>
2.3.2.2 Draft delegated act (DA) on the continuing airworthiness of UAS	29	1260	Direction de l'Aviation Civile	Partially accepted	<p>Minimum competence for certifying staff will be developed in an AMC to point CAO.UAS.035(e).</p>
2.3.2.2 Draft delegated act (DA) on the continuing airworthiness of UAS	29	1236	European Cockpit Association	Not accepted	<p>Please, refer to the response to comment #1234.</p> <p><i>Note:</i> EASA Opinion No 03/2021 on 'Management of information security risks' excludes Annex Vd (Part-CAO) to Regulation (EU) No 1321/2014) from the scope of the information security management system.</p>
2.3.2.2 Draft delegated act (DA) on the continuing airworthiness of UAS	29	1231	European Cockpit Association	Not accepted	<p>In case of change of operation from 'specific low risk' to 'specific high risk' (or in the future, from 'specific' to 'certified' category, if the UAS certification allows it), an airworthiness review will need to be conducted (similar to an import of aircraft); EASA currently envisages a maintenance licensing scheme for UAS to be type certified for the 'certified' category of UAS operations.</p>
2.3.2.2 Draft delegated act (DA) on the continuing airworthiness of UAS	29	1019	General Aviation Manufacturers Association (GAMA)	Partially accepted	<p>Please, refer to the response to comment #467.</p>



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
2.3.2.2 Draft delegated act (DA) on the continuing airworthiness of UAS	29	838	FAA	Partially accepted	- Documented review and physical inspection of the CU: please, refer to the response to comment #415. - Occurrence reporting: please, refer to point CAO.UAS.120: the organisation shall report to the DAH 'any safety-related event or condition of an <u>UAS or component</u> identified by the organisation which endangers...'; so, yes, occurrence reporting to DAH applies to CU and CU components, including CU components other than core layer which are covered by the type design of the UAS.
2.3.2.2 Draft delegated act (DA) on the continuing airworthiness of UAS	29	837	FAA	Noted	All CU components (including non-essential and/or non-specific components, now 'non-critical' components) that are covered by the type design will be subject to ICAs.
2.3.2.2 Draft delegated act (DA) on the continuing airworthiness of UAS	29	813	UAV DACH e.V.	Partially accepted	Please, refer to the response to comment #467.
2.3.2.2 Draft delegated act (DA) on the continuing airworthiness of UAS	29	798	German Unmanned Aviation Association (VUL)	Partially accepted	Please, refer to the response to comment #467.
2.3.3.1 Commission Delegated Regulation (EU) 2019/945	33	949	FAA	Accepted	The certification of the UAS is always required for UAS operated in higher risk of the 'specific' category (e.g. SAIL V and VI). This is defined in Article 40 of Regulation (EU) 2019/945 and in the SORA.
2.3.3.1 Commission Delegated Regulation (EU) 2019/945	33	155	GdF	Noted	The comment is noted, and EASA agrees that the clear definition of mutual responsibility is, in general, of paramount importance. EASA would have liked the comment to identify more clearly which modification would be required or suggested. On the other hand, the objective of NPA 2022-06 is not to resolve the issue of the UAS integration into airspace.
2.3.3.1 Commission Delegated Regulation (EU) 2019/945	33	1331	Gregory Walden	Accepted	EASA will develop AMC to identify the conditions when dangerous goods may pose a high risk to third parties, taking into consideration the 'limited quantities' defined in the ICAO Technical Instructions.
2.3.3.1 Commission Delegated Regulation (EU) 2019/945	33	1330	Gregory Walden	Noted	
2.3.3.1 Commission Delegated Regulation (EU) 2019/945	33	1329	Gregory Walden	Noted	
2.3.3.2 Commission Implementing Regulation (EU) 2019/947	34	1328	Gregory Walden	Accepted	Included in the Explanatory Note of the Opinion.
2.3.4.2 General considerations	35	18	ACI EUROPE	Noted	The proposed definition of VTOL-capable aircraft is technology-agnostic and does not imply a specific propulsion system.
2.3.4.2 General considerations	35	156	GdF	Noted	From a U-space perspective, the concern is addressed within the discussions EASA is having with Member States and other relevant stakeholders (industry and standardisation bodies). The goal is to achieve a certain level of standardisation ensuring system and procedure interoperability. Further discussions will have to take place to ensure seamless, cross-border operations.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
2.3.4.1 Definition of 'rotorcraft' and 'helicopter'	35	86	Supernal	Noted	EASA plans to review the approach to aircraft categorisation in relation to tiltrotors and operational rules applicable to tiltrotors in the context of RMT.0731 Subtask 3.
2.3.4.1 Definition of 'rotorcraft' and 'helicopter'	35	250	Civil Aviation Authority the Netherlands	Noted	In accordance with the proposed definitions, gyroplanes would be classified as rotorcraft. The operational rules applicable to gyroplanes will be developed in the context of RMT.0731 Subtask 2.
2.3.4.2 General considerations	35	1239	European Cockpit Association	Not accepted	Please, refer to the response to comment #1020.
2.3.4.1 Definition of 'rotorcraft' and 'helicopter'	35	491	Volocopter GmbH	Noted	
2.3.4.2 General considerations	35	439	Europe Air Sports	Noted	Part-IAM does not apply to all VTOL-capable aircraft (VCA). It will, however, apply to VCA operated in the 'certified' category (according to Commission Implementing Regulation (EU) 2019/947) and certified against the EASA SC VTOL categories (Enhanced or Basic). As it can be seen from the EASA Risk Hierarchy, uninvolved third parties bear the highest risk. It does not matter where (urban or outside urban areas) the operation takes place. Moreover, uninvolved third parties are equally affected regardless of the type (commercial or non-commercial) of operation. VTOL-capable aircraft operations are expected to be low-level operations, the risks of which would be better addressed under point 1 of the Risk Hierarchy. Please, refer also to the response to comment #1020.
2.3.4.2 General considerations	35	438	Europe Air Sports	Not accepted	Please, refer to the response to comment #1020.
2.3.4.2 General considerations	35	437	Europe Air Sports	Not accepted	Please, refer to the response to comment #1020.
2.3.4.2 General considerations	35	346	ASD	Not accepted	'D' stands for 'delivery', i.e. cargo delivery unmanned VCA. The titles are clear enough.
2.3.4.2 General considerations	35	251	Civil Aviation Authority the Netherlands	Not accepted	In accordance with the proposed definitions, gyroplanes would be classified as rotorcraft. As such, they are excluded from the scope of application of new Annex IX. Operational rules applicable to gyroplanes will be developed in the context of RMT.0731 Subtask 2. Multimodal aircraft may be regulated through exemptions.
2.3.4. Air Operations	35	1290	European Helicopter Association	Not accepted	No separate form for the AOC is proposed for VCA. Definitions are aligned with existing ones. Terms such as CMP, CSFL, CEL and CFP are defined in Annex I (Definitions).
2.3.4.2 General considerations	35	1131	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Noted	The meaning of 'IAM' is defined in Article 2 'Definitions' of the same Regulation as follows: "'innovative air mobility (IAM) operations' means commercial and non-commercial operations with VTOL-capable aircraft in congested (urban) and non-congested areas.' Under IAM, however, not only VTOL-capable aircraft will be regulated. IAM will also accommodate requirements for UAS operations in the 'certified' category as defined in Article 6 of Commission Implementing Regulation (EU) 2019/947. The definition of IAM will, therefore, be complemented by operations in the 'certified' category.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
2.3.4.2 General considerations	35	701	FOCA Switzerland	Noted	
2.3.4.2 General considerations	35	842	FAA	Not accepted	<p>Regulation (EU) 2018/1139 establishes a clear distinction between the essential requirements applicable to the domain of ‘manned’ versus ‘unmanned’ aviation.</p> <p>In particular, those essential requirements are established:</p> <ul style="list-style-type: none"> – for ‘manned’ aviation in Annexes II, III, IV and V; – for ‘unmanned’ aviation in Annex IX, linking to Annexes II, III, IV and V; <p>At the same time, the industry foresees in the long term the possibility for the hybrid use of a given aircraft design for operations both in the ‘manned’ and the ‘unmanned’ domain.</p> <p>EASA does not intend to prevent such flexibility; however, while such permeability is not strictly forbidden by the rules, there are certain elements or limitations to be considered in the airworthiness and operational domains. There is no regulatory need to develop a definition of ‘optionally piloted aircraft’ as the concept is implicitly allowed by the existing Regulation.</p>
2.3.4.1 Definition of ‘rotorcraft’ and ‘helicopter’	35	841	FAA	Noted	
2.3.4.3 Air operator certification	38	440	Europe Air Sports	Not accepted	Please, refer to the response to comment #1020.
2.3.4.5 Operational requirements and specific approvals	38	157	GdF	Noted	
2.3.4.3 Air operator certification	38	294	FlightSafety International	Not accepted	Please, refer to the response to comment #1020.
2.3.4.3 Air operator certification	38	87	Supernal	Not accepted	<p>Part-CAO.UAS applies to organisations responsible for the continuing airworthiness of UAS.</p> <p>Section 2.3.4.3, however, refers to the air operator certificate (AOC), i.e. the organisation that will operate VTOL-capable aircraft (and UAS for operations in the ‘certified’ category) in the future. While SMS is required for the UAS operator, SMS is not required for the organisation involved in the UAS’s continuing airworthiness.</p>
2.3.4.5 Operational requirements and specific approvals	38	71	DGAC FR (Mireille Chabroux)	Accepted	
2.3.4.3 Air operator certification	38	70	DGAC FR (Mireille Chabroux)	Accepted	
2.3.4.4 Responsibilities of the AOC holder	38	1287	FAA	Noted	<p>Point ORO.GEN.110 and AMC1 ORO.GEN.110(a) already require that CAT operators establish and maintain a security training programme for crew members. AMC2 ORO.GEN.110(a) requires the same for ground personnel, in accordance with Regulation (EC) No 300/2008. In accordance with that Regulation, security-critical personnel are subject to security background check. Ground-handling and maintenance staff requiring unescorted access to security-restricted areas or to air cargo and mail, in-flight supplies and aerodrome supplies, shall have successfully completed an enhanced or a standard background check and receive general security awareness training.</p>
2.3.4.5 Operational requirements and specific approvals	38	1272	EDA/NH	Noted	<p>The term ‘adequate aerodrome’ is defined in Annex I (Definitions).</p> <p>Additionally, Part-IAM contains requirements for ‘adequate vertiport’, and defines it.</p>



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
2.3.4.5 Operational requirements and specific approvals	38	549	Murzilli Consulting	Accepted	
2.3.4.3 Air operator certification	38	1020	General Aviation Manufacturers Association (GAMA)	Not accepted	<p>Legal considerations:</p> <p>Regulation (EU) 2018/1139 makes no distinction between commercial and non-commercial operations with unmanned aircraft. Commission Implementing Regulation (EU) 2019/947 introduces three new categories of operations with unmanned aircraft, based on the operation-centric approach ‘open’, ‘specific’ and ‘certified’.</p> <p>‘Certified’ category operation requires the certification of the aircraft, of its operator (AOC) and pilots (refer to Article 6 of Commission Implementing Regulation (EU) 2019/947).</p> <p>All VTOL-capable aircraft operations are associated with ‘certified’ category operations, although in the initial roll-out these operations will be performed in manned configuration (the pilot on board is a transitional mitigation measure, aimed to ensure an equivalent level of safety to that of helicopter VFR operations and to facilitate societal acceptance).</p> <p>Safety risk considerations:</p> <p>The concept for regulating IAM operations differs from the traditional manned aviation due to new types of aircraft with novel technologies and novel performance, electric propulsion, operations in urban areas at low altitudes and low speeds, and business models, to name a few.</p> <p>Safety risks of IAM operations (refer to the impact assessment of NPA 2022-06) have been compared to current helicopter VFR operations of CAT operators (AOC holders) over congested areas. The mitigating measures identified by the impact assessment clearly point to the need for pilot training, building of safety culture, as well as safety/security risk management consistent with certified operators.</p> <p>With the accumulation of more experience and data from IAM (UAM and NAM) operations, appropriate flexibility may be provided, including an adequate framework to replace the AOC requirements. Flexibility should come after and not before having gained sufficient knowledge about the specificities of IAM operations.</p> <p>Today’s alternative to operator certification is either a declaration (NCC, NCO, non-commercial SPO and commercial low-risk SPO operators) or a high-risk authorisation (commercial SPO). The safety and security risk over urban areas will be the same for all users of that airspace, regardless of their status (certified or not). It will be premature and inconsistent with safety and security risks at this stage to allow private/corporate VTOL-capable aircraft to be operated over cities/towns without an AOC.</p> <p>It should be noted that some flexibility is already foreseen in the area of initial airworthiness (certification in the ‘basic’ category or in the ‘enhanced’ category) and operations in urban (UAM) or non-urban (NAM) areas. ‘Certified’ category operations over congested urban areas (UAM) pose the highest risk.</p> <p>Consideration of potential impacts:</p> <p>The impact assessment of NPA 2022-06 specifically deals with the workload of the competent authorities when certifying commercial and non-commercial IAM operations. This workload and associated expertise and staffing needs are expected to be insignificant during the first 5-10 years of IAM operations.</p> <p>Therefore, the safety benefits expected from the proposal outweigh the potential economic and regulatory impacts.</p>
2.3.4.3 Air operator certification	38	699	FOCA Switzerland	Noted	<p>The term ‘AOC’ is used in Annex III (Part-ORO) to the Air OPS Regulation, and in particular in point ORO.AOC.100(a): ‘... prior to commencing commercial air transport operations, the operator shall apply for and obtain an air operator certificate (AOC) issued by the competent authority.’</p>



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
					Therefore, point ORO.AOC.100(a) is now amended to read: ‘...prior to commencing CAT operations with aeroplanes or helicopters, or IAM operations, the operator shall apply for and obtain an AOC issued by the competent authority.’ The definition of ‘IAM’ is as follows: “‘innovative air mobility (IAM) operations’ means commercial and non-commercial operations with VTOL-capable aircraft and UAS operations in the ‘certified’ category over congested (urban) and non-congested areas;’
2.3.4.4 Responsibilities of the AOC holder	38	989	FOCA (Switzerland)	Noted	
2.3.4.5 Operational requirements and specific approvals	38	846	FAA	Accepted	
2.3.4.3 Air operator certification	38	844	FAA	Partially accepted	Partially accepted as regards the clarification of ‘vertiports’. Please, refer to the response to comment #1020 for commercial/non-commercial matters. DAA equipment is required where necessary.
2.3.5. Flight crew licensing	40	834	FLYINGGROUP	Noted	The comprehensive framework for ab initio training is currently under development, with the following (current and indicative) time planning: NPA: 2025/Q1 Opinion: 2026/Q1 Regulation in force: 2027/Q1
2.3.5. Flight crew licensing	40	228	DGAC FR (Mireille Chabroux)	Noted	The current estimation is valid solely for the proposed Article 4f (transitional provision for aeroplane and helicopter pilots to obtain a VTOL type rating) and does not yet consider the future ab initio training framework. However, it is expected that there will be an additional need for resources, e.g. as regards the training of CAA personnel to perform certification and oversight activities with regard to VTOL licensing. EASA will further review this aspect together with the RMT.0230 FCL expert group and update the impact assessment, where necessary.
2.3.5. Flight crew licensing	40	93	Supernal	Noted	It is EASA’s understanding that the proposed Article 4f follows the concept of point 2.1.1.4 of ICAO Annex 1, while being of course more detailed, as necessary for a directly applicable provision. Please also be informed that ICAO is working on a transitional provision for VTOL-capable aircraft pilot licensing, modelled on point 2.1.1.4 and in line with the EASA proposal.
2.3.5. Flight crew licensing	40	1240	European Cockpit Association	Not accepted	Pilots who will receive VTOL type-rating training in accordance with Article 4f will in any case receive comprehensive training, as necessary to obtain the competence to operate VTOL-capable aircraft (see Article 4f(2)(b) as shown in the NPA). This will allow pilots coming from different operational environments (aeroplane, helicopter) to become VTOL pilots. As regards training to address the specificities of a particular operational environment (e.g. urban areas), please refer to the response to comment #88.
2.3.5. Flight crew licensing	40	445	Europe Air Sports	Not accepted	EASA has reviewed your comment with the support of the RMT.0230 FCL expert group and concluded that although VTOL-capable aircraft might be ‘relatively easy’ to fly, they will mostly be operated in highly complex environments (urban areas, low-level). Operational experience with novel aircraft in highly complex environments should be collected solely with experienced professional pilots. Private pilots will be given the chance to obtain VTOL type ratings at a later stage — private pilot privileges are in any case under discussion during the ongoing development of the second NPA of RM.0230 (ab initio training, planned for 2024/Q4).
2.3.5. Flight crew licensing	40	441	Europe Air Sports	Not accepted	Please, refer to the response to comment #196.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
2.3.5. Flight crew licensing	40	252	Civil Aviation Authority the Netherlands	Not accepted	Gyroplanes are outside the scope of RMT.0230; they are subject to RMT.0731. Your proposal will be considered for the future work on commercial gyroplane pilot licensing requirements.
2.3.5. Flight crew licensing	40	273	EUMETNET ASP	Noted	Please, refer to the response to comment #88.
2.3.5. Flight crew licensing	40	1178	Joby Aviation	Noted	Thank you for your positive feedback. Indeed, as explained in the NPA (p. 40, point 2.3.5, end of second subparagraph), Article 4f will allow CPL(A) and CPL(H) holders to obtain a VTOL type rating not only during a transitional period but on a permanent basis.
2.3.5. Flight crew licensing	40	1100	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Noted	Please, refer to the response to comment #196.
2.3.5. Flight crew licensing	40	1077	Civil Aviation Authority of Norway	Noted	Your input (additional text proposed in relation to additional resources for the implementation phase) will be taken into consideration for the review of the impact assessment during the drafting of the related Opinion.
2.3.5. Flight crew licensing	40	933	Civil Aviation Authority the Netherlands	Noted	General Part-ARA requirements stipulate that CAAs need to have sufficiently qualified personnel in place to fulfil all tasks — see point ARA.GEN.200(a)(2) and associated AMC. It is within the responsibility of each CAA to ensure that these requirements are met appropriately. More detailed experience requirements for inspectors for specific aircraft categories do not exist and hence were also not developed for VTOL-capable aircraft, at least not for this first set of rules (transitional provisions). The second NPA (ab initio training framework) is planned to elaborate more on inspector qualification and ATO infrastructure, mainly in the context of the new CBTA training methodology.
2.3.5. Flight crew licensing	40	888	European Helicopter Association	Not accepted	There will be no separate forms specifically for VTOL-capable aircraft.
2.3.5. Flight crew licensing	40	847	FAA	Noted	Due to the significant differences of various VTOL-capable aircraft under development, for the time being only type ratings will be established. In the future, different VTOL types may be grouped into classes, provided that they have sufficiently similar handling characteristics. EASA will consider updating the Opinion's Explanatory Note respectively.
2.3.6. Standardised European rules of the air (SERA)	41	348	Norwegian Air Traffic Controller Association	Noted	
2.3.6. Standardised European rules of the air (SERA)	41	158	GdF	Noted	
2.3.6. Standardised European rules of the air (SERA)	41	118	IFATCA	Noted	
2.3.6. Standardised European rules of the air (SERA)	41	1180	Joby Aviation	Not accepted	Performance parameters for VTOL-capable aircraft are not yet known, neither by EASA nor by CAAs. This is why such approach is considered necessary to ensure safety!



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
2.3.6. Standardised European rules of the air (SERA)	41	1165	Joby Aviation	Not accepted	<p>The predefined routes principle is deemed necessary for operations over urban environments and densely populated areas at low level to respect ground-risk requirements and to reduce the risk of collision between manned VTOL-capable aircraft. The reason is not because of VTOL or pilot performance.</p> <p>Additionally, when operating inside U-space airspace located inside controlled airspace, parts of this airspace need to be predefined to enable dynamic airspace reconfiguration.</p> <p>It must be noted that, today, operations allowed at low level in urban environments (like helicopter operations), excluding HEMS/police/similar operations, also follow predetermined routes published in the AIP.</p> <p>Outside urban environments, manned VTOL-capable aircraft may be handled like any other manned aircraft.</p>
2.3.6. Standardised European rules of the air (SERA)	41	580	Murzilli Consulting	Noted	
2.3.6. Standardised European rules of the air (SERA)	41	479	JEDA	Noted	
2.3.6. Standardised European rules of the air (SERA)	41	253	Civil Aviation Authority the Netherlands	Noted	To be considered based on future developments in SERA and specificities of gyroplanes.
2.3.6. Standardised European rules of the air (SERA)	41	1303	European Business Aviation Association EBAA	Not accepted	<p>The predefined routes principle is deemed necessary for operations over urban environments and densely populated areas at low level to respect ground-risk requirements and to reduce the risk of collision between manned VTOL-capable aircraft. The reason is not because of VTOL or pilot performance.</p> <p>Additionally, when operating inside U-space airspace, parts of the airspace need to be predefined to enable dynamic airspace reconfiguration.</p> <p>It must be noted that, today, operations allowed at low level in urban environments (like helicopters) also follow predetermined routes.</p> <p>Outside urban environment, manned VTOL-capable aircraft may be handled like any other manned aircraft.</p> <p>Regarding 'minimum heights', the values in points SERA.5005(f) and SERA.5015(b) do not relieve any aircraft from the obligation to respect the glide-free principle over urban environments referred to in point SERA.3105 'Minimum heights' (see also point (b) of GM1 SERA.5005(f)).</p>
2.3.6. Standardised European rules of the air (SERA)	41	1242	European Cockpit Association	Noted	
2.3.6. Standardised European rules of the air (SERA)	41	1185	Joby Aviation	Not accepted	<p>The predefined routes principle is deemed necessary for operations over urban environments and densely populated areas at low level to respect ground-risk requirements and to reduce the risk of collision between manned VTOL-capable aircraft. The reason is not because of VTOL or pilot performance.</p> <p>Additionally, when inside U-space airspace, parts of the airspace need to be predefined to enable dynamic airspace reconfiguration.</p> <p>It must be noted that, today, operations allowed at low level in urban environments (like helicopters) also follow predetermined routes.</p> <p>Outside urban environments, manned VTOL-capable aircraft may be handled like any other manned aircraft.</p>



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2.3.6. Standardised European rules of the air (SERA)	41	1219	Ferrovial Vertiports	Not accepted	The predefined routes principle is deemed necessary for operations over urban environments and densely populated areas at low level to respect ground-risk requirement and to reduce the risk of collision between manned VTOL-capable aircraft. The reason is not because of VTOL or pilot performance. Additionally, when inside U-space airspace, parts of the airspace need to be predefined to enable dynamic airspace reconfiguration. It must be noted that, today, operations allowed at low level in urban environments (like helicopters) also follow predetermined routes. Outside urban environments, manned VTOL-capable aircraft may be handled like any other manned aircraft.
2.3.6. Standardised European rules of the air (SERA)	41	1182	Joby Aviation	Not accepted	The predefined routes principle is deemed necessary for operations over urban environments and densely populated areas at low level to respect ground-risk requirements and to reduce the risk of collision between manned VTOL-capable aircraft. The reason is not because of VTOL or pilot performance. Additionally, when inside U-space airspace, parts of the airspace need to be predefined to enable dynamic airspace reconfiguration. It must be noted that, today, operations allowed at low level in urban environments (like helicopters) also follow predetermined routes. Outside urban environments, manned VTOL-capable aircraft may be handled like any other manned aircraft.
2.3.6. Standardised European rules of the air (SERA)	41	1149	Lilium	Noted	It is, at this stage, difficult to design guidance on this subject. The main reason is that the business cases for future operations are not always available, and safety assessments made by the owners of the airspace concerned will highly depend on the local situation — be it from a geographical, legal, societal, or environmental point of view, just to name a few. Nevertheless, when developing AMC & GM, EASA will consider the kind of guidance that could be provided to States in this regard.
2.3.6. Standardised European rules of the air (SERA)	41	702	FOCA Switzerland	Accepted	'UAS' is used wrongly in the second sentence. It will be amended accordingly in the Opinion.
2.3.6. Standardised European rules of the air (SERA)	41	1028	General Aviation Manufacturers Association (GAMA)	Accepted	As correctly stated for manned VTOL-capable aircraft, see-and-avoid can be applied and is considered sufficient to ensure safe operations. That's why at this stage manned VTOL-capable aircraft are not treated differently compared to manned aircraft. Manned VTOL-capable aircraft can be flown like any other manned aircraft, which until now excludes free trajectories at low level in urban environment. This intention should be clarified. Referring here to UAS and DAA may be excessively anticipated and perceived as a move to the domain of type#2. The Opinion will be amended accordingly.
2.3.6. Standardised European rules of the air (SERA)	41	1026	General Aviation Manufacturers Association (GAMA)	Not accepted	Predefined routes, compared to free routing, offer the opportunity to limit the traffic to areas with limited impact to the public. One of which is noise, but not the only one. Once VTOL are widely accepted and tolerated, such limitations may be reduced or even removed over time.
2.3.6. Standardised European rules of the air (SERA)	41	1025	General Aviation Manufacturers Association (GAMA)	Not accepted	EASA fully agrees and acknowledges that manned VTOL-capable aircraft are different from UAS. However, the sentence remains valid due to expected operations at low level in urban environment. The term 'UAS' should be removed to keep only 'This approach will be necessary until experience is gained on how to validate operations in urban environments from a safety, environmental, security and privacy point of view.'
2.3.6. Standardised European rules of the air (SERA)	41	1022	General Aviation Manufacturers Association (GAMA)	Not accepted	The predefined routes principle is deemed necessary for operations over urban environments and densely populated areas at low level to respect ground-risk requirements and to reduce the risk of collision between manned VTOL-capable aircraft. The reason is not because of VTOL or pilot performance.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
					Additionally, when inside U-space airspace, parts of the airspace need to be predefined to enable dynamic airspace reconfiguration. It must be noted that, today, operations allowed at low level in urban environments (like helicopters) also follow predetermined routes. Outside urban environments, manned VTOL-capable aircraft may be handled like any other manned aircraft.
2.3.6. Standardised European rules of the air (SERA)	41	901	FOCA (Switzerland)	Not accepted	The predefined routes principle is deemed necessary for operations over urban environments and densely populated areas at low level to respect ground-risk requirements and to reduce the risk of collision between manned VTOL-capable aircraft. The reason is not because of VTOL or pilot performance. Additionally, when inside U-space airspace, parts of the airspace need to be predefined to enable dynamic airspace reconfiguration. It must be noted that, today, operations allowed at low level in urban environments (like helicopters) also follow predetermined routes. Outside urban environments, manned VTOL-capable aircraft may be handled like any other manned aircraft. The text commented belongs to the explanatory note and reflects the expectations that are based on currently known use cases, available infrastructure and the approach of airspace owners with regard to airspace risk assessment in urban environments. This is, at this stage, not translated into a regulatory proposal.
2.3.6. Standardised European rules of the air (SERA)	41	704	FOCA Switzerland	Accepted	EASA fully agrees and acknowledges that manned VTOL-capable aircraft are different from UAS. However, the sentence remains valid due to expected operations at low level in urban environment. The term 'UAS' should be removed to keep only 'This approach will be necessary until experience is gained on how to validate operations in urban environments from a safety, environmental, security and privacy point of view.'
2.3.6. Standardised European rules of the air (SERA)	41	848	FAA	Accepted	The comments are correct and accepted. The text of the Opinion will be amended accordingly.
2.3.6. Standardised European rules of the air (SERA)	41	1285	Aerospace Industries Association	Not accepted	The predefined routes principle is deemed necessary for operations over urban environments and densely populated areas at low level to respect ground-risk requirements and to reduce the risk of collision between manned VTOL-capable aircraft. The reason is not because of VTOL or pilot performance. Additionally, when inside U-space airspace, parts of the airspace need to be predefined to enable dynamic airspace reconfiguration. It must be noted that, today, operations allowed at low level in urban environments (like helicopters) also follow predetermined routes. Outside urban environments, manned VTOL-capable aircraft may be handled like any other manned aircraft.
2.3.6.2 The term 'helicopter'	42	979	DGAC FR (Mireille Chabroux)	Noted	The reason why the term in the phraseology has not been amended is because the cases shown in the phraseology are related specifically to helicopter operations, and in such cases it was considered that helicopter operations could not be compared with any kind of manned VTOL operations currently expected. In particular, this example reflects helicopter operations using runway, taxiway and 'helicopter parking', and ATS, whereas manned VTOL operations might be of a very different nature. When more is known about actual manned VTOL operations, examples may be considered as well for phraseology.
2.3.6.2 The term 'helicopter'	42	1190	Joby Aviation	Not accepted	The arguments are well understood; however, at this stage, there are not sufficient performance parameters of manned VTOL-capable aircraft available. This is why, at least in the initial phase, such approach is considered necessary to ensure safety! Once more experience is gained, this limitation could be removed. Additionally, the restriction proposed is not about minimum altitude but about in-flight visibility.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
2.3.6.2 The term 'helicopter'	42	1034	General Aviation Manufacturers Association (GAMA)	Not accepted	The arguments are well understood; however, at this stage, there are not sufficient performance parameters of manned VTOL-capable aircraft available. This is why, at least in the initial phase, such approach is considered necessary to ensure safety! Once more experience is gained, this limitation could be removed. Additionally, the restriction proposed is not about minimum altitude but about in-flight visibility.
2.3.6.2 The term 'helicopter'	42	1032	General Aviation Manufacturers Association (GAMA)	Not accepted	The arguments are well understood; however, at this stage, there are not sufficient performance parameters of manned VTOL-capable aircraft available. This is why, at least in the initial phase, such approach is considered necessary to ensure safety! Once more experience is gained, this limitation could be removed. Additionally, the restriction proposed is not about minimum altitude but about in-flight visibility. The assessment of EASA is not arbitrary but, on the contrary, based on identified risks of operations over urban areas and a density of traffic potentially much higher than what has been observed with helicopters until now.
2.3.6.4 Information on unmanned aircraft	44	713	FOCA Switzerland	Not accepted	The present NPA is related to the production of an additional chapter for Commission Implementing Regulation (EU) 2019/947 for 'certified' category operations and is not limited to U-space environment.
2.3.6.4 Information on unmanned aircraft	44	159	GdF	Not accepted	The present NPA is related to the production of an additional chapter for Commission Implementing Regulation (EU) 2019/947 for 'certified' category operations and is not limited to U-space environment. It must be noted that the lead-in sentence of the proposed provision contains the word 'pertinent'. It is well known that information may not be always available to ATS; however, if information is available and the case is considered pertinent by the ATS, then information shall be provided.
2.3.6.4 Information on unmanned aircraft	44	119	IFATCA	Not accepted	The present NPA is related to the production of an additional chapter for Commission Implementing Regulation (EU) 2019/947 for 'certified' category operations and is not limited to U-space environment. It must be noted that the lead-in sentence of the proposed provision contains the word 'pertinent'. It is well known that information may not be always available to ATS; however, if information is available and the case is considered pertinent by the ATS, then information shall be provided.
2.3.6.3 The term 'operating site'	44	318	FlightSafety International	Noted	
2.3.6.4 Information on unmanned aircraft	44	274	EUMETNET ASP	Noted	As explained in the section on operating sites, the proposed amendments consider the general case and do not necessarily imply that the 'operating site' would have specific infrastructure. The limitations introduced in the proposed amendments to Regulation (EU) No 965/2012 for passenger-carrying flights illustrate the same principle.
2.3.6.3 The term 'operating site'	44	541	DJI Technology	Noted	It is not considered necessary to provide any additional amendments to those proposed.
2.3.6.4 Information on unmanned aircraft	44	1090	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Noted	The lead-in sentence of the proposed provision contains the word 'pertinent'. It is well known that information may not be always available to ATS; however, if information is available and the case is considered pertinent by the ATS, then information shall be provided.
2.3.6.4 Information on unmanned aircraft	44	1031	Danish Civil Aviation and Railway Authority – DCARA	Noted	If the proposed amendment to SERA is adopted, it will apply to Part-ATS on the same date of implementation.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
2.3.6.3 The term 'operating site'	44	849	FAA	Noted	On point 1: It is agreed that the word 'immediate' may be perceived as being excessive; however, here it applies to 'attempt' and not to 'landing', and it is in the explanatory note and not in a proposed amendment to the rules. On point 2: The respective GM to definition 144 in the NPA will be developed.
2.4. What are the expected benefits and drawbacks of the proposed amendments	45	349	Norwegian Air Traffic Controller Association	Not accepted	Manned VTOL-capable aircraft will fly in accordance with procedures and regulations applicable to manned aviation. The regulatory package on U-space airspace enables safe operations by applying dynamic airspace reconfiguration when in controlled airspace. In urban environment, manned VTOL-capable aircraft operations are foreseen on predefined routes and UAS traffic managed by the USSPs will have to avoid these parts of airspace. For operations in U-space outside controlled airspace, USSPs will have to ensure that UAS do not pose a risk of collision with manned aircraft.
2.3.6.5 Operation of an SSR transponder	45	94	Supernal	Noted	Once a transponder is on board, it shall be operated during any flight. This applies to transponders in general and is not limited to specific capabilities.
2.3.6.5 Operation of an SSR transponder	45	542	DJI Technology	Not accepted	The requirement to be equipped with a transponder is related to the specific airspace where the flight is operated (and the conditions), not to the type of aircraft.
2.4. What are the expected benefits and drawbacks of the proposed amendments	45	275	EUMETNET ASP	Noted	So far, there is no amendment foreseen for Part-MET. Inside U-space airspace the weather information service will be defined in more detail based on future studies and experience gained with initial operations. While operations evolve, the necessary amendments will be initiated. It must be noted that MVCA operations may take place in U-space / urban environments, but also outside U-space / urban environments where they would make use of traditional MET services.
2.4. What are the expected benefits and drawbacks of the proposed amendments	45	264	DGAC FR (Mireille Chabroux)	Noted	Indeed, EASA recognised that certain additional cost should be foreseen for the training of inspectors. However, due to the fact that relevant knowledge and experience will be developed on the basis of existing competencies of already recruited flight inspectors holding licences and ratings for aeroplanes and helicopters, EASA expects that the initial cost for differences training will be minimal. It is likely that the cost will be slightly higher for the recruitment of new inspectors in those NCAs where applications from VCA operators will accumulate at a higher rate.
2.4. What are the expected benefits and drawbacks of the proposed amendments	45	11	ACI EUROPE	Noted	
2.4. What are the expected benefits and drawbacks of the proposed amendments	45	1248	European Cockpit Association	Noted	
2.4. What are the expected benefits and drawbacks of the proposed amendments	45	1093	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Noted	Predefined routes serve a safety purpose and must be respected. Any deviation should, therefore, be considered as a contingency and treated accordingly.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
2.3.6.5 Operation of an SSR transponder	45	1092	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Noted	The argument is fully shared, and the intention is exactly that no one believes that the transponder could be switched off due to insufficient electrical power.
2.3.6.5 Operation of an SSR transponder	45	1247	European Cockpit Association	Not accepted	The argument and the safety justification are understood. However, it was not within the scope of this NPA to address equipage requirements and there was no identified reason justifying that manned VTOL-capable aircraft would be treated differently than any other manned aircraft for the specific case of being equipped with a transponder.
2.4. What are the expected benefits and drawbacks of the proposed amendments	45	1037	General Aviation Manufacturers Association (GAMA)	Noted	The predefined routes principle is deemed necessary for operations over urban environments and densely populated areas at low level to respect ground-risk requirements and to reduce the risk of collision between manned VTOL-capable aircraft. The reason is not because of VTOL or pilot performance. Additionally, when inside U-space airspace, parts of the airspace need to be predefined to enable dynamic airspace reconfiguration. It must be noted that, today, operations allowed at low level in urban environments (like helicopters) also follow predetermined routes. Outside urban environments, manned VTOL-capable aircraft may be handled like any other manned aircraft.
2.4. What are the expected benefits and drawbacks of the proposed amendments	45	934	Civil Aviation Authority the Netherlands	Noted	On p. 46 of the NPA (summary table of the impacts), there is a need to clarify for the Air OPS domain that the impacts apply not just to non-commercial operators but also to commercial operators of manned VTOL-capable aircraft.
2.4. What are the expected benefits and drawbacks of the proposed amendments	45	982	FOCA (Switzerland)	Not accepted	The predefined routes principle is deemed necessary for operations over urban environments and densely populated areas at low level to respect ground-risk requirements and to reduce the risk of collision between manned VTOL-capable aircraft. The reason is not because of VTOL or pilot performance. Additionally, when inside U-space airspace, parts of the airspace need to be predefined to enable dynamic airspace reconfiguration. It must be noted that, today, operations allowed at low level in urban environments (like helicopters) also follow predetermined routes. Outside urban environments, manned VTOL-capable aircraft may be handled like any other manned aircraft.
2.4. What are the expected benefits and drawbacks of the proposed amendments	45	850	FAA	Accepted	Text amended.
2.4. What are the expected benefits and drawbacks of the proposed amendments	45	799	German Unmanned Aviation Association (VUL)	Noted	
2.4. What are the expected benefits and drawbacks of the proposed amendments	45	722	FOCA Switzerland	Accepted	Noise is mentioned here as an example. Sensible places mentioned in the next sentence may be due to privacy, security, etc. Reworded as required.
3.1. Proposed amendments to Commission Regulation (EU) No 748/2012	48	550	Murzilli Consulting	Accepted	The definition of CU will be improved; reference to external infrastructure removed and treated at GM level. 'Item of equipment' removed.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
3.1.1. Draft cover regulation	48	239	Civil Aviation Authority the Netherlands	Accepted	Please, refer to the response to comment #550.
3.1.1. Draft cover regulation	48	160	GdF	Noted	On the basis of the comments received, EASA has revised the proposed definition of 'command unit' by replacing it with the definition of 'control and monitoring unit' (CMU) which offers a better versatility and adaptability with respect to the spectrum of operational concepts that can be covered. The new definition does not include any reference to C2 link services. The Explanatory Note of the Opinion and future GM will explain how such services are to be considered with regard to certification aspects.
Article 1 Scope and definitions	48	65	Wingcopter GmbH	Not accepted	The definition refers to Regulation (EU) 2018/1139. The command unit (CU) is used when the aircraft is operated remotely. A manned aircraft is by definition piloted by a pilot who is not located remotely — even when the aircraft is optionally piloted. Please, refer to the response to comment #300 regarding the replacement of 'CU' with 'CMU'.
3.1. Proposed amendments to Commission Regulation (EU) No 748/2012	48	316	ASD	Not accepted	The proposed amendments to Commission Regulation (EU) No 748/2012 detail the certification processes applicable to UAS. Even in the case of unmanned aircraft, the existing provisions of Article 11 of Regulation (EU) 2018/1139 will continue to apply, hence no separate type certificate shall be required for the design of engines that have been certified as part of the design of an aircraft.
3.1.1. Draft cover regulation	48	299	ASD	Partially accepted	The definition of CU will be improved. Please, refer to the response to comment #300 regarding the replacement of 'CU' with 'CMU'.
Article 1 Scope and definitions	48	103	EDA/NH	Accepted	'Item of equipment' removed.
3. Proposed amendments and rationale	48	468	Airbus-Regulations-SRg	Partially accepted	AMC & GM and new text in the Explanatory Note will be provided to support the definition of 'CU'. Please, refer to the response to comment #300 regarding the replacement of 'CU' with 'CMU'.
Article 1 Scope and definitions	48	66	Wingcopter GmbH	Not accepted	Please, refer to the response to comment #65.
Article 1 Scope and definitions	48	55	Wingcopter GmbH	Partially accepted	The definition of CU will be improved. Please, refer to the response to comment #300 regarding the replacement of 'CU' with 'CMU'.
Article 1 Scope and definitions	48	1332	Gregory Walden	Partially accepted	The definition of CU will be improved and further clarified in the Explanatory Note of the Opinion. Please, refer to the response to comment #300 regarding the replacement of 'CU' with 'CMU'.
3.1.1. Draft cover regulation	48	540	AIRBUS	Partially accepted	The definition of CU will be improved. Please, refer to the response to comment #300 regarding the replacement of 'CU' with 'CMU'.
3.1.1. Draft cover regulation	48	1134	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Partially accepted	The definition of CU will be improved. Please, refer to the response to comment #300 regarding the replacement of 'CU' with 'CMU'.
3.1.1. Draft cover regulation	48	1133	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Noted	Point (g) is at the level of parts and appliances. In fact, it does not even mention aircraft or engines (which are products).
3.1. Proposed amendments to Commission Regulation (EU) No 748/2012	48	991	Austro Control	Noted	A transitional period is not necessary as the TC for a CMU is anyway only an option. Please, refer to the response to comment #300 regarding the replacement of 'CU' with 'CMU'.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
Article 1 Scope and definitions	48	1041	General Aviation Manufacturers Association (GAMA)	Partially accepted	The definition of CU will be improved. Please, refer to the response to comment #300 regarding the replacement of 'CU' with 'CMU'.
3.1.1. Draft cover regulation	48	993	Austro Control	Accepted	'CU' changed to 'CMU' (control and monitoring unit). Please, refer to the response to comment #300 regarding the replacement of 'CU' with 'CMU'.
3.1.1. Draft cover regulation	48	853	FAA	Accepted	EASA agrees that discussions needs to be held in order to work towards compatibility of the respective systems; however, such discussions shall preliminarily require full, mutual understanding of how the risk of an operation is measured in the respective systems and whether the FAA would still consider the AE approach as applicable in a risk category that, in EASA's understanding, is higher than the one covered by current FAA D&R TC.
3.1.1. Draft cover regulation	48	852	FAA	Partially accepted	The definition of CU will be improved. Please, refer to the response to comment #300 regarding the replacement of 'CU' with 'CMU'.
21.A.3A Reporting system	50	854	FAA	Noted	As per the proposed article, all components which can cause an unsafe condition shall be subject to the requirement.
3.1.2. Annex I – Section A TECHNICAL REQUIREMENTS	50	161	GdF	Noted	As part of its long-term activities, EASA intends to launch research activities aimed at defining a methodology for a quantitative safety risk assessment of UAM operations.
21.A.3A Reporting system	50	6	Lufthansa CityLine GmbH	Noted	Comment field empty.
3.1.2. Annex I – Section A TECHNICAL REQUIREMENTS	50	293	ASD	Partially accepted	The definition of CU will be improved. Please, refer to the response to comment #300 regarding the replacement of 'CU' with 'CMU'.
3.1.2. Annex I – Section A TECHNICAL REQUIREMENTS	50	290	ASD	Accepted	The essential requirements for environmental protection (EP) in Annex IX to Regulation (EU) 2018/1139 relate to unmanned aircraft and to Annex III, which relates to products. The EP requirements should be related to the product only.
3.1.2. Annex I – Section A TECHNICAL REQUIREMENTS	50	401	DGAC FR (Mireille Chabroux)	Accepted	The reference to the command unit will be added (with the new control and monitoring unit (CMU) definition — please, refer to the response to comment #300).
3.1.2. Annex I - Section A TECHNICAL REQUIREMENTS	50	399	DGAC FR (Mireille Chabroux)	Accepted	CU components will be added. Please, refer to the response to comment #300 regarding the replacement of 'CU' with 'CMU'.
3.1.2. Annex I - Section A TECHNICAL REQUIREMENTS	50	393	DGAC FR (Mireille Chabroux)	Not accepted	According to this logic, 'if applicable' would have to be included in too many sentences throughout Part 21.
3.1.2. Annex I - Section A TECHNICAL REQUIREMENTS	50	292	ASD	Accepted	
21.A.3A Reporting system	50	588	AIRBUS	Noted	The AMC & GM related to point 21.A.3A published in ED Decision 2022/021/R relates to point 21.A.3A as adopted by Regulation (EU) 2022/201 and applicable from 7 March 2023. Within RMT.0230, an upcoming NPA will propose amendments, as well as new AMC and GM to the proposed amendments, to Commission Regulation (EU) No 748/2012 introduced for the certification of unmanned aircraft.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
3.1.2. Annex I - Section A TECHNICAL REQUIREMENTS	50	551	Murzilli Consulting	Accepted	The title of Annex I (Part 21) will be amended in line with the title of the regulation.
21.A.3B Airworthiness directives	51	856	FAA	Noted	Airworthiness directives may be issued for any component included in the type design.
21.A.5 Record-keeping	52	857	FAA	Noted	The record-keeping requirement applies to all components included in the type design.
21.A.6 Manuals	52	95	Supernal	Noted	Part 21 concerns the TC holder. As regards operator manual in the 'specific' category, please refer to the EASA AMC to Article 11 (SORA). Regarding CU installation, please refer to the response to comment #300.
21.A.6 Manuals	52	300	ASD	Noted	EASA considers that the current article is acceptable and fit for purpose.
21.A.5 Record-keeping	52	396	DGAC FR (Mireille Chabroux)	Accepted	
21.A.6 Manuals	52	1046	General Aviation Manufacturers Association (GAMA)	Noted	There is no difference between the two sentences.
21.A.6 Manuals	52	981	ENAC - Ente Nazionale per l'Aviazione Civile	Not accepted	It is not adequate, as not sufficiently flexible, to require that the installation is each time performed by a POA. The installation may have to be performed multiple times.
21.A.7 Instructions for continued airworthiness	53	858	FAA	Noted	ICAs are potentially applicable to all elements included in the type design.
SUBPART B - TYPE-CERTIFICATES AND RESTRICTED TYPE-CERTIFICATES	54	397	DGAC FR (Mireille Chabroux)	Accepted	
21.A.11 Scope	54	295	ASD	Not accepted	Restricted type certificates are for aircraft other than unmanned aircraft in case of derogation as per Article 18(1)(b) of Regulation (EU) 2018/1139.
21.A.11 Scope	54	444	Baines Simmons	Not accepted	The transportation of passengers is not allowed for the 'specific' category of UAS operations and will always be conducted in the 'certified' category of UAS operations (please, refer to Article 6(1)(b)(ii) of Commission Implementing Regulation (EU) 2019/947). The 'certified' category of UAS operations will be the subject of a future NPA with more robust requirements than Subparts ML.UAS and CAO.UAS.
21.A.19 Changes requiring a new type-certificate	55	357	Thurling Aero Consulting	Noted	The sentence 'if the Agency finds that the change in design is so extensive that a substantially complete investigation of compliance with the applicable type-certification basis is required' should provide the necessary flexibility and scope. A change of COTS (like, for example, network routers) may not require a new investigation of compliance.
21.A.21 Requirements for the issuance of a type certificate or restricted type certificate	55	552	Murzilli Consulting	Accepted	
21.A.35 Flight tests	56	610	ASD	Noted	The requirement introduced for UA provides full flexibility, and in some cases may lead to very few FHs. UA novelty and operation-centric approach do not allow to determine upfront that FHs could be in some cases fully exempted.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
21.A.35 Flight tests	56	305	ASD	Not accepted	The need for substantiation and compliance demonstration through flight test and/or other methods will be specified in the context of the certification programme. The adequateness of particular compliance methods is usually established in AMC, standards and alike, relative to the applicable airworthiness specifications (applicable CSs). Point 21.A.35 specifies that any flight test deemed necessary by EASA shall be performed, and is not specific to the CMU.
21.A.35 Flight tests	56	301	ASD	Not accepted	EASA does not intend to impose a minimum of 150 FHs for every UAS operated in SAIL V and VI. It depends on the product. The new requirement addresses specifically UA and recognises that because of novelty a predefined number of FHs cannot be determined. There is no plan to establish fixed numbers; experience with projects is needed first.
21.A.35 Flight tests	56	16	Vertical Aerospace	Not accepted	Please, refer to the response to comment #1050.
21.A.35 Flight tests	56	1050	General Aviation Manufacturers Association (GAMA)	Not accepted	It is not possible to require less than 150 FHs as the adequate functional reliability needs to be demonstrated. This also considers the fact that foreseen commercial operations are expected to be in similar ranges of day-to-day operations as conventional aircraft.
21.A.35 Flight tests	56	496	Volocopter GmbH	Not accepted	Please, refer to the response to comment #1050.
21.A.35 Flight tests	56	480	JEDA	Not accepted	The comment referring to the certification of 'aspects' is not clear. Additionally, Part 21 does not refer to industrial standards in the rule as a reason to derogate from the applicable requirements (and industrial standards have always been applicable also to manned aircraft).
21.A.35 Flight tests	56	394	DGAC FR (Mireille Chabroux)	Noted	EASA is not willing to accept no flight test hours; however, the limited experience with this kind of products suggests caution in identifying upfront a fixed, even if minimum, number of flight hours.
21.A.31 Type design	56	315	ASD	Noted	TCs are not always mandatory for engines, which can be certified as part of the aircraft.
21.A.35 Flight tests	56	1333	Gregory Walden	Noted	
21.A.35 Flight tests	56	557	AIRBUS	Not accepted	Please, refer to the response to comment #305.
21.A.35 Flight tests	56	1282	XSUN	Noted	The SAIL as a measure against risk (SAIL V, VI, and IV, where optionally a TC is chosen) or even a risk level which cannot be captured in the specific category, may already provide a criterion. Other criteria will be linked with the characteristics of the product and will mature through real projects.
21.A.33 Inspections and tests	56	554	Murzilli Consulting	Not accepted	The definition of 'CU' applies only to UA. Please, refer to the response to comment #300 regarding the replacement of 'CU' with 'CMU'.
21.A.31 Type design	56	553	Murzilli Consulting	Not accepted	'AND' should not be considered as 'BOTH' at the same time; there are other examples in Part 21 where 'and' is used in this sense. EASA considers 'AND' more appropriate.
21.A.35 Flight tests	56	5	OzgurDerman	Not accepted	Only aeroplanes below 2 722 kg MTOM (not rotorcraft) are exempted. 1) If UAS are in SAIL V and VI (or in the 'certified' category), they operate with high risk and there is no MTOM under which they should be exempted. Therefore, EASA reserves the right to specify the number of FHs based on individual design. 2) For current rotorcraft practice, and due to complexity, EASA does not consider an exemption for the time being. 3) In line with the above elements, EASA will specify the relevant flight hours also considering experience gained with similar design. 4) EASA refers to point (f)(1)(i). EASA reserves the right to decide for more than 150 FHs in order to cover new propulsion systems, which might lead to at least 300 FHs.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
21.A.35 Flight tests	56	1049	General Aviation Manufacturers Association (GAMA)	Not accepted	Please, refer to the response to comment #305.
21.A.35 Flight tests	56	983	ENAC – Ente Nazionale per l'Aviazione Civile	Not accepted	Please, refer to the response to comment #480.
21.A.33 Inspections and tests	56	860	FAA	Noted	It includes every component included in the type design.
21.A.31 Type design	56	859	FAA	Noted	It is the responsibility of the TC holder to propose the UAS configuration subject to certification and, therefore, which are the components of the CMU included in the type design. From point 21.A.308 it can be seen that only the distinction between components critical and not critical for the operation is retained. In this context, the concept of criticality will be developed with AMC & GM in the planned, future NPA. It is anticipated that the type design will include all components defined as critical, but necessarily only those components.
21.A.35 Flight tests	56	612	Volocopter GmbH	Not accepted	Considering the estimated number of FHs and operations, EASA does not consider further alleviations appropriate based on the relative short duration of a flight, also considering the size of the aircraft fleet. Please, refer also to the response to comment #1050.
21.A.90B Standard changes	57	1107	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Accepted	Standard changes will be allowed for VTOL-capable aircraft, irrespective of whether they would be manned or unmanned and up to the new threshold of 5 700 kg.
21.A.90B Standard changes	57	306	ASD	Not accepted	Experience with CMU certification is needed before deciding whether standard changes are appropriate or not for the CMU. The flexibility in defining the CMU configuration under certification left to the TC holder indicates that standard changes might not be needed for the CMU. Please, refer to the response to comment #300 regarding the replacement of 'CU' with 'CMU'.
21.A.90B Standard changes	57	302	ASD	Not accepted	For the moment, no update of CS-STAN is included in the ToR for RMT.0230. There should be no need for AMC & GM even where standard changes are captured by CS-STAN.
21.A.90B Standard changes	57	1052	General Aviation Manufacturers Association (GAMA)	Not accepted	Please, refer to the response to comment #306.
21.A.90B Standard changes	57	520	Volocopter GmbH	Accepted	Standard changes and standard repairs will be allowed for VTOL-capable aircraft, irrespective of whether they are manned or unmanned.
21.A.90B Standard changes	57	558	AIRBUS	Not accepted	Please, refer to the response to comment #306.
21.A.95 Requirements for the approval of a minor change	58	1055	General Aviation Manufacturers Association (GAMA)	Not accepted	The derogation is linked to OSD, and this is linked only to aircraft.
21.A.95 Requirements for the approval of a minor change	58	307	ASD	Not accepted	Please, refer to the response to comment #1055.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
21.A.91 Classification of changes to a type-certificate	58	303	ASD	Not accepted	In accordance with Article 11 of Regulation (EU) 2018/1139, the approval of operational suitability data associated with a type design shall be issued under the type certificate of the design of a product subject to certification. The control and monitoring unit (CMU) is not defined as a product according to Article 3(3) of Regulation (EU) 2018/1139 and, as such, operational suitability data is not mandated for the certification of individual CMUs. However, when the CMU is included in the type design of the aircraft, the applicant for a type certificate or for a change to a type certificate shall designate the operational suitability data applicable to the CMU.
21.A.95 Requirements for the approval of a minor change	58	559	AIRBUS	Not accepted	Please, refer to the response to comment #1055.
21.A.93 Application	58	398	DGAC FR (Mireille Chabroux)	Accepted	Accepted with a slightly different text than what suggested.
21.A.93 Application	58	555	Murzilli Consulting	Accepted	The term 'type certificate' was inadvertently proposed to be deleted.
21.A.101 Type-certification basis, operational suitability data certification basis and environmental protection requirements for a major change to a type-certificate	59	964	ENAC – Ente Nazionale per l'Aviazione Civile	Accepted	Please, refer to the response to comment #290.
21.A.97 Requirements for the approval of a major change	59	308	ASD	Not accepted	Please, refer to the response to comment #1055.
21.A.101 Type-certification basis, operational suitability data certification basis and environmental protection requirements for a major change to a type-certificate	59	297	ASD	Accepted	Please, refer to the response to comment #964.
21.A.97 Requirements for the approval of a major change	59	560	AIRBUS	Not accepted	Please, refer to the response to comment #1055.
21.A.97 Requirements for the approval of a major change	59	1057	General Aviation Manufacturers Association (GAMA)	Not accepted	Please, refer to the response to comment #1055.
21.A.108 Availability of operational suitability data	60	1059	General Aviation Manufacturers Association (GAMA)	Not accepted	Point 21.A.108 simply imposes the obligation on an applicant for a change to a TC to make the operational suitability data available to 'end users', similarly to the requirements in point 21.A.62, applicable to TCs and restricted TCs. It does not, therefore, establish requirements on the applicability of the OSD to a specific product. In any case, as a CMU is not a 'product' and, in accordance with Article 11 of Regulation (EU) 2018/1139, is not required to have OSD associated to its design, when certified independently of an aircraft (please see also the response to comment #303).



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
21.A.108 Availability of operational suitability data	60	309	ASD	Not accepted	Point 21.A.108 simply imposes the obligation on an applicant for a change to a TC to make the operational suitability data available to 'end users', similarly to the requirements in point 21.A.62, applicable to TCs and restricted TCs. It does not, therefore, establish requirements on the applicability of the OSD to a specific product. In any case, as a CMU is not a 'product' and, in accordance with Article 11 of Regulation (EU) 2018/1139, is not required to have OSD associated to its design, when certified independently of an aircraft (please see also the response to comment #303).
21.A.108 Availability of operational suitability data	60	64	Wingcopter GmbH	Noted	From a legal point of view, the use of OSD is mandatory only for European operators. Typically, OEM make OSD available to all known operators.
21.A.108 Availability of operational suitability data	60	561	AIRBUS	Not accepted	Point 21.A.108 simply imposes the obligation on an applicant for a change to a TC to make the operational suitability data available to 'end users', similarly to the requirements in point 21.A.62, applicable to TCs and restricted TCs. It does not, therefore, establish requirements on the applicability of the OSD to a specific product. In any case, as a CMU is not a 'product' and, in accordance with Article 11 of Regulation (EU) 2018/1139, is not required to have OSD associated to its design, when certified independently of an aircraft (please see also the response to comment #303).
21.A.120B Availability of operational suitability data	61	563	AIRBUS	Not accepted	Point 21.A.108 simply imposes the obligation on an applicant for a change to a TC to make the operational suitability data available to 'end users', similarly to the requirements in point 21.A.62, applicable to TCs and restricted TCs. It does not, therefore, establish requirements on the applicability of the OSD to a specific product. In any case, as a CMU is not a 'product' and, in accordance with Article 11 of Regulation (EU) 2018/1139, is not required to have OSD associated to its design, when certified independently of an aircraft (please see also the response to comment #303).
21.A.122 Eligibility	61	304	ASD	Not accepted	Please, refer to the response to comment #305.
21.A.120B Availability of operational suitability data	61	1060	General Aviation Manufacturers Association (GAMA)	Not accepted	Point 21.A.108 simply imposes the obligation on an applicant for a change to a TC to make the operational suitability data available to 'end users', similarly to the requirements in point 21.A.62, applicable to TCs and restricted TCs. It does not, therefore, establish requirements on the applicability of the OSD to a specific product. In any case, as a CMU is not a 'product' and, in accordance with Article 11 of Regulation (EU) 2018/1139, is not required to have OSD associated to its design, when certified independently of an aircraft (please see also the response to comment #303).
21.A.122 Eligibility	61	481	JEDA	Not accepted	This comment is not specific to the NPA proposing amendments to Part 21 for UA. In any case, the Regulation cannot refer to specific standards.
21.A.122 Eligibility	61	1334	Gregory Walden	Not accepted	Please, refer to the response to comment #481.
21.A.139 Production management system	64	984	ENAC – Ente Nazionale per l'Aviazione Civile	Not accepted	The requirement refers to procedures (procedures may refer to standards, etc.). Industry standards (which are applicable also for manned aircraft) cannot be referenced at regulation level.
21.A.139 Production management system	64	482	JEDA	Not accepted	Please, refer to the response to comment #984.
21.A.139 Production management system	64	1335	Gregory Walden	Not accepted	Please, refer to the response to comment #984.
21.A.147 Changes in the production management system	65	358	Thurling Aero Consulting	Not accepted	The requirement refers to changes to the production management system, not to changes to components.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
21.A.159 Duration and continued validity	65	359	Thurling Aero Consulting	Not accepted	Point 21.A.159 is about POA, while the comments point in the direction of configuration control of the COTS integrated in a TC or their changes. In the European system, the configuration control of the design is mainly the responsibility of the design holder (DOA). The POA responsibility is to ensure that the configuration of individual products conforms to the approved design configuration.
21.A.165 Obligations of the holder	66	862	FAA	Noted	CMU components to be issued with an EASA form 1 are only 'critical' ones, as now specified in point 21.A.308. Please also note that the terms 'core' and 'outer' layer are not used in Part 21, as amended, and have been removed from the Explanatory Note of the Opinion.
21.A.165 Obligations of the holder	66	556	Murzilli Consulting	Not accepted	EASA Form 53 is intended for the complete aircraft only, while components maintained by a POA are covered by the reissuance of EASA Form 1.
21.A.251 Terms of approval	67	400	DGAC FR (Mireille Chabroux)	Not accepted	CMU components are not identified in the DOA's terms of approval. Please, refer to the response to comment #300 regarding the replacement of 'CU' with 'CMU'.
21.A.263 Privileges	68	1068	General Aviation Manufacturers Association (GAMA)	Noted	It is confirmed that points 1 and 2 are meant to cover changes to a type certificate or to a supplemental type certificate, including those issued for CMUs. EASA prefers to leave the structure of the previous text unchanged. Please, refer to the response to comment #300 regarding the replacement of 'CU' with 'CMU'.
21.A.174 Application	68	978	Airbus-Regulations-SRg	Not accepted	Point (b)(3)(ii) fifth bullet of point 21.A.174 should be carefully read, and does not mean a 'recommendation' for a Part-ML.UAS unmanned aircraft ARC. This point requires: [- a recommendation for the issue of the (R)CofA] AND [- a recommendation for an ARC in accordance with Part-M] OR [- an ARC in accordance with Part-ML or Part-ML.UAS].
21.A.174 Application	68	469	Airbus-Regulations-SRg	Noted	EASA may consider the comment in a different RMT as it is not linked with the proposed amendments applicable to UA, and planned to be issued with the subject Opinion.
21.A.263 Privileges	68	565	AIRBUS	Noted	Please, refer to the response to comment #1068.
21.A.263 Privileges	68	564	Murzilli Consulting	Not accepted	The PtF (for the 'certified' category of operations) is not for the CMU but for the UA operated with the CMU referenced in the configuration. Please, refer to the response to comment #300 regarding the replacement of 'CU' with 'CMU'.
21.A.301 Scope	70	800	German Unmanned Aviation Association (VUL)	Noted	Only the distinction between components critical and not critical for the operation is retained in point 21.A.308. In this context, the concept of criticality will be developed with AMC & GM in the planned, future NPA.
21.A.308 Eligibility of a component for installation on a command unit	70	104	EDA/NH	Accepted	Text has been modified.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
21.A.308 Eligibility of a component for installation on a command unit	70	1078	General Aviation Manufacturers Association (GAMA)	Accepted	'which' replaced with 'that'.
21.A.308 Eligibility of a component for installation on a command unit	70	1075	General Aviation Manufacturers Association (GAMA)	Not accepted	The required performance data is in the installation instructions.
21.A.303 Compliance with the applicable requirements	70	1070	General Aviation Manufacturers Association (GAMA)	Not accepted	Point 21.A.303 does not address changes to TCs. The requirement is point 21.A.91, which contains high-level criteria appropriate at regulation level, and is also applicable to the CMU. Please, refer to the response to comment #300 regarding the replacement of 'CU' with 'CMU'.
21.A.308 Eligibility of a component for installation on a command unit	70	505	Volocopter GmbH	Noted	Only the distinction between components critical and not critical for the operation is retained in point 21.A.308. In this context, the concept of criticality will be developed with AMC & GM in the planned, future NPA. As for the final comment: the EASA-defined categories of operations are 'specific' and 'certified', and the specific high risk included for type-certified UA (or 'design' as per comment). Therefore, the comment seems to confuse the 'certified' category of operations and the type-certified design. If what is meant is "'certified" category of operations', the methodology is the same and alignment is ensured.
21.A.303 Compliance with the applicable requirements	70	483	JEDA	Not accepted	The Regulation may refer to recognised standards; not all standards issued by industry/SDO are recognised by the authorities.
21.A.303 Compliance with the applicable requirements	70	402	DGAC FR (Mireille Chabroux)	Accepted	The wording 'and control and monitoring unit' has been added in point 21.A.303(a).
21.A.308 Eligibility of a component for installation on a command unit	70	395	DGAC FR (Mireille Chabroux)	Not accepted	Only the distinction between components critical and not critical for the operation is retained in point 21.A.308. In this context, the concept of criticality will be developed with AMC & GM in the planned NPA. A Form 1 is required only for critical CMU components. The reason is that a Form 1 is not considered by EASA proportionate for non-critical components.
21.A.303 Compliance with the applicable requirements	70	1336	Gregory Walden	Not accepted	Please, refer to the response to comment #483.
21.A.308 Eligibility of a component for installation on a command unit	70	609	ASD	Not accepted	'Not essential' components may have a detrimental effect on safety if they do not operate correctly or are not installed properly. Please note that only the distinction between components critical and not critical for the operation is retained in point 21.A.308. In this context, the concept of criticality will be developed with AMC & GM in the planned, future NPA.
21.A.308 Eligibility of a component for installation on a command unit	70	607	ASD	Not accepted	Please, refer to the response to comment #1075.
21.A.308 Eligibility of a component for installation on a command unit	70	606	ASD	Accepted	Please, refer to the response to comment #104.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
21.A.308 Eligibility of a component for installation on a command unit	70	575	AIRBUS	Not accepted	Please, refer to the response to comment #1075.
21.A.308 Eligibility of a component for installation on a command unit	70	574	AIRBUS	Accepted	Please, refer to the response to comment #104.
21.A.308 Eligibility of a component for installation on a command unit	70	1072	General Aviation Manufacturers Association (GAMA)	Accepted	Please, refer to the response to comment #104.
21.A.308 Eligibility of a component for installation on a command unit	70	887	ADAC Luftrettung gGmbH	Noted	The identification of 'essential and specific' depends on the actual operation and, therefore, cannot be considered independently. The concepts will be addressed in the context of projects before providing the related AMC & GM. 'Essential and specific' does not depend only on the product; it might depend also on the CONOPS.
21.A.308 Eligibility of a component for installation on a command unit	70	865	FAA	Noted	They are synonymous in the sense that the core layer comprises components which are essential AND specific, while the outer layer would comprise components which are not essential and/or not specific. It should not be inferred that the CMU configuration under certification includes only the core layer. Terms like 'core' and 'outer' will be anyway removed from the Explanatory Note of the Opinion as such terminology is not used in the regulation.
21.A.308 Eligibility of a component for installation on a command unit	70	611	ASD	Noted	This is managed by means of changes to TCs, as defined in Subparts D and E. The development of GM will be considered.
21.A.303 Compliance with the applicable requirements	70	573	AIRBUS	Not accepted	Please, refer to the response to comment #1070.
21.A.308 Eligibility of a component for installation on a command unit	70	815	UAV DACH e.V.	Noted	Please, refer to the response to comment #505.
21.A.431B Standard repairs	71	1035	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Accepted	Standard repairs will be allowed for VTOL-capable aircraft, irrespective of whether they would be manned or unmanned. Consistently with the rotorcraft approach, standard repairs will be initially allowed only for VTOL-capable aircrafts up to 3 175 kg. The applicability of standard repairs is in any case stated by the limitations included in their approval.
21.A.431B Standard repairs	71	311	ASD	Not accepted	Please, refer to the response to comment #306 as the same principle applies.
21.A.431B Standard repairs	71	566	AIRBUS	Not accepted	Please, refer to the response to comment #306 as the same principle applies.
21.A.431B Standard repairs	71	1080	General Aviation Manufacturers Association (GAMA)	Not accepted	Please, refer to the response to comment #306 as the same principle applies.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
21.A.708 Flight conditions	72	360	Thurling Aero Consulting	Noted	The requirement addresses the configuration proposed for use in the flight condition. The term 'core' will not be used anymore in the Explanatory Note of the Opinion (as it is not used anyway in the regulation).
21.A.708 Flight conditions	72	298	ASD	Partially accepted	
21.A.708 Flight conditions	72	403	DGAC FR (Mireille Chabroux)	Noted	The PtF will cover aircraft design aspects, as they are defined in Part 21. For all other aspects, in the 'specific' category, NAAs will still apply the SORA to provide the OA.
21.A.708 Flight conditions	72	969	ENAC – Ente Nazionale per l'Aviazione Civile	Partially accepted	Please, refer to the response to comment #298.
21.A.801 Identification of products and command units	73	1160	AESA	Not accepted	It is appropriate to include the operator registration number in Part 21, since the operator may change.
21.A.801 Identification of products and command units	73	314	ASD	Not accepted	EASA will be regulating both, so 'and' is preferred.
21.A.801 Identification of products and command units	73	63	Wingcopter GmbH	Not accepted	EASA will be regulating both, so 'and' is preferred. The 'and' does not imply to 'tie' the items (<i>example</i> : in Article 8(2) '... holding a certificate issued by that State for the product, part, and appliance' could be commented, with similar rationale, saying that the appliance subject to the requirement is 'tied' with the product and the part; it is not the case).
21.A.801 Identification of products and command units	73	361	Thurling Aero Consulting	Not accepted	Even for distributed CMU, putting an identification plate in a visible location will be possible. Please, refer to the response to comment #300 regarding the replacement of 'CU' with 'CMU'.
SUBPART Q – IDENTIFICATION OF PRODUCTS, PARTS, AND APPLIANCES, COMMAND UNITS AND COMMAND UNIT COMPONENTS	73	568	Murzilli Consulting	Noted	The requirement is moved to part 21.A.5 due to recent regulatory updates, and the NPA text already covers the comment.
21.B.20 Immediate reaction to a safety problem	74	866	FAA	Noted	
3.1.3. Annex I – Section B PROCEDURES FOR COMPETENT AUTHORITIES	74	576	Murzilli Consulting	Accepted	
3.1.3. Annex I – Section B PROCEDURES FOR COMPETENT AUTHORITIES	74	572	Murzilli Consulting	Noted	The requirement has been removed from Part 21.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
21.A.804 Identification of parts, and appliances and command unit components	74	869	FAA	Noted	EPA: European Parts Approval
21.B.70 Certification specifications	75	1082	General Aviation Manufacturers Association (GAMA)	Not accepted	Consistency among CSs is not provided for by means of AMC to Part 21.
21.B.70 Certification specifications	75	162	GdF	Noted	EASA utilises the JARUS SORA for the risk assessment of the 'specific' category of operations, adapted to the European framework. A TC for SAIL V and VI provides evidence of compliance with design-related OSOs at the robustness identified by the SAIL (please, refer to the AMC to Article 11 of Commission Implementing Regulation (EU) 2019/947).
21.B.70 Certification specifications	75	310	ASD	Not accepted	Please, refer to the response to comment #1082.
21.B.70 Certification specifications	75	562	AIRBUS	Not accepted	Please, refer to the response to comment #1082.
21.B.82 Operational suitability data certification basis for an aircraft type-certificate or restricted type-certificate	76	1084	General Aviation Manufacturers Association (GAMA)	Not accepted	In accordance with Article 11 of Regulation (EU) 2018/1139, the approval of operational suitability data associated with a type design shall be issued under the type certificate of the design of a product subject to certification. The CMU is not defined as a product according to Article 3(3) of Regulation (EU) 2018/1139 and, as such, operational suitability data is not mandated in case of individual certification of the CMU. However, when the CMU is included in the type certificate of the aircraft, the applicant for a type certificate or for a change to a type certificate shall designate the operational suitability data applicable to the CMU.
21.B.82 Operational suitability data certification basis for an aircraft type-certificate or restricted type-certificate	76	312	ASD	Not accepted	Please, refer to the response to comment #1084.
21.B.82 Operational suitability data certification basis for an aircraft type-certificate or restricted type-certificate	76	567	AIRBUS	Not accepted	Please, refer to the response to comment #1084.
SUBPART H - CERTIFICATES OF AIRWORTHINESS AND RESTRICTED CERTIFICATES OF AIRWORTHINESS	78	313	ASD	Noted	The CMU S/N is not recorded in the UA CoA. The model is recorded, as per ICAO Annex 8, amended for RPAS. The Part-CAO.UAS organisation managing the UAS CAW shall declare in its manual which CMU S/N is used with which UA. The manual of the organisation in charge of CAW aspects will be amended to reflect any new CMU to be used with the aircraft. Please, refer to the response to comment #300 regarding the replacement of 'CU' with 'CMU'.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
Appendix II – EASA Form 15a, and 15c and 15d - Airworthiness Review Certificate	81	1168	AESA	Not accepted	The observation is valid, but the EASA Form 15d proposals actually offer greater legal certainty than the EASA Form 15c, and hence prevents confusion. Besides, it is noted that the EASA Form 15b includes reference to the point of the Annex in the equivalent statement.
Appendix I - Authorised Release Certificate - EASA Form 1 referred to in Annex I (Part 21)	81	62	Wingcopter GmbH	Accepted	
Appendix III - Permit to Fly - EASA Form 20a	84	801	German Unmanned Aviation Association (VUL)	Partially accepted	Text has been replaced with 'in addition, for unmanned aircraft insert CMU model and designation'.
Appendix III - Permit to Fly - EASA Form 20a	84	522	Volocopter GmbH	Partially accepted	Please, refer to the response to comment #801.
Appendix IV - Permit to Fly (issued by approval organisations) - EASA Form 20b	85	802	German Unmanned Aviation Association (VUL)	Partially accepted	Please, refer to the response to comment #801.
Appendix IV - Permit to Fly (issued by approval organisations) - EASA Form 20b	85	521	Volocopter GmbH	Partially accepted	Please, refer to the response to comment #801.
Appendix IV - Permit to Fly (issued by approval organisations) - EASA Form 20b	85	823	UAV DACH e.V.	Partially accepted	Please, refer to the response to comment #801.
Appendix V - Restricted Certificate of Airworthiness - EASA Form 24	86	880	FOCA (Switzerland)	Partially accepted	EASA will consider the possibility to have the CofA in digital form for UA. This could be done by means of AMC.
Appendix V - Restricted Certificate of Airworthiness - EASA Form 24	86	484	JEDA	Partially accepted	Please, refer to the response to comment #880.
Appendix V - Restricted Certificate of Airworthiness - EASA Form 24	86	1339	Gregory Walden	Partially accepted	Please, refer to the response to comment #880.
Appendix VI - Certificate of Airworthiness - EASA Form 25	87	881	FOCA (Switzerland)	Partially accepted	Please, refer to the response to comment #880.
Appendix VI - Certificate of Airworthiness - EASA Form 25	87	485	JEDA	Not accepted	EASA does not see the need to include that information in the CofA (it is in relevant aircraft documents).



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
3.2.1. Draft cover regulation	92	362	Thurling Aero Consulting	Not accepted	Please, refer to the response to comment #365.
3.2.1. Draft cover regulation	92	474	Airbus-Regulations-SRg	Not accepted	- Agreement to include the CU in the scope of critical maintenance task. - The comment to replace 'flight safety' is not accepted for consistency with manned aviation; this term is used in such contexts since the JAA times and may capture issues going beyond pure airworthiness.
3.2.1. Draft cover regulation	92	472	Airbus-Regulations-SRg	Not accepted	Please, refer to the responses to comments #323 and #601.
3.2.1. Draft cover regulation	92	471	Airbus-Regulations-SRg	Not accepted	The comment is not accepted for consistency with manned aviation and consistency with the ICAO definition. Also the ICAO definition of 'maintenance' in Annex 8 does not explicitly include 'preservation' in the definition of 'maintenance'. Further, EASA observes a potential confusion with the proposed 'maintenance' definition provided in comment #470 (from Airbus) to NPA 2019-05(C) (referred to in this comment): this proposal would introduce the notion of 'preservation of component', which would require additional definition and clarification to articulate it (for example, as opposed to storage of components).
3.2.1. Draft cover regulation	92	404	DGAC FR (Mireille Chabroux)	Not accepted	'will be' should be kept to include the possibility to follow airworthiness review rules even when the CofA has not been issued yet (in case of import or change of operation from medium to high risk). The added text is not accepted because it would prevent voluntary adherence to this Regulation by operators having obtained a CofA but not operating in high risk.
Article 2 Definitions	92	56	Wingcopter GmbH	Not accepted	The definition of 'CU' has been changed and the reference to 'infrastructure' removed. Please, refer to the response to comment #300 regarding the replacement of 'CU' with 'CMU'.
Article 2 Definitions	92	1337	Gregory Walden	Accepted	The definition of 'CU' has been modified; please, refer also to the response to comment #286. Please, refer to the response to comment #300 regarding the replacement of 'CU' with 'CMU'.
Article 1 Subject matter and scope	92	994	Austro Control	Not accepted	The regulatory framework for UAS has been developed following an operation-centric approach. This draft CAW regulation would apply only to certified UAS operated in the 'specific' category when an airworthiness certificate is issued by the NCA of the Member State of registry, which is required (by Article 7(2) of Commission Implementing Regulation (EU) 2019/947) for high-risk operations only.
3.2.1. Draft cover regulation	92	470	Airbus-Regulations-SRg	Not accepted	The reference to 'in condition for safe operation' is a direct transposition of the ICAO definition of continuing airworthiness in its Annex 8.
3.2.2. Draft Annex I (Part-ML.UAS) to Commission Delegated Regulation (EU) .../...	95	1044	Danish Civil Aviation and Railway Authority - DCARA	Noted	EASA agrees with this observation.
SUBPART A - GENERAL	95	325	ASD	Noted	This aspect will be considered during the development of the related AMC & GM.
3.2.2. Draft Annex I (Part-ML.UAS) to Commission Delegated Regulation (EU) .../...	95	322	ASD	Accepted	Accepted as proposed.
ML.UAS.1	95	511	Airbus-Regulations-SRg	Partially accepted	EASA agrees to address more clearly the link between point ML.UAS.1(b)(2) and ML.UAS.201(b); please, refer to revised text.



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ML.UAS.1	95	508	Airbus-Regulations-SRg	Not accepted	The UAS operator is either the owner of the UAS or the one that leases it. Reference to 'owner' in point ML.UAS.1(b)(1) refers to both 'private owner' and 'legal owner' (a company), whereas 'UAS operator' in point (b)(3) was intended more to cover the case of a company directly involved in the UAS operation, such that at the end (like in Part-ML and Part-CAO) all possible scenarios are explicitly covered in point ML.UAS.1(b). So, point ML.UAS.1 has been anyway adjusted for clarity.
ML.UAS.1	95	1171	AESA	Accepted	EASA should indeed refer to the 'registered owner of the UA'. The text has been clarified to specify that the responsibility for the CAW of the <u>UAS</u> (including CU) lies with the UA owner.
ML.UAS.201	95	591	Airbus-Regulations-SRg	Partially accepted	Not accepted to introduce a new definition: the definition of 'continuing airworthiness' (in Article 2) is sufficient to understand the intent of the Regulation. EASA agrees to remove point (a)(4) from point ML.UAS.201, considering that it is addressed by point ML.UAS.301(c).
3.2.2. Draft Annex I (Part-ML.UAS) to Commission Delegated Regulation (EU) .../...	95	581	Murzilli Consulting	Not accepted	EASA understands the comment, but the 'ARC' (airworthiness review certificate) is also used in Part 21 and applies as such to both manned and unmanned aviation. Besides, with this rulemaking task, EASA strives to stay close to the manned aviation continuing airworthiness requirements which also largely use this term for the same purpose.
ML.UAS.101 Scope	95	1283	XSUN	Noted	The scope of the NPA excludes at this stage requirements for UAS operated in the 'certified' category. The requirements for the transfer from the 'specific' to the 'certified' category will be developed with a subsequent, future NPA relevant to the 'certified' category. EASA will consider (as an analogy) the currently applicable requirements when an aircraft changes from Part-ML to Part-M.
ML.UAS.1	95	1170	AESA	Partially accepted	If the owner of the CU and the owner of the UA are different entities, it is the owner of the UA that becomes responsible for the CAW of both the UA and the CU (hence, no need for agreement). Points ML.UAS.1 and ML.UAS.201 have been clarified in this aspect.
ML.UAS.201 Responsibilities	96	851	FOCA (Switzerland)	Noted	Both constructions with the verb 'need' may be used; the final wording will be confirmed during the final review of the Opinion before publication.
ML.UAS.201 Responsibilities	96	121	IFATCA	Noted	This NPA does not address U-space and USSP/CISP roles and responsibilities. However, it has to be noted that MVCA emergencies will be treated like manned aircraft emergencies. Nevertheless, the comment will be considered for future U-space use cases and needs to be taken into account for the certification of USSPs and CISPs.
ML.UAS.201 Responsibilities	96	594	Airbus-Regulations-SRg	Not accepted	Subpart B has to do with responsibilities, and this point applies to all maintenance levels and actors. Even an unapproved organisation (when allowed by the Regulation) has certain responsibilities in respect of maintenance performed.
ML.UAS.201 Responsibilities	96	419	DGAC FR (Mireille Chabroux)	Not accepted	Like in Regulation (EU) 1321/2014, the term 'airworthiness certificate' is used to include a restricted certificate of airworthiness.
ML.UAS.201 Responsibilities	96	405	DGAC FR (Mireille Chabroux)	Not accepted	Subpart B has to do with responsibilities, and this point applies to all maintenance levels and actors. Even a person working for an approved organisation has certain responsibilities in respect of maintenance performed. Besides, in respect of point ML.UAS.502 (and point 21.A.307(b)(3) on components), certain maintenance is allowed to be accomplished by an unapproved organisation (or a person working for an approved organisation).
ML.UAS.201 Responsibilities	96	163	GdF	Noted	This NPA does not address U-space and USSP/CISP roles and responsibilities. However, it has to be noted that MVCA emergencies will be treated like manned aircraft emergencies. Nevertheless, the comment will be considered for future U-space use cases and needs to be taken into account for the certification of USSPs and CISPs.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
SUBPART-B - ACCOUNTABILITY	96	1286	FAA	Not accepted	Point ML.UAS.201 already address the CAW responsibilities of the UA owner.
ML.UAS.201 Responsibilities	96	599	Airbus-Regulations-SRg	Not accepted	Please, refer to points ML.A.307 and CAO.UAS.090(g). Please, refer to the response to comment #1069.
ML.UAS.201 Responsibilities	96	598	Airbus-Regulations-SRg	Partially accepted	Comment and rationale understood, but addressed with a slightly different wording.
ML.UAS.201 Responsibilities	96	597	Airbus-Regulations-SRg	Not accepted	In point ML.UAS.201, EASA intends precisely to differentiate between the legal owner and the Part-CAO.UAS organisation. The Part-CAO.UAS organisation is responsible for the performance of the continuing airworthiness management tasks, but the owner is accountable in respect of the continuing airworthiness of the UAS (even if that Part-CAO.UAS organisation is contracted). The accountable manager (of the Part-CAO.UAS) organisation does not substitute the legal owner of the UAS, but they are accountable for the tasks performed by their organisation.
ML.UAS.201 Responsibilities	96	595	Airbus-Regulations-SRg	Partially accepted	Agreed to delete point (e)(1) contained in NPA 2022-06 (duplication of point (a)). Point (e) has been reworded. Not accepted to change 'owner' to 'registered owner'. The term 'owner' is described in point ML.UAS.1(b) and covers all necessary cases.
ML.UAS.201 Responsibilities	96	592	Airbus-Regulations-SRg	Not accepted	Please, refer to the response to comment #508.
ML.UAS.201 Responsibilities	96	1261	THALES	Accepted	Accepted as proposed.
ML.UAS.301 Continuing airworthiness tasks	97	613	Airbus-Regulations-SRg	Accepted	Accepted as proposed.
ML.UAS.301 Continuing airworthiness tasks	97	323	ASD	Not accepted	Requesting to carry out a pre-flight inspection of the CU (as part of the CAW requirements) is considered unnecessary, considering that this will be the normal place of work of the remote pilot.
ML.UAS.302 UAS maintenance programme	97	420	DGAC FR (Mireille Chabroux)	Not accepted	In the continuing airworthiness domain, these instructions are called instructions for continuing airworthiness (ICAs).
ML.UAS.302 UAS maintenance programme	97	406	DGAC FR (Mireille Chabroux)	Partially accepted	Compared to Part-ML, the AMP requirements had to be adapted due to the lack of a minimum inspection programme and the lack of the possibility for the (private) owner to declare the AMP. Only an organisation will be in charge of the MP; in this respect, we are closer to Part-M than Part-ML (even if the MP is not formally approved by the competent authority). - Additional maintenance instructions: this is not explicit in Part-M, but EASA proposes to introduce it in an AMC & GM to point ML.UAS.302. - Identification of owner and UAS: same as previous. - Signature of AMP: same as previous. - Additional tasks due to specifics (e.g. configuration, repair): point added in point ML.UAS.302. - Recording deviation justifications: this aspect is added to point CAO.UAS.075(b)(1).
ML.UAS.301 Continuing airworthiness tasks	97	604	Airbus-Regulations-SRg	Not accepted	The definition of 'maintenance programme' in ICAO Annex 6 refers to scheduled maintenance.
ML.UAS.301 Continuing airworthiness tasks	97	602	Airbus-Regulations-SRg	Not accepted	The intent of point (b) is to cover all unscheduled maintenance. Obviously, MEL and CDL are considered only in case of defect/damage (the text refers to 'taking into account', not an obligation to use).



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
ML.UAS.301 Continuing airworthiness tasks	97	601	Airbus-Regulations-SRg	Not accepted	Pre-flight inspection of the CU is not considered necessary (in the CAW domain) as it is expected that the (operational) flight preparation by the pilot would capture any obvious defect or damage of the CU.
ML.UAS.301 Continuing airworthiness tasks	97	1270	THALES	Partially accepted	For clarity, point (c) explicitly refers to 'scheduled maintenance' because it is linked to the maintenance programme. Contrary to that, point (b) has been amended to refer to 'unscheduled maintenance', which not only covers defect rectification, but other/ad hoc maintenance (e.g. inspection after a lightning strike). However, EASA agrees to take 'preservation' out (EASA meant here putting an aircraft into storage or parking), which is actually covered by 'unscheduled maintenance'.
ML.UAS.302 UAS maintenance programme	97	1173	AESA	Partially accepted	Please, refer to the response to comment #406.
ML.UAS.301 Continuing airworthiness tasks	97	600	Airbus-Regulations-SRg	Not accepted	There is equipment fitted to the aircraft which does not contribute to the airworthiness of the aircraft, but is required by the Air Operations Regulation (equipment as that listed in Section 2 of MODULE UAM-IDE in Subpart D of Part-IAM); for such equipment (and as for manned aviation), EASA refers here to serviceability rather than airworthiness.
ML.UAS.301 Continuing airworthiness tasks	97	1284	XSUN	Not accepted	This point does not constitute an obligation to develop a MMEL/MEL, but if such document exists, it should be used. The point reads 'when they exist'.
ML.UAS.302 UAS maintenance programme	97	620	Airbus-Regulations-SRg	Partially accepted	After further discussion with the CAW subgroup, it has been decided to simplify the text and no longer propose the possibility of conducting the maintenance programme review together with the airworthiness review. This is because Part-ML.UAS does not include the possibility for the owner to manage the airworthiness and there is always an organisation in charge, so this organisation should do the MP review itself instead.
ML.UAS.302 UAS maintenance programme	97	619	Airbus-Regulations-SRg	Not accepted	The use of 'at least' means that this review may be conducted more frequently. Besides, EASA considers that the potential maintenance programme amendment resulting from the review is implied by the text. More details may be provided at AMC & GM level.
ML.UAS.302 UAS maintenance programme	97	618	Airbus-Regulations-SRg	Not accepted	The use of the term 'instructions' and the different formulation of the point proposed by the comment is believed to cause potential confusion in respect of the instructions contained in the AMM procedure and potentially different intent than the one from Part-ML resulting from the proposal. Besides, compliance of the maintenance programme with 'other maintenance instructions' (other than ICAs) should not be mandated.
ML.UAS.302 UAS maintenance programme	97	617	Airbus-Regulations-SRg	Not accepted	Please, refer to the response to comment #604.
ML.UAS.301 Continuing airworthiness tasks	97	615	Airbus-Regulations-SRg	Partially accepted	- Point ML.UAS.304 does not regulate only the data but also the accomplishment of modifications and repairs (e.g. assess a damage before repairing it). - Please, refer to the response to comment #604 on the proposal to move point ML.UAS.301(f) in point M.A.302. - Mass & Balance - EASA accepts to add a new point to address this (with a slightly different wording).
ML.UAS.304 Modifications and repairs	98	621	Airbus-Regulations-SRg	Not accepted	Although EASA does not disagree with the consideration presented in the comment, it sees a greater benefit in keeping consistency with manned Part-ML (and Part-M) where the configuration management role of the CA(M)O is addressed by the other requirements.
ML.UAS.305 UAS continuing airworthiness record system	98	327	ASD	Accepted	Please, refer to the response to comment #967.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
ML.UAS.305 UAS continuing airworthiness record system	98	326	ASD	Accepted	
ML.UAS.305 UAS continuing airworthiness record system	98	324	ASD	Not accepted	Please, refer to the response to comment #323.
ML.UAS.305 UAS continuing airworthiness record system	98	966	ENAC - Ente Nazionale per l'Aviazione Civile	Accepted	Point has been reworded, and the omission of 'CU' corrected.
ML.UAS.305 UAS continuing airworthiness record system	98	632	Airbus-Regulations-SRg	Not accepted	Please, refer to the response to comment #623.
ML.UAS.305 UAS continuing airworthiness record system	98	408	DGAC FR (Mireille Chabroux)	Accepted	Point has been reworded to include the recording of UAS time in service.
ML.UAS.305 UAS continuing airworthiness record system	98	407	DGAC FR (Mireille Chabroux)	Partially accepted	For components subject to airworthiness limitations, the CRS are addressed by another point. Agreement to add 'record-keeping of CU installation' in point ML.UAS.305. With UAS, the record system is an essential element of the communication between the (remote) pilot and the persons involved in the CAW of the UAS. Requiring the pre-flight inspection to be introduced in this system ensures that the (remote) pilot will receive that information before the flight.
ML.UAS.305 UAS continuing airworthiness record system	98	1174	AESA	Not accepted	The NPA was written with the intention to not overcomplicate rules for this lower category of UAS operations, and to not always necessarily specify the rules for CU, the rules for UA, or the rules for both, providing for a certain degree of adaptation in the implementation. The text, as proposed, for record-keeping allows for separate follow-up of UA or CUs should they be used respectively with/by multiple CUs or UA. It cannot be assumed that one UA will be used with one CU (or vice versa).
ML.UAS.305 UAS continuing airworthiness record system	98	1067	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Not accepted	With UAS, the record system is an essential element of the communication between the (remote) pilot and the persons involved in the CAW of the UAS. Certain information (like pre-flight inspection) is needed quickly, and some other (like details of structural inspection) can be introduced within a longer period. Additional information (on these differences) could be provided at AMC level.
ML.UAS.305 UAS continuing airworthiness record system	98	967	ENAC - Ente Nazionale per l'Aviazione Civile	Accepted	Text has been amended accordingly.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
ML.UAS.305 UAS continuing airworthiness record system	98	639	Airbus-Regulations-SRg	Accepted	Agree to delete the requirements related to record-keeping duration when it comes to 'current status' information which is an output of the system, and not a record itself. See also comment #636 on the restructuring of the record-keeping duration requirements.
ML.UAS.305 UAS continuing airworthiness record system	98	633	Airbus-Regulations-SRg	Accepted	Text has been amended accordingly.
ML.UAS.305 UAS continuing airworthiness record system	98	628	Airbus-Regulations-SRg	Not accepted	The point has been reworded in such a way so that no explicit mention of 'engine' is made. EASA does not agree to remove the reference to 'logs'; the proposal for its deletion is not justified in the comment.
ML.UAS.305 UAS continuing airworthiness record system	98	641	Airbus-Regulations-SRg	Partially accepted	Point (b)(3) has been developed on the basis of point M.A.306(a)(1) (aircraft technical log system), and normally refers to the type of information reported by the pilot. The record-keeping duration requirements have been amended for completeness; please, refer to the response to comment #636.
ML.UAS.305 UAS continuing airworthiness record system	98	637	Airbus-Regulations-SRg	Accepted	Agree to delete the requirements related to record-keeping duration when it comes to 'current status' information which is an output of the system, and not a record itself.
ML.UAS.305 UAS continuing airworthiness record system	98	636	Airbus-Regulations-SRg	Partially accepted	EASA agrees to restructure the record-keeping duration requirement as suggested, but detailed maintenance records and pre-flight inspection (PFI) records cannot be grouped here, as it is not appropriate to refer to 'certification' for the PFI (which is not maintenance).
ML.UAS.305 UAS continuing airworthiness record system	98	634	Airbus-Regulations-SRg	Accepted	Accepted to delete this point from point ML.UAS.305.
ML.UAS.305 UAS continuing airworthiness record system	98	629	Airbus-Regulations-SRg	Not accepted	Please, refer to the responses to comments #604 and #623.
ML.UAS.305 UAS continuing airworthiness record system	98	627	Airbus-Regulations-SRg	Partially accepted	Accepted with slight differences.
ML.UAS.305 UAS continuing airworthiness record system	98	626	Airbus-Regulations-SRg	Partially accepted	- Deletion of the term 'system': please, refer to the response to comment #623. - Pre-flight inspection record: accepted, but the term 'signature' has been replaced with 'evidence'. - Flight safety: please, refer to the response to comment #474.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
ML.UAS.305 UAS continuing airworthiness record system	98	623	Airbus-Regulations-SRg	Not accepted	The intent of the Regulation is to state that the records alone are not sufficient, and that they have to be organised with a 'system' (which in particular is able to provide various 'current status' such as for AD, modifications, repairs). This is similar to point ML.UAS.302 (and point M(L).A.302) which requires scheduled maintenance to be organised with a 'maintenance programme'.
ML.UAS.304 Modifications and repairs	98	622	Airbus-Regulations-SRg	Partially accepted	Agreed that this may be found misleading. Anyway, point (b) is reworded to remove the limitation from point 21.A.308(a) (CMU components) in accordance with the proposed amendment to Part 21 on modifications and repairs. Please, refer also to the response to comment #615.
ML.UAS.307 Transfer of the UAS's continuing airworthiness records	100	1069	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Accepted	Accepted as proposed.
ML.UAS.307 Transfer of the UAS's continuing airworthiness records	100	642	Airbus-Regulations-SRg	Not accepted	There could be a period during which a UAS is not operated and, hence, no Part-CAO.UAS organisation is contracted. This requirement here ensures imposing the obligation to the owner to transfer these records to the relevant party.
ML.UAS.307 Transfer of the UAS's continuing airworthiness records	100	409	DGAC FR (Mireille Chabroux)	Accepted	Text has been amended accordingly.
ML.UAS.401 Maintenance data	101	644	Airbus-Regulations-SRg	Not accepted	This data is also required under point CAO.UAS.080 (continuing airworthiness management data); hence, it is better to keep it as proposed in the NPA (which provides sufficient flexibility with the word 'applicable').
ML.UAS.403 UAS defects	101	510	Volocopter GmbH	Accepted	Text has been amended accordingly.
ML.UAS.403 UAS defects	101	509	Volocopter GmbH	Partially accepted	The term 'mission' has been deleted; point ML.UAS.403 will only refer to required and non-required equipment (mission equipment is considered to be included in non-required equipment). A GM will be developed to elaborate on the term 'required'.
ML.UAS.403 UAS defects	101	506	Volocopter GmbH	Not accepted	This requirement (originating from Regulation (EU) No 1321/2014) is on purpose performance based to prevent overlooking defects that require immediate attention. Even in manned aviation, a list of defects endangering flight safety does not exist, and could lead to undesirable assessments. Assessment must be performed on a case-by-case basis.
ML.UAS.403 UAS defects	101	1312	JEDA	Accepted	Please, refer to the response to comment #509.
ML.UAS.403 UAS defects	101	1309	JEDA	Accepted	Please, refer to the response to comment #510.
ML.UAS.401 Maintenance data	101	1278	THALES	Not accepted	This future regulation may apply to newcomers in the aeronautical community and EASA has taken the opportunity to clarify certain concepts. This version offers improvements to the following: - Subpart D on maintenance 'standards' (the 'how'): it is unnecessary to specify who performs the maintenance; - the word 'use' is essential, but the text clarifies that this 'data used' should be strictly followed (hence 'adhere to').
ML.UAS.403 UAS defects	101	1094	General Aviation Manufacturers Association (GAMA)	Accepted	Please, refer to the response to comment #510.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
ML.UAS.403 UAS defects	101	1091	General Aviation Manufacturers Association (GAMA)	Partially accepted	Please, refer to the response to comment #509.
ML.UAS.403 UAS defects	101	1087	General Aviation Manufacturers Association (GAMA)	Noted	Please, refer to the response to comment #506.
SUBPART-D - MAINTENANCE STANDARDS	101	1071	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Not accepted	Addressed by point CAO.UAS.060; point ML.A.402 is mainly foreseen for independent certifying staff and pilot-owner maintenance, which are not foreseen by this NPA.
ML.UAS.403 UAS defects	101	825	UAV DACH e.V.	Partially accepted	Please, refer to the response to comment #509.
ML.UAS.403 UAS defects	101	818	UAV DACH e.V.	Accepted	Please, refer to the response to comment #510.
ML.UAS.403 UAS defects	101	816	UAV DACH e.V.	Not accepted	Please, refer to the response to comment #506.
ML.UAS.403 UAS defects	101	805	German Unmanned Aviation Association (VUL)	Accepted	Please, refer to the response to comment #510.
ML.UAS.403 UAS defects	101	804	German Unmanned Aviation Association (VUL)	Partially accepted	Please, refer to the response to comment #509.
ML.UAS.403 UAS defects	101	803	German Unmanned Aviation Association (VUL)	Noted	Please, refer to the response to comment #506.
ML.UAS.403 UAS defects	101	651	Airbus-Regulations-SRg	Not accepted	The proposal to differentiate between damage and defect is not accepted; point ML.UAS.301 has been reworded to clarify that 'defects' is a collective term which includes 'damage'.
ML.UAS.403 UAS defects	101	650	Airbus-Regulations-SRg	Not accepted	Point (d) is considered a fundamental aspect of maintenance standards (and complementary to point ML.UAS.305), regardless of who is in charge of the UAS's continuing airworthiness, and hence it should be kept under Part-ML.UAS.
ML.UAS.403 UAS defects	101	649	Airbus-Regulations-SRg	Not accepted	Please, refer to the response to comment #474.
ML.UAS.403 UAS defects	101	648	Airbus-Regulations-SRg	Not accepted	The Part-ML approach should be followed, which does not explicitly refer to maintenance data in the equivalent point.
ML.UAS.403 UAS defects	101	647	Airbus-Regulations-SRg	Partially accepted	The addition of 'CDL' and 'rectification', as proposed, is accepted, as well as the development of a GM to explain the term 'required equipment' (similar to GM1 ML.A.403 third paragraph). For consistency with manned aviation, the term 'flight safety' remains (please also refer to the response to comment #474).
ML.UAS.403 UAS defects	101	646	Airbus-Regulations-SRg	Not accepted	Please, refer to the response to comment #474.
ML.UAS.401 Maintenance data	101	645	Airbus-Regulations-SRg	Not accepted	Please, refer to the response to comment #604.
ML.UAS.501 Installation of UA components	102	652	Airbus-Regulations-SRg	Partially accepted	EASA agrees with the intent of the comment, but proposes a different formulation to address it (use of the term 'configuration').
ML.UAS.502 Maintenance of UA components	102	328	ASD	Accepted	Please, refer to the response to comment #410. Reference to ELA1 and ELA2 requirements have been removed.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
ML.UAS.502 Maintenance of UA components	102	667	Airbus-Regulations-SRg	Not accepted	This point has been deleted, having regard to comment #410.
ML.UAS.501 Installation of UA components	102	486	JEDA	Not accepted	The market surveillance aspects of Regulation (EC) No 765/2008 are not normally detailed under Part 21 or Part-M/-ML.
ML.UAS.502 Maintenance of UA components	102	411	DGAC FR (Mireille Chabroux)	Not accepted	The concept of parts without an EASA Form 1 in the current CAW and IAW Regulations includes the possibility for those parts to be maintained by unapproved persons or organisations. This concept is maintained with this NPA. Point ML.UAS.201(e)(2) has been amended to make this explicit in Subpart B.
ML.UAS.502 Maintenance of UA components	102	410	DGAC FR (Mireille Chabroux)	Accepted	Accepted (first point of ML.UAS.502 has been deleted). The last point of point ML.UAS.502 is considered sufficient to allow for the necessary flexibility.
SUBPART-E - COMPONENTS	102	1289	FAA	Not accepted	Addressed by point CAO.UAS.102.
ML.UAS.502 Maintenance of UA components	102	669	Airbus-Regulations-SRg	Not accepted	Point ML.A.502 has to do with the obligations when maintaining a component, as opposed to point ML.UAS.501, which has to do with the obligations when accepting a component, the reason why the term 'accompanied' is not adequate here. The term 'released' indicates the end of a maintenance process and should be kept. However, EASA can make it clear in other instances by using the term 'certified' that maintenance is subject to an EASA Form 1 or a CRS (e.g. see rationale of the response to comment #750).
SUBPART-E - COMPONENTS	102	1073	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Not accepted	As regards Part-ML.UAS, this point was deliberately not taken, and also for simplification purposes. It was considered that points ML.UAS.301(c) and (d)(3), ML.UAS.302(c)(1) (and ML.UAS.303) sufficiently address such obligation.
ML.UAS.502 Maintenance of UA components	102	855	FOCA (Switzerland)	Not accepted	EASA cannot make reference to an amending regulation (Regulation (EU) 2021/699), because the requirements of point 21.A.307(b)(2) could still evolve through amendments to Regulation (EU) No 748/2012 (while Regulation (EU) 2021/699 will not be amended).
ML.UAS.502 Maintenance of UA components	102	668	Airbus-Regulations-SRg	Partially accepted	The table in the NPA results from the transposition of the table in point ML.A.502, adapted to UAS operations in the 'specific' category, removing references to engines other than CS-VLA, CS-22 and LSA, and removing references to independent certifying staff. It is still more prudent to not allow component overhaul by organisations not approved for components. For the overhaul of engines, however, this should be possible only if allowed by the design approval holder (this has been added in the table).
ML.UAS.504 Segregation of components	103	670	Airbus-Regulations-SRg	Not accepted	The term 'unserviceable components' is defined in point ML.UAS.504(b).
ML.UAS.504 Segregation of components	103	1074	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Not accepted	In Part-M (of Regulation (EU) No 1321/2014), these requirements (for mutilation) are on the level of AMC (refer to AMC1 M.A.504). EASA considers that this approach is adequate for Part-ML.UAS; relevant AMC & GM to point ML.UAS.504 will be developed.
ML.UAS.504 Segregation of components	103	672	Airbus-Regulations-SRg	Not accepted	Please refer to the response to comment #670; components involved in accidents are addressed by point ML.UAS.504(b)(5).
ML.UAS.504 Segregation of components	103	671	Airbus-Regulations-SRg	Not accepted	Please refer to the response to comment #670; components involved in accidents are addressed by point ML.UAS.504(b)(5).
ML.UAS.520 Installation and maintenance of CU components	104	950	FAA	Accepted	Text of ML.UAS.520(e) has been amended in a way similar to point ML.UAS.502(c). Any person or organisation may perform maintenance on such components.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
ML.UAS.520 Installation and maintenance of CU components	104	412	DGAC FR (Mireille Chabroux)	Not accepted	Please refer to the response to comment #411. The concept of parts without an EASA Form 1 is extended to components from the outer layer of the CU. Please, refer also to the response to comment #598. Point ML.UAS.201(e)(3) has been amended to cater for the maintenance of parts without an EASA Form 1.
ML.UAS.520 Installation and maintenance of CU components	104	674	Airbus-Regulations-SRg	Not accepted	Please, refer to the response to comment #669.
ML.UAS.520 Installation and maintenance of CU components	104	673	Airbus-Regulations-SRg	Accepted	Accepted as proposed.
ML.UAS.801 Certification of UA maintenance	105	677	Airbus-Regulations-SRg	Not accepted	'aircraft limitation' in point (b)(4) or point (c) refers to any applicable airworthiness or operations limitations. Competence of certifying staff is addressed in Part-CAO.UAS.
ML.UAS.801 Certification of UA maintenance	105	685	Airbus-Regulations-SRg	Not accepted	This Annex defines the technical standards for the aircraft, and it is intended to distinguish these from the organisational requirements provided in Part-CAO.UAS. The comment's proposal does not fit the intent.
ML.UAS.803 Certification of CU maintenance	105	684	Airbus-Regulations-SRg	Partially accepted	Bullet reference is indeed wrong and has been renumbered. In respect of 'flight safety', please refer to the response to comment #474.
ML.UAS.803 Certification of CU maintenance	105	683	Airbus-Regulations-SRg	Partially accepted	Please refer to the response to comment #676.
ML.UAS.803 Certification of CU maintenance	105	682	Airbus-Regulations-SRg	Accepted	Accepted as proposed.
ML.UAS.803 Certification of CU maintenance	105	681	Airbus-Regulations-SRg	Not accepted	Please refer to the response to comment #685.
ML.UAS.802 Certification of UA component maintenance	105	680	Airbus-Regulations-SRg	Not accepted	The objective of point ML.UAS.801(d) is to prevent certifying staff from releasing aircraft maintenance in case they are aware of any other significant non-compliance on the aircraft. As for Part-M and Part-ML, this requirement is not extended to component maintenance, the scope of which is more limited than for an aircraft.
ML.UAS.802 Certification of UA component maintenance	105	679	Airbus-Regulations-SRg	Not accepted	Please, refer to the response to comment #685.
ML.UAS.801 Certification of UA maintenance	105	678	Airbus-Regulations-SRg	Not accepted	Please refer to the response to comment #474.
ML.UAS.801 Certification of UA maintenance	105	676	Airbus-Regulations-SRg	Partially accepted	If the UAS is subject to airworthiness limitations, it may be operated under a permit to fly, or not operated at all (until the limitation is withdrawn). Operational limitations may refer to a maintenance action in respect of the MEL, which imposes operational restrictions (in accordance with the MEL). These requirements (originating from Regulation (EU) No 1321/2014) are not considered particularly difficult to comply with, so in the development of the related AMC & GM priority will be given to other topics.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
ML.UAS.801 Certification of UA maintenance	105	675	Airbus-Regulations-SRg	Accepted	Please refer to the response to comment #682.
ML.UAS.804 Certification of CU component maintenance	106	694	AIRBUS	Not accepted	Please refer to the response to comment #685.
ML.UAS.805 Certification of CU installation	106	61	Wingcopter GmbH	Partially accepted	Please, refer to Article 2(k) which defines 'CU installation'. This definition refers to installation 'in a physical environment that is eligible for that purpose'. This may include a vehicle, if foreseen by the UAS TCH. Point ML.UAS.805(a) is amended to reflect that such installation only applies if prescribed by the design approval holder ('portable' CU may not require 'installation').
ML.UAS.805 Certification of CU installation	106	698	AIRBUS	Partially accepted	Please refer to the response to comment #676.
ML.UAS.805 Certification of CU installation	106	697	AIRBUS	Accepted	Accepted as proposed.
ML.UAS.805 Certification of CU installation	106	696	AIRBUS	Not accepted	Please, refer to the response to comment #685.
ML.UAS.804 Certification of CU component maintenance	106	695	AIRBUS	Not accepted	Please refer to the response to comment #680.
ML.UAS.901 Airworthiness review of the UA	107	705	AIRBUS	Not accepted	The UA may be operated by more than one CU, even during a single flight, and such CU(s) may also be used for other UA. Besides, the CofA is delivered to the UA, so the same approach is proposed for the ARC. However, all CUs used or intended to be used for an UA should be part of the airworthiness review unless they have been subjected to an airworthiness review in the last 6 months (please, see point ML.UAS.903).
ML.UAS.902 Validity of the UA airworthiness review certificate (ARC)	107	1175	AESA	Partially accepted	It is more prudent to keep the prohibition on the use of a CU with an open finding in general, and not link it to the UA in relation to which the finding was raised. All CUs used or intended to be used for an UA should be part of the airworthiness review unless they have been subjected to an airworthiness review in the last 6 months.
ML.UAS.901 Airworthiness review of the UA	107	413	DGAC FR (Mireille Chabroux)	Not accepted	A UAS operator could stop the operation for a couple of months and end the contract with the Part-CAO.UAS organisation. In this case, an existing ARC would be prevented to be extended if a new Part-CAO.UAS is contracted and operations resumed.
ML.UAS.902 Validity of the UA airworthiness review certificate (ARC)	107	1176	AESA	Partially accepted	The CU may be certified together with the UA, or certified alone. Text has been changed to refer to 'UA or CU' instead of 'UAS'.
ML.UAS.901 Airworthiness review of the UA	107	703	AIRBUS	Not accepted	Please refer to the response to comment #705.
ML.UAS.901 Airworthiness review of the UA	107	1076	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Not accepted	This new approach was based on NPA 2015-17 'Airworthiness review process' (RMT.0521) and was considered proportionate for the scope of certified UAS operated in the 'specific' category. The written contract required for continuing airworthiness management purposes (in accordance with point ML.UAS.2011) should allow for the ARS to verify this condition.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
ML.UAS.902 Validity of the UA airworthiness review certificate (ARC)	107	711	AIRBUS	Not accepted	These aspects are addressed by RMT.0521 'Airworthiness review process', which will result in an EASA Opinion in the course of 2024. It is premature at this stage to state to which extent Part-ML.UAS would be affected, and it is more prudent to keep a general alignment with Part-ML.
ML.UAS.902 Validity of the UA airworthiness review certificate (ARC)	107	710	AIRBUS	Partially accepted	Changes to points (a) and (a)(1) accepted. Changes to (a)(4) and (a)(5) not accepted: like for engines, the CU may or may not be included in the TC of the UA.
ML.UAS.902 Validity of the UA airworthiness review certificate (ARC)	107	709	AIRBUS	Not accepted	Please, refer to the response to comment #705.
ML.UAS.901 Airworthiness review of the UA	107	708	AIRBUS	Partially accepted	Using 'UAS' (rather than 'UA') in the context of point (c)(1) is acceptable. It is preferable to keep the word 'consecutive' to prevent ambiguity.
ML.UAS.901 Airworthiness review of the UA	107	707	AIRBUS	Not accepted	Please, refer to the response to comment #705.
ML.UAS.901 Airworthiness review of the UA	107	706	AIRBUS	Not accepted	Please, refer to the response to comment #705.
ML.UAS.903 Airworthiness review process	108	712	AIRBUS	Partially accepted	These aspects are addressed by RMT.0521 'Airworthiness review process', which will result in an EASA Opinion in the course of 2024. It is premature at this stage to state to which extent Part-ML.UAS would be affected, and it is more prudent to keep a general alignment with Part-ML.
ML.UAS.903 Airworthiness review process	108	716	AIRBUS	Not accepted	Please, refer to the response to comment #705.
ML.UAS.903 Airworthiness review process	108	418	DGAC FR (Mireille Chabroux)	Partially accepted	This point has been amended to refer to the data to be recorded in accordance with point ML.UAS.305, which will be revised to be more generic, and not necessarily explicitly refer to 'engines'.
ML.UAS.903 Airworthiness review process	108	416	DGAC FR (Mireille Chabroux)	Accepted	Accepted as proposed.
ML.UAS.903 Airworthiness review process	108	415	DGAC FR (Mireille Chabroux)	Accepted	Point ML.UAS.903 has been reworded to clarify that the airworthiness review of an UA includes the review of the CU(s) used to operate the UA, unless such CU(s) has (have) been recently covered by another airworthiness review. Hence, this implies that the same ARS does both reviews, unless the CU is not reviewed due to the condition explained above. Besides, point CAO.UAS.020 has been changed to include a requirement to declare which UA is used with which CU in the scope of work of an organisation managing the UA's CAW.
ML.UAS.903 Airworthiness review process	108	700	FOCA Switzerland	Accepted	Reference to point (h) has been replaced with point (i).
ML.UAS.903 Airworthiness review process	108	996	Austro Control	Not accepted	This proposed new regulation on the CAW of UAS only applies to certified UAS used in the 'specific' category and for which a CofA is obtained (because of high-risk operations).



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
ML.UAS.903 Airworthiness review process	108	414	DGAC FR (Mireille Chabroux)	Not accepted	A noise certificate is only issued to an aircraft in accordance with Part 21 if noise requirements exist in Annex 16 Volume 1 of the Chicago Convention for that aircraft type. Besides, during an import process, a noise certificate may not be issued at the time of the airworthiness review. Point (a)(11) has been amended to clarify this. Article 7 of Commission Delegated Regulation (EU) 2019/945 to be amended; please, refer to the response to comment #426.
ML.UAS.903 Airworthiness review process	108	720	AIRBUS	Accepted	Please, refer to the response to comment #620.
ML.UAS.903 Airworthiness review process	108	719	AIRBUS	Not accepted	Please, refer to the response to comment #705.
ML.UAS.903 Airworthiness review process	108	718	AIRBUS	Accepted	Please, refer to the responses to comments #620 and #720.
ML.UAS.903 Airworthiness review process	108	717	AIRBUS	Not accepted	Please, refer to the response to comment #705; also refer to the response to comment #415.
ML.UAS.903 Airworthiness review process	108	715	AIRBUS	Not accepted	Please, refer to the response to comment #705.
ML.UAS.903 Airworthiness review process	108	714	AIRBUS	Partially accepted	This point has been reworded to introduce a reference to point ML.UAS.305.
ML.UAS.904 Qualification of airworthiness review staff	109	721	AIRBUS	Accepted	The entire point ML.UAS.904 has been deleted; the requirements for the ARS of the Part-CAO.UAS organisation are also provided in Part-CAO.UAS.
ML.UAS.905 Transfer of an UA registration within the Union	110	723	AIRBUS	Accepted	Reference amended to 'ML.UAS.906A'.
ML.UAS.906A Airworthiness review of UA imported into the Union	110	725	AIRBUS	Accepted	Accepted as proposed.
ML.UAS.905 Transfer of an UA registration within the Union	110	1183	AESA	Accepted	Reference amended to 'ML.UAS.906A'.
ML.UAS.906B Airworthiness review following changes in UAS operations	110	861	FOCA (Switzerland)	Not accepted	In the current regulatory framework for manned aircraft, the issue of the initial ARC for a new aircraft is not addressed in the CAW Regulation, but in Part 21 (no airworthiness review is actually performed for a new aircraft). This means that the CAW Regulation deals with the airworthiness review and the ARC for used aircraft. So, EASA believes it makes sense to limit the scope of point ML.UAS.906B to enable the use of UAS in a different category of higher-risk operations.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
ML.UAS.906A Airworthiness review of UA imported into the Union	110	724	AIRBUS	Not accepted	Please, refer to the response to comment #705. The aspect of sending a copy of the ARC to the competent authority of the State of registry is already covered by point ML.UAS.903(g), so the second part of the sentence has been deleted.
ML.UAS.906B Airworthiness review following changes in UAS operations	110	727	AIRBUS	Accepted	Accepted as proposed.
ML.UAS.906B Airworthiness review following changes in UAS operations	110	726	AIRBUS	Not accepted	Please, refer to the response to comment #724.
ML.UAS.907 Findings	111	728	AIRBUS	Partially accepted	EASA accepts to take into account the expression 'elimination of the non-compliance'. Points ML.UAS.907 and CAO.UAS.115 reworded for harmonisation purposes. (Please, refer to the response to comment #759.)
ML.UAS.907 Findings	111	1079	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Not accepted	The categorisation of findings into level 1 and level 2 is a competent authority obligation, not an organisation obligation. Hence, this definition has been moved to point AR.UAS.GEN.351.
Appendix I - Continuing airworthiness management contract	112	729	AIRBUS	Not accepted	This Appendix regulates the relationship between the owner (operator) and the Part-CAO.UAS organisation when there is a contract concluded between them. So, defects reported by the pilots will be reported formally by the owner (operator). The coordination function of a contracted Part-CAO.UAS organisation (as established under point (G)) is an essential function of the Part-CAO.UAS organisation.
Appendix I - Continuing airworthiness management contract	112	417	DGAC FR (Mireille Chabroux)	Accepted	Accepted as proposed.
Appendix I - Continuing airworthiness management contract	112	1184	AESA	Accepted	Reference to 'independent certifying staff' has been removed.
Appendix I - Continuing airworthiness management contract	112	731	AIRBUS	Not accepted	The term 'logs' is used in point ML.UAS.305; text amended to read 'logs' in Appendix I.
Appendix I - Continuing airworthiness management contract	112	730	AIRBUS	Not accepted	Point (e)(1)(x) (denunciation) does not necessarily cover point (e)(1)(vi) (contract not respected). Point (d) refers to the text of the contract.
Appendix I - Airworthiness review certificate (EASA Form 15d)	115	732	AIRBUS	Not accepted	Please, refer to the response to comment #705.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
Appendix I - Airworthiness review certificate (EASA Form 15d)	115	1186	AESA	Accepted	Accepted as proposed.
Appendix I - EASA Form 1 fill-in instructions	117	733	AIRBUS	Partially accepted	Second sentence of point 1.3 deleted as it relates to production.
Appendix I - EASA Form 1 fill-in instructions	117	806	German Unmanned Aviation Association (VUL)	Accepted	Please, refer to the response to comment #512.
Appendix I - EASA Form 1 fill-in instructions	117	512	Volocopter GmbH	Accepted	All instances of the term 'copy' or 'copies' have been reviewed in both proposed CAW delegated and implementing acts. Most of them have been deleted or reformulated to avoid using these terms.
Appendix I - EASA Form 1 fill-in instructions	117	1192	AESA	Noted	Assuming that a component may be used on both certified manned aircraft and certified unmanned aircraft, and that an organisation holds both a Part-CAO.UAS approval and a Part-145 approval (both approved for the maintenance of this component), this organisation could wish to certify such component maintenance under the two Regulations.
Appendix I - EASA Form 1 fill-in instructions	117	1188	AESA	Not accepted	EASA understands that the comment is made having regard to the statement 'THIS IS NOT A RELEASE UNDER ANNEX II (PART-145) TO REGULATION (EU) No 1321/2014' proposed in the NPA. With reference to comment #1192 (explaining why there actually could be a component maintenance release under both Part-CAO.UAS and Part-145), EASA prefers to delete this statement (related to Part-145), which could confuse the user, and to not introduce a similar statement related to Part-CAO.
Appendix I - EASA Form 1 fill-in instructions	117	1095	General Aviation Manufacturers Association (GAMA)	Accepted	Please, refer to the response to comment #512.
Appendix I - EASA Form 1 fill-in instructions	117	870	FAA	Noted	The term 'rebuilt' is not used in the EU system, although it is acceptable under the EU-US bilateral agreement for engines released by the original engine manufacturer (OEM) on a Form 8130-3 (left side). For alteration of an item, the term 'modified' should be used in block 11.
Appendix I-I - EASA Form 1 fill-in instructions	117	819	UAV DACH e.V.	Accepted	Please, refer to the response to comment #512.
Appendix I-I - EASA Form 1 fill-in instructions	117	742	AIRBUS	Accepted	Accepted as proposed.
Appendix I-I - EASA Form 1 fill-in instructions	117	741	AIRBUS	Partially accepted	Change to point (viii) is accepted; change to the certification statement itself is not accepted for consistency with manned aviation.
Appendix I-I - EASA Form 1 fill-in instructions	117	740	AIRBUS	Partially accepted	The comments on the definition are not accepted for consistency with manned aviation. The comment on the footnote is accepted and the footnote has been inserted.
Appendix I-I - EASA Form 1 fill-in instructions	117	739	AIRBUS	Accepted	Terms harmonised.
Appendix I-I - EASA Form 1 fill-in instructions	117	738	AIRBUS	Accepted	Accepted as proposed.
Appendix I-I - EASA Form 1 fill-in instructions	117	737	AIRBUS	Not accepted	The comment is not accepted for consistency with manned aviation; the statement should remain harmonised between manned and unmanned aviation.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
Appendix I-I - EASA Form 1 fill-in instructions	117	736	AIRBUS	Not accepted	The comment is not accepted for consistency with manned aviation (same EASA Form 1 for manned and unmanned aviation).
Appendix I-I - EASA Form 1 fill-in instructions	117	735	AIRBUS	Accepted	Accepted as proposed.
Appendix I-I - EASA Form 1 fill-in instructions	117	734	AIRBUS	Not accepted	It is recognised that, in general, the term 'certifying aircraft maintenance' should be preferred over 'releasing an aircraft'. And it is agreed that the EASA Form 1 is not the document to attest such activity. However, in the context of such interdiction (expressed in point 1.5), EASA believes it is more efficient to keep the text consistent with Appendix II to Part-M since EASA Form 1 will be used for both manned and unmanned aviation.
3.2.3. Draft Annex II (Part-CAO.UAS) to Commission Delegated Regulation (EU) .../...	122	1043	Danish Civil Aviation and Railway Authority - DCARA	Noted	EASA agrees with this observation.
CAO.UAS.017 Means of compliance	122	487	JEDA	Not accepted	This may be proposed at AMC & GM level.
3.2.3. Draft Annex II (Part-CAO.UAS) to Commission Delegated Regulation (EU) .../...	122	421	DGAC FR (Mireille Chabroux)	Partially accepted	EASA agrees with the intent of the comment, but prefers to develop a GM to make clear that a Part-CAO.UAS organisation is also eligible to issue a 'declaration of maintenance accomplished' when Part-ML.UAS allows it.
CAO.UAS.017 Means of compliance	122	1344	Gregory Walden	Not accepted	Please, refer to the response to comment #487.
CAO.UAS.020 Terms of approval and scope of work	123	743	AIRBUS	Accepted	Reference to 'helicopter' deleted.
CAO.UAS.020 Terms of approval and scope of work	123	329	ASD	Accepted	New component rating will be introduced for CU components.
CAO.UAS.020 Terms of approval and scope of work	123	1097	General Aviation Manufacturers Association (GAMA)	Accepted	Please, refer to the response to comment #425.
CAO.UAS.020 Terms of approval and scope of work	123	425	DGAC FR (Mireille Chabroux)	Accepted	Addition accepted for UA components.
CAO.UAS.020 Terms of approval and scope of work	123	1081	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Accepted	Point CAO.UAS.020 is restructured to address the 'scope of work' requirements for all possible CAO.UAS privileges (including NDT).
CAO.UAS.020 Terms of approval and scope of work	123	968	ENAC - Ente Nazionale per l'Aviazione Civile	Accepted	New component rating will be introduced for CU components.
CAO.UAS.030 Facilities and storage	124	744	AIRBUS	Partially accepted	Accepted with slightly different wording.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
CAO.UAS.035 Personnel requirements	124	746	AIRBUS	Not accepted	The intent of the comment is addressed by point (e) which is for all staff; point (g) was foreseen for maintenance staff only.
CAO.UAS.035 Personnel requirements	124	422	DGAC FR (Mireille Chabroux)	Accepted	Point CAO.UAS.035(e) has been simplified with a view to keeping the authorisation process to certain (and not all) staff only.
CAO.UAS.030 Facilities and storage	124	745	AIRBUS	Not accepted	EASA means here storage of components, equipment, and tools; not storage of aircraft. Please also refer to the response to comment #471.
CAO.UAS.040 Certifying staff	125	747	AIRBUS	Accepted	Accepted as proposed.
CAO.UAS.045 Airworthiness review staff	125	1280	THALES	Partially accepted	This wording comes from point CAO.A.045 of Regulation (EU) No 1321/2014, and there is an AMC to this: 'Experience in continuing airworthiness' in point CAO.A.045(a) refers to any appropriate combination of experience in tasks related to aircraft maintenance and/or continuing airworthiness management and/or surveillance of such tasks.' The airworthiness review process not being product specific, the experience referred to in NPA 2022-06 may have been gained in manned or unmanned aviation environment. Such clarification may be proposed as AMC & GM to Part-CAO.UAS.
CAO.UAS.040 Certifying staff	125	1279	THALES	Partially accepted	The text has been amended to take into account experience with similar <u>aircraft</u> (meaning both manned and unmanned aircraft). Besides, if no similar aircraft/CU exists, the amended text offers the possibility to extend the experience requirement to 6 months.
CAO.UAS.045 Airworthiness review staff	125	1083	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Not accepted	This is already the case with the qualification of ARS in Part-CAO as regards manned aviation. Besides, under current Part-ML, it is also foreseen that an AMO may do the AR and issue the ARC together with the release of the annual inspection, i.e. without ensuring independence.
CAO.UAS.045 Airworthiness review staff	125	873	FAA	Noted	Such details are normally provided at AMC level; see, for example, AMC1 CAMO.A.310(a)(3).
CAO.UAS.040 Certifying staff	125	872	FAA	Partially accepted	These aspects will be further developed at AMC & GM level (similar to AMC1 145.A.35(d)).
CAO.UAS.060 Maintenance standards	126	748	AIRBUS	Accepted	Accepted as proposed.
CAO.UAS.050 Components, equipment and tools	126	488	JEDA	Not accepted	The referenced Air OPS AMC has a different purpose when an organisation has demonstrated compliance with an industry standard. Here, EASA only refers to the calibration of tools. Besides, not all standards are acceptable. Here, EASA means standards established or published by an official body, which are widely recognised by the air transport sector as constituting good practice.
CAO.UAS.060 Maintenance standards	126	423	DGAC FR (Mireille Chabroux)	Accepted	Accepted as proposed.
CAO.UAS.060 Maintenance standards	126	21	Paul Travers	Accepted	Reference to Subpart F deleted.
CAO.UAS.050 Components, equipment and tools	126	1345	Gregory Walden	Not accepted	Please, refer to the response to comment #488.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
CAO.UAS.065 Certification of UA maintenance	127	749	AIRBUS	Accepted	Requirements introduced with point CAO.UAS.072.
CAO.UAS.070 Certification of component maintenance	127	874	FAA	Noted	Like under existing Part-145/Part-CAO, items fabricated under point CAO.UAS.075 may only be used by that organisation in the course of maintenance (including modifications and repairs) of UAS or components. The permission to fabricate does not constitute approval to supply externally, and parts do not qualify for EASA Form 1 certification. All parts (except those that do not have enough space) should carry a part number which clearly relates them to the manufacturing/inspection data, and the organisation's identity. Completion of component fabrication should be formalised on a dedicated component form (other than an EASA Form 1), as specified in the maintenance organisation's manual.
CAO.UAS.075 Continuing airworthiness management	127	751	AIRBUS	Not accepted	Part-ML, as regards manned aviation, does not require the formal establishment of maintenance contracts. Such approach is maintained in Part-ML.UAS. The reference to 'contract or work order' in point CAO.UAS.100 covers all possible scenarios (a contract may still be established on a voluntary basis).
CAO.UAS.075 Continuing airworthiness management	127	750	AIRBUS	Partially accepted	(3) Please, refer to the response to comment #615. (4) Accepted. (5) Consistency with point M.A.301(d) is not essential here, because point CAO.UAS.075(a) covers the general requirement to comply with Subpart C of Part-ML.UAS. (6) Please, refer to the response to comment #651. (8) Same as (5). (10) Please, refer to the response to comment #615. (11) Same as (5); please, refer to the response to comment #601.
CAO.UAS.070 Certification of component maintenance	127	749	AIRBUS	Accepted	Duplication of comment #749 (#637).
CAO.UAS.071 Certification of CU maintenance	127	749	AIRBUS	Accepted	Duplication of comment #749 (#637).
CAO.UAS.090 Record-keeping	128	752	AIRBUS	Partially accepted	Agreed to amend point (a)(1), but this point also covers the case of component maintenance, which may not always be ordered by the UAS owner or the Part-CAO.UAS organisation. Point (a)(2) is considered clear and explicit. Please, refer also to the response to comment #751.
CAO.UAS.090 Record-keeping	128	515	Volocopter GmbH	Accepted	Please, refer to the response to comment #512.
CAO.UAS.090 Record-keeping	128	1098	General Aviation Manufacturers Association (GAMA)	Accepted	Please, refer to the response to comment #512.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
CAO.UAS.090 Record-keeping	128	1085	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Partially accepted	These aspects will be further developed in an AMC or GM to point CAO.UAS.090(f).
CAO.UAS.090 Record-keeping	128	753	AIRBUS	Accepted	Point (d) of point CAO.UAS.090 has been amended to take this comment into account.
CAO.UAS.095 Privileges of the organisation	129	754	AIRBUS	Partially accepted	Please, refer to the response to comment #489. Point (b) simply renamed 'CMU installation'.
CAO.UAS.095 Privileges of the organisation	129	489	JEDA	Accepted	Accepted as proposed.
CAO.UAS.095 Privileges of the organisation	129	757	AIRBUS	Accepted	Accepted as proposed.
CAO.UAS.095 Privileges of the organisation	129	756	AIRBUS	Accepted	Accepted as proposed.
CAO.UAS.095 Privileges of the organisation	129	755	AIRBUS	Accepted	Accepted as proposed.
CAO.UAS.102 Protection of software, data and hardware	130	807	German Unmanned Aviation Association (VUL)	Not accepted	This wording originates from Regulation (EU) No 376/2014 and is used in various aviation regulations. GM to Regulation (EU) No 376/2014 (issued by the European Commission) provides further explanation in point 2.9. Please also consider that in respect of information security, this wording is used in points IS.I.OR.230(c)(2) and IS.D.OR.230(c)(2) of Part-IS (Commission Delegated Regulation (EU) 2022/1645 and Commission Implementing Regulation (EU) 2023/203).
CAO.UAS.102 Protection of software, data and hardware	130	516	Volocopter GmbH	Not accepted	Please, refer to the response to comment #807.
CAO.UAS.100 Compliance monitoring and organisational review	130	490	JEDA	Partially accepted	It is proposed to develop an AMC (similar to that for point (l) of AMC2 145.A.200(a)(6)) to address this possibility.
CAO.UAS.102 Protection of software, data and hardware	130	1227	Aerospace Industries Association	Partially accepted	Comment (a): The text has been amended to reflect the current terminology used in Part-IS, namely 'information and communication technology systems and data'. Comment (b): - The UAS with passengers will fall under the 'certified' category of UAS operations, to which Part-CAO.UAS will not be applicable. The 'certified' category of UAS operations will be subject of a future NPA. - AMC and GM to point CAO.UAS.102 will be proposed to elaborate on this requirement.
CAO.UAS.102 Protection of software, data and hardware	130	1099	General Aviation Manufacturers Association (GAMA)	Not accepted	Please, refer to the response to comment #807.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
CAO.UAS.100 Compliance monitoring and organisational review	130	1086	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Accepted	Accepted with slight changes.
CAO.UAS.102 Protection of software, data and hardware	130	997	Austro Control	Partially accepted	Point CAO.UAS.102 requires elements to be protected. Related AMC & GM will provide more details.
CAO.UAS.102 Protection of software, data and hardware	130	878	FAA	Not accepted	Please, refer to the response to comment #807.
CAO.UAS.102 Protection of software, data and hardware	130	820	UAV DACH e.V.	Partially accepted	The criterion for reporting an information security occurrence is that it 'may represent a significant risk to aviation safety'. AMC & GM are currently being developed to support the introduction of Part-IS, and draft GM1 IS.I.OR.230(a)&(b) and GM1 IS.D.OR.230(a)&(b) address this issue. These two GM will be used to develop a GM to point (b) of point CAO.UAS.102.
CAO.UAS.112 Access	131	758	AIRBUS	Partially accepted	'aircraft' replaced with 'UAS'.
CAO.UAS.115 Findings and observations	131	1088	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Not accepted	Please, refer to the response to comment #1079.
CAO.UAS.115 Findings and observations	131	759	AIRBUS	Accepted	The requirements of points CAO.UAS.115(a), ML.UAS.907 and AR.UAS.GEN.350(d)(2)(ii) have been amended (please, refer to the response to comment #728) and harmonised.
CAO.UAS.120 Occurrence reporting	132	1051	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Accepted	Reference is indeed incorrect. It should refer to Article 19.
CAO.UAS.120 Occurrence reporting	132	517	Volocopter GmbH	Partially accepted	Please, refer to the response to comment #820.
CAO.UAS.120 Occurrence reporting	132	424	DGAC FR (Mireille Chabroux)	Noted	This suggestion will be considered in the development of the Opinion for RMT.0278 and RMT.0521 (planned for 2024). As a matter of fact, according to the EPAS for 2023–2025 (see p. 21), this Opinion will take onboard the inputs from RMT.0681 (Alignment of the IRs of the EASA Basic Regulation with Regulation (EU) No 376/2014) into Part-CAO (Annex Vd to Reg. (EU) 1321/2014).
CAO.UAS.120 Occurrence reporting	132	1310	JEDA	Partially accepted	Please refer to the response to comment #820.
CAO.UAS.120 Occurrence reporting	132	1102	General Aviation Manufacturers Association (GAMA)	Partially accepted	Please refer to the response to comment #820.
CAO.UAS.120 Occurrence reporting	132	808	German Unmanned Aviation Association (VUL)	Partially accepted	Please refer to the response to comment #820.
CAO.UAS.120 Occurrence reporting	132	761	AIRBUS	Noted	'UA' replaced with 'UAS' in point (d).
CAO.UAS.120 Occurrence reporting	132	760	AIRBUS	Accepted	Please, refer to the response to comment #1051.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
Article 2 Definitions	133	763	AIRBUS	Not accepted	Please, refer to the responses to comments #470, #471 and #601.
3.3. Draft Commission Implementing Regulation (EU) .../...	133	492	JEDA	Not accepted	This aspect is addressed by point AR.UAS.GEN 205 (which includes a reference to compliance with Annex VI to Regulation (EU) 2018/1139).
Article 2 Definitions	133	443	Baines Simmons	Not accepted	<p>The wording, as proposed in the comment, does not fit the proposed text as EASA cannot refer to a 'CU installation of a system' since 'CU installation' means the installation of the whole CU.</p> <p>The intent of the exclusion of 'ground-, air- or space-based equipment supporting the C2 link' in the NPA definition of the CU was to exclude certain systems and components, given their inherent nature, from the certification of UA and CUs. This misleading wording has been removed from the definition of 'CU', but such equipment remains excluded from the scope of this Regulation. Please, refer to the response to comment #474 as to whether to include the CU in the scope of 'critical maintenance task'.</p>
Article 2 Definitions	133	442	Baines Simmons	Noted	EASA confirms indeed that the operator has full responsibility. When it comes to services ('external services' of the SORA), this is not the domain of initial airworthiness. The C2 link should not be confused with communication services, especially in the context of UAS certification. A mobile operator network (for example) cannot be part of the type design, and type design drives the scope of the certification process.
Article 2 Definitions	133	57	Wingcopter GmbH	Accepted	<p>Several comments have been received on the definition of 'CU', in particular on the concept conveyed by the last sentence 'the command unit does not include any ground-, air- or space-based equipment or items of equipment that support(s) the command and control (C2) link service'.</p> <p>The intent of the sentence was to exclude certain systems and components, given their inherent nature, from the certification of UA and CUs, but which may still be necessary, depending on the operation, to support command and control functions, such as but not limited to satellite communication systems or GNSS.</p> <p>As established by point 21.A.15(b)(1), an application for a TC must include 'a detailed description of the type design, including all the configurations to be certified'. The specific sentence proposed in the CU definition aimed at drawing a line between:</p> <ol style="list-style-type: none"> 1) those elements necessary to support the control or monitoring of the UA and that should be considered eligible for inclusion in the UA type design (or in the CU type design where the dedicated CU TC option is chosen), and 2) those elements which, still necessary for UA control or monitoring, should not be considered eligible for inclusion in the UA (or CU) type design. <p>However, as noted by several commentators, the sentence may be interpreted as misleading and may erroneously lead to exclude elements which would actually belong to the type design.</p> <p>EASA has already established in Subpart H of Special Condition Light UAS that C2 link performance has to be specified as part of the type design of the UA. Some ground-air- or space-based elements supporting the C2 link functionality may, however, not be eligible for inclusion in the type design. It is indeed possible to conceive UA being controlled and monitored utilising, even in a mixed configuration, a variety of communication infrastructures and services usually provided by third parties (e.g. LTE, SAT, the internet, distributed ground communication infrastructures not connected to the internet). Due to both their inherent nature and the provision in the form of services usually provided by third parties, and, therefore, not under control of the UA or the CU manufacturer, such elements are not considered eligible for inclusion in the type design.</p>
3.3.1. Draft cover regulation	133	951	FAA	Noted	
Article 2 Definitions	133	762	AIRBUS	Accepted	



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
Article 2 Definitions	133	879	FAA	Not accepted	<p>The term 'unmanned aircraft' (UA) is already defined in Article 3(30) of Regulation (EU) 2018/1139, and given the context and time of adoption of that Regulation, it should be understood as an inclusive term despite the fact that it is not compatible with today's usage of gender-neutral language. Due to consistency reasons, this and other terms shall be further used. Naturally, widely established gender-neutral terms shall be considered to the extent possible in future amendments both to Regulation (EU) 2018/1139 and to the implementing and delegated acts adopted on its basis.</p> <p>The term 'unmanned aircraft system' (UAS) is defined in Article 2(1) of Commission Implementing Regulation (EU) 2019/947. The notion of 'unmanned' refers to the absence of a pilot in the cockpit; the pilot may be located remotely.</p> <p>Each aircraft category (e.g. aeroplane, helicopter, etc.) can be either 'manned' or 'unmanned'. There is no need to introduce a different classification.</p>
3.3.1. Draft cover regulation	133	363	Thurling Aero Consulting	Not accepted	<p>In developing the proposed amendments to existing regulations, EASA considered the following assumptions:</p> <ul style="list-style-type: none"> - a human is always in command; autonomous operations are excluded; - the remote pilot may control one UA at a time, or control several UA, also of different types and from different operators; - the handover of the command is not considered; however, the handover of control of an UA between different CUs, hence between different remote pilots, is possible. <p>The above assumptions are coherently reflected not only in the airworthiness regulations, but also in the operational regulations applicable to UAS.</p> <p>While innovative CONOPS are being constantly monitored, the proposed regulatory framework does not address autonomy in aviation, as the underlying technologies do not have a sufficient level of maturity such as not to compromise the demonstrated level of safety achieved today in aviation. The CU remains a central element not only from an airworthiness perspective, but also from an operational perspective.</p>
Article 3 Competent authorities	134	764	AIRBUS	Not accepted	Text is different but the intent of Article 3 and point CAO.UAS.112 is the same.
Article 3 Competent authorities	134	428	DGAC FR (Mireille Chabroux)	Accepted	
AR.UAS.GEN.010 Competent authority	135	1195	AESA	Partially accepted	The comment is valid, but it is rather considered to be a rare case in the future in the 'specific' category of UAS operations. This aspect will be addressed with the development of related AMC & GM.
AR.UAS.GEN.120 Means of compliance	136	1346	Gregory Walden	Not accepted	Please, refer to the response to comment #487.
AR.UAS.GEN.120 Means of compliance	136	493	JEDA	Not accepted	Please, refer to the response to comment #487.
AR.UAS.GEN.135 Immediate reaction to a safety problem	137	765	AIRBUS	Not accepted	For harmonisation purposes, point (a) is aligned with point (a) of points CAMO.B.135, 145.B.135, and ARO.GEN.135.
AR.UAS.GEN.135 Immediate reaction to a safety problem	137	1053	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Not accepted	Same as in Part-145 (point 145.B.135(b)). In most of the cases, it will be aviation competent authorities, but Member States could organise themselves in a different manner for particular topics (e.g. cybersecurity).



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
AR.UAS.GEN.135 Immediate reaction to a safety problem	137	60	Wingcopter GmbH	Accepted	This point has been amended to include CU (and CU components) in its scope.
AR.UAS.GEN.135A Immediate reaction to an information security incident or vulnerability with an impact on aviation safety	137	768	AIRBUS	Partially accepted	Please, refer to the responses to comments #766 and #767. Agreement on adding 'CU' (the term has been changed to 'CMU').
AR.UAS.GEN.135A Immediate reaction to an information security incident or vulnerability with an impact on aviation safety	137	767	AIRBUS	Not accepted	For the sake of harmonisation with existing requirements (such as points CAMO.B.135, 145.B.135, and ARO.GEN.135).
AR.UAS.GEN.135 Immediate reaction to a safety problem	137	766	AIRBUS	Partially accepted	Please, refer to the responses to comments #767 and #768.
AR.UAS.GEN.200 Management system	138	769	AIRBUS	Not accepted	Please, refer to the response to comment #767.
AR.UAS.GEN.200 Management system	138	164	GdF	Noted	The point and explanations are understood; however, this is not the subject of this NPA. It is about the requirements for manned VTOL-capable aircraft operating in the 'certified' category as introduced by Commission Implementing Regulation (EU) 2019/947 and not specifically addressing U-space airspace organisation.
AR.UAS.GEN.205 Allocation of tasks	138	494	JEDA	Not accepted	The requirements of point AR.UAS.GEN.205 are 'general', and this applies to many annexes to regulations (e.g. points ARO.GEN.205, ARA.GEN.205, 21.B.30, CAMO.B.205, 145.B.205). They are based on Article 69 of Regulation (EU) 2018/1139. This Article does not foresee that an applicant could contract a qualified entity directly. Nor does it foresee today the privilege levels referred to in the comment.
AR.UAS.GEN.200 Management system	138	1229	Aerospace Industries Association	Noted	This requirement (compliance with Part-IS.AR) only applies to the competent authority (of the Part-CAO.UAS organisation). The Part-CAO.UAS organisation is not required to comply with Part-IS.OR. However, the Part-CAO.UAS organisation is required to comply with point CAO.UAS.102 which provides 'light' cybersecurity requirements.
AR.UAS.GEN.200 Management system	138	1119	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Not accepted	This requirement is aligned with various existing requirements, such as ARA.GEN.200(c)(2) or 145.B.200(c)(2).
AR.UAS.GEN.200 Management system	138	771	AIRBUS	Not accepted	Please, refer to the response to comment #767.
AR.UAS.GEN.200 Management system	138	770	AIRBUS	Noted	Part-CAO.UAS organisations are excluded from ISMS, but the competent authority (CA) must have an ISMS for itself. Besides, these CA requirements will be applicable (in the future) to CAs overseeing organisations involved in UAS operations in the 'certified' category.
AR.UAS.GEN.220 Record-keeping	140	772	AIRBUS	Accepted	Point AR.UAS.GEN.220(a)(5)(iv) is amended as follows: 'all relevant correspondence relating to the <u>UAS</u> '.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
AR.UAS.GEN.220 Record-keeping	140	773	AIRBUS	Accepted	The proposed approach is accepted, and reflected in the text (with slightly different wording).
AR.UAS.GEN.305 Oversight programme – organisations	141	593	DGAC FR (Mireille Chabroux)	Accepted	This requirement on oversight cycle extension beyond 24 months has been deleted. It will be reconsidered during the development of rules for UAS operations in the ‘certified’ category.
AR.UAS.GEN.305 Oversight programme – organisations	141	495	JEDA	Noted	This will be considered during the development of the related AMC & GM.
AR.UAS.GEN.330 Changes – organisations	143	774	AIRBUS	Not accepted	Please, refer to the response to comment #474.
AR.UAS.GEN.350 Findings, corrective actions and observations – organisations	144	775	AIRBUS	Not accepted	Point AR.UAS.GEN.350(b)(1) refers to specific conditions where a level 1 finding must be issued, while point CAO.UAS.112 gives general access requirements. Non-compliance with other aspects of point CAO.UAS.112 may not necessarily lead to a level 1 finding.
AR.UAS.GEN.350 Findings, corrective actions and observations – organisations	144	777	AIRBUS	Accepted	Accepted as proposed.
AR.UAS.GEN.350 Findings, corrective actions and observations – organisations	144	776	AIRBUS	Accepted	Accepted with minor changes.
AR.UAS.GEN.351 Findings and corrective actions – UAS	145	778	AIRBUS	Not accepted	Not agreed to transpose this point into Subpart CAW. This would leave the requirements applicable to organisation findings only in Subpart GEN, which would be misleading. Besides, this is the approach used in Part-ARO, with three types of ‘findings’ requirements in points ARO.GEN.350, ARO.GEN.355 and ARO.GEN.360. Same approach is used here. Please, also refer to the response to comment #474.
AR.UAS.GEN.351 Findings and corrective actions – UAS	145	429	DGAC FR (Mireille Chabroux)	Accepted	Accepted as proposed.
AR.UAS.GEN.355 Suspension, limitation and revocation of a certificate	145	779	AIRBUS	Not accepted	Please, refer to the response to comment #778.
SUBPART CAW – AIRWORTHINESS OF UA	147	780	AIRBUS	Accepted	
AR.UAS.CAW.902 Airworthiness review conducted by the competent authority	147	330	ASD	Accepted	Please, refer to the response to comment #430.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
AR.UAS.CAW.303 UA continuing airworthiness monitoring	147	785	AIRBUS	Accepted	Accepted as proposed.
AR.UAS.CAW.303 UA continuing airworthiness monitoring	147	784	AIRBUS	Not accepted	Please, refer to the response to comment #778.
AR.UAS.CAW.303 UA continuing airworthiness monitoring	147	783	AIRBUS	Accepted	Accepted as proposed.
AR.UAS.CAW.902 Airworthiness review conducted by the competent authority	147	686	FOCA Switzerland	Accepted	Please, refer to the response to comment #430.
AR.UAS.CAW.902 Airworthiness review conducted by the competent authority	147	431	DGAC FR (Mireille Chabroux)	Accepted	
AR.UAS.CAW.902 Airworthiness review conducted by the competent authority	147	430	DGAC FR (Mireille Chabroux)	Accepted	
AR.UAS.CAW.902 Airworthiness review conducted by the competent authority	147	787	AIRBUS	Accepted	Accepted as proposed.
AR.UAS.CAW.902 Airworthiness review conducted by the competent authority	147	786	AIRBUS	Accepted	Please, refer to the response to comment #430.
AR.UAS.CAW.302 UAS maintenance programme	147	782	AIRBUS	Not accepted	Please, refer to the response to comment #778.
AR.UAS.CAW.005 Scope	147	781	AIRBUS	Accepted	Accepted as proposed.
APPENDICES TO ANNEX I (Part-AR.UAS)	149	788	AIRBUS	Partially accepted	Accepted with slight changes.
Appendix I – Part-CAO.UAS certificate – EASA Form 3-CAO.UAS	149	1197	AESA	Not accepted	Similar to Part-CAO (Annex Vd to Regulation (EU) No 1321/2014), the ratings will be determined according to the privileges that are applied for by the organisation and granted by the competent authority.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
Appendix I – Part-CAO.UAS certificate – EASA Form 3-CAO.UAS	149	1109	EUROCONTROL	Not accepted	This approach is already applied to manned aircraft maintenance organisations. Aircraft or component maintenance organisations are allowed to carry out specialised tasks (such as welding, painting, or NDT) without necessarily holding a specific class/rating for that, but they must have the relevant and appropriate procedures in their manual or exposition.
Appendix I – Part-CAO.UAS certificate – EASA Form 3-CAO.UAS	149	1108	EUROCONTROL	Accepted	The text should indeed refer to ‘UAS’ (and not ‘aircraft’), as proposed on p. 2 of the certificate.
APPENDICES TO ANNEX I (Part-AR.UAS)	149	791	AIRBUS	Accepted	The term ‘appliance’ has been removed from this point. Text harmonised with the title of the draft Commission Delegated Regulation.
APPENDICES TO ANNEX I (Part-AR.UAS)	149	790	AIRBUS	Accepted	Accepted as proposed.
APPENDICES TO ANNEX I (Part-AR.UAS)	149	789	AIRBUS	Partially accepted	Point ML.UAS.903(1) reworded.
3.4. Proposed amendments to Commission Delegated Regulation (EU) 2019/945	152	364	Thurling Aero Consulting	Not accepted	<p>Firstly, the reference to small UAS shows that there could be a fundamental misunderstanding of the level of risk covered by this NPA (not lower than SAIL V). This level of risk is such that, if hypothetically addressed by the D&R method, it would require at least 300 000 FHs to be operated in the context of the TC project. This obviously does not make any sense. In fact, EASA currently does not recognise the applicability of D&R beyond SAIL III (which already requires a substantial amount of 3 000 FHs, at least nominally).</p> <p>Secondly, the reference to air-traffic-controlled environment has no link to the certification process level of Part 21. And even at lower risk level, the technical requirement of the certification basis, the one currently utilised by EASA, is SC Light UAS and it has no direct link to the class of airspace (although the means of compliance to SC Light UAS will be linked to the TMPR requirements in terms of latency and rate of climb/descent).</p>
Article 2 - Definitions	152	243	Civil Aviation Authority the Netherlands	Noted	The C2 link service definition has been removed and replaced with the one of ‘C2 link’.
Article 2 - Definitions	152	242	Civil Aviation Authority the Netherlands	Noted	EASA has now adopted ‘control and monitoring’.
Article 2 - Definitions	152	240	Civil Aviation Authority the Netherlands	Accepted	
Article 40 - Requirements for UAS operated in the ‘certified’ and ‘specific’ categories except when conducted under a declaration	152	223	ENAIRE	Not accepted	<p>Providing a quantitative limit in regulations is not appropriate. This is terminology already used in Annex I to Regulation (EU) 2018/1139.</p> <p>An AMC may be developed.</p>
Article 2 - Definitions	152	222	ENAIRE	Accepted	
Article 40 - Requirements for UAS operated in the ‘certified’ and ‘specific’ categories except when conducted under a declaration	152	1257	Direction de l’Aviation Civile	Noted	<p>EASA fully shares the concern and believes that the text of Article 40 needs to be improved.</p> <p>However, the changes may go beyond ‘certified’ UAS. It is suggested to consider the full amendment of Article 40 in the NPA proposing changes to Commission Delegated Regulation (EU) 2019/945 and Commission Implementing Regulation (EU) 2019/947.</p>



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
Article 40 - Requirements for UAS operated in the 'certified' and 'specific' categories except when conducted under a declaration	152	1164	Civil Aviation Authority of the Republic of Poland	Noted	EASA fully shares the concern and believes that text of Article 40 needs to be improved. However, the changes may go beyond 'certified' UAS. It is suggested to consider the full amendment of Article 40 in the NPA for changes to Commission Delegated Regulation (EU) 2019/945 and Commission Implementing Regulation (EU) 2019/947.
Article 40 - Requirements for UAS operated in the 'certified' and 'specific' categories except when conducted under a declaration	152	427	DGAC FR (Mireille Chabroux)	Noted	As stated by DGAC, Annex I to Regulation (EU) 2018/1139 exempts manned aircraft designed or modified for research, experimental or scientific purposes. A TC is not appropriate for UAS used in a similar way; therefore, EASA's proposal is to handle this type of operations using a different tool. A design verification report or only the approval of the flight condition may be the solution. However, the text of Article 40 needs to be modified to introduce the verification of design using the DVR. It is suggested to consider the full amendment of Article 40 in the NPA for changes to Commission Delegated Regulation (EU) 2019/945 and Commission Implementing Regulation (EU) 2019/947.
3.4. Proposed amendments to Commission Delegated Regulation (EU) 2019/945	152	347	ASD	Accepted	
Article 2 – Definitions	152	58	Wingcopter GmbH	Noted	Please, refer to the response to comment #55.
Article 2 – Definitions	152	22	Paul Travers	Accepted	
Article 2 – Definitions	152	569	AIRBUS	Noted	The 'command unit' definition has been modified: 'command unit' replaced with 'control and monitoring unit' and the last line has been deleted.
Article 40 – Requirements for UAS operated in the 'certified' and 'specific' categories except when conducted under a declaration	152	1163	Latvian Civil Aviation Agency	Noted	EASA fully shares the concern and believes that the text of Article 40 needs to be improved. However, the changes may go beyond 'certified' UAS. It is suggested to consider the full amendment of Article 40 in the NPA for changes to Commission Delegated Regulation (EU) 2019/945 and Commission Implementing Regulation (EU) 2019/947.
Article 40 – Requirements for UAS operated in the 'certified' and 'specific' categories except when conducted under a declaration	152	1106	General Aviation Manufacturers Association (GAMA)	Accepted	AMC will be developed.
Article 2 – Definitions	152	1110	General Aviation Manufacturers Association (GAMA)	Noted	The 'command unit' definition has been modified: 'command unit' replaced with 'control and monitoring unit' and the last line has been deleted.
Article 2 – Definitions	152	1014	AESA	Not accepted	There is no need to introduce the definition of 'airframe'.
Article 40 – Requirements for UAS operated in the 'certified' and 'specific' categories except when conducted under a declaration	152	1012	AESA	Not accepted	Article 11 requires the operator to conduct a risk assessment. This is needed independently of the processes used to assess the airworthiness of the design of the UAS.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
Article 40 – Requirements for UAS operated in the ‘certified’ and ‘specific’ categories except when conducted under a declaration	152	1010	AESA	Not accepted	Article 6 of Commission Implementing Regulation (EU) 2019/947 identifies two conditions for a UAS to qualify for operation in the ‘certified’ category: the UAS is certified pursuant to Article 40(1) of Commission Delegated Regulation (EU) 2019/945 and it operates over an assembly of people. The proposed amendment to Article 40(1) excludes the lighter-than-air UAS from the need for a certificate; even if they have a size larger than 3 m, then they are not directly classified in the ‘certified’ category, but their classification will depend on the outcome of the risk assessment. The link between the two articles is already clarified in the GM to Article 6.
Article 2 – Definitions	152	1001	AESA	Accepted	
3.4. Proposed amendments to Commission Delegated Regulation (EU) 2019/945	152	864	FOCA (Switzerland)	Not accepted	This text is consistent with that of Annex I to Regulation (EU) 2018/1139, and EASA is not aware of any misinterpretation. However, a GM may be developed.
Article 40 – Requirements for UAS operated in the ‘certified’ and ‘specific’ categories except when conducted under a declaration	152	821	UAV DACH e.V.	Accepted	AMC will be developed.
Article 2 – Definitions	152	624	ASD	Not accepted	The first three indents of paragraph 1 of Article 4 address cases that fall under the ‘certified’ category due to high risk to third parties not suitable for operations conducted for research, experimental or scientific purposes. Anyway, individual cases may be addressed making use of other alleviation means provided for by current regulations (e.g. PTF of Part 21).
3.4. Proposed amendments to Commission Delegated Regulation (EU) 2019/945	152	809	German Unmanned Aviation Association (VUL)	Accepted	AMC will be developed.
3.5. Proposed amendments to Commission Implementing Regulation (EU) 2019/947	154	365	Thurling Aero Consulting	Not accepted	The comment seems to argue that it is not necessary to control (and monitor) unmanned aircraft in uncontrolled airspace. EASA does not share this view, and would like to further discuss to understand the rationale behind this comment.
3.5. Proposed amendments to Commission Implementing Regulation (EU) 2019/947	154	246	Civil Aviation Authority the Netherlands	Accepted	Text from point ORO.GEN.115 added in point UAS.SPEC100(1): ‘The operator shall implement: (a) any safety measures mandated by the competent authority in accordance with Article 19(4); and (b) any relevant mandatory safety information issued by the Agency, including airworthiness directives.’
Article 2 – Definitions	154	244	Civil Aviation Authority the Netherlands	Noted	By definition, control needs to be safe.
Article 2 – Definitions	154	245	Civil Aviation Authority the Netherlands	Noted	The definition of C2 link service has been removed (not needed) and replaced with the definition of ‘C2 link’.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
Article 7 – Rules and procedures for the operation of UAS	154	426	DGAC FR (Mireille Chabroux)	Noted	
Article 2 – Definitions	154	59	Wingcopter GmbH	Noted	Please, refer to the response to comment #58.
Article 2 – Definitions	154	1111	General Aviation Manufacturers Association (GAMA)	Noted	Please, refer to the response to comment #1110.
Article 19 – Safety information	155	1056	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Noted	It is ensured by Regulation (EU) No 376/2014.
Article 19 – Safety information	155	1338	Gregory Walden	Accepted	Point has been amended to clarify that it refers to UAS components. Moreover, a new definition of ‘UAS component’ has been introduced to clarify that this may be any engine, propeller or part of the UA, or any element of the control and monitoring unit (CMU).
3.6. Proposed amendments to Commission Regulation (EU) No 965/2012	157	946	Civil Aviation Authority the Netherlands	Noted	EASA is well aware that Regulation (EC) No 1008/2008 is applicable to VCA/UAS operations. Please bear in mind that the scope of Regulation (EC) No 1008/2008 is within the competence of the European Commission, and the subjects covered by that Regulation are outside the remit of EASA.
3.6.1. Draft cover regulation	157	391	DGAC FR (Mireille Chabroux)	Noted	
Article 2 Definitions	157	337	ASD	Not accepted	
Article 2 Definitions	157	255	Civil Aviation Authority the Netherlands	Noted	The definition of ‘IAM’ provided in Chapter 2 is conceptual, while the definition provided in point 3.6.1 clarifies the nature of IAM operations.
Article 2 Definitions	157	25	DGAC FR (Mireille Chabroux)	Partially accepted	Accepted as regards definitions 148, 147, 145 and 131. Not accepted as regards definitions 12, 13 and 115b.
Article 2 Definitions	157	23	DGAC FR (Mireille Chabroux)	Noted	This proposal will be considered in the context of a dedicated rulemaking task.
3.6.1. Draft cover regulation	157	596	DGAC FR (Mireille Chabroux)	Noted	Please bear in mind that Part-CAT applies to aeroplanes and helicopters, whilst Part-IAM applies to novel VTOL designs. This necessitates a specific approach which may also include changing of wording or terminology, where necessary.
Article 2 Definitions	157	586	AIRBUS	Not accepted	Designs like the Racer would fall under the rotorcraft category, and the definition of ‘rotorcraft’ is based on the means to produce lift and not horizontal thrust. To ensure a coherent regulatory approach to different aircraft categories, there is a need to introduce the definition of ‘rotorcraft’ on the level of an implementing act. The existing definition of ‘rotorcraft’ in CS-Definitions on Definitions and Abbreviations would conflict with the proposed definition of ‘VTOL-capable aircraft’ and needs to be consequently and coherently adapted.
Article 2 Definitions	157	1121	General Aviation Manufacturers Association (GAMA)	Accepted	
Article 2 Definitions	157	1120	General Aviation Manufacturers Association (GAMA)	Not accepted	Please, refer to the response to comment #197.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
Article 2 Definitions	157	1118	General Aviation Manufacturers Association (GAMA)	Accepted	
Article 2 Definitions	157	1116	General Aviation Manufacturers Association (GAMA)	Accepted	The replacement of 'stopped' with 'powered off' and the insertion of a GM is accepted. Adding the same definition of 'flight time' in point FCL.010 is accepted.
Article 2 Definitions	157	1114	General Aviation Manufacturers Association (GAMA)	Not accepted	The definition in Article 2(125) of Regulation (EU) No 923/2012 does not need to be reproduced in Regulation (EU) No 965/2012. Aircraft taxiing is by definition performed under its own power. This means that when on the ground, a carriage system is used (i.e. when the aircraft does not move under its own power), this is not taxiing. Ground taxiing of VCA without passengers for a purpose other than taking off, e.g. repositioning or maintenance, is not a critical phase of flight but should be treated as a safety-critical activity due to the risks related to the movement of the VCA and the potential for an inadvertent powering on of the lift-thrust units by a person that is not the PIC.
Article 2 Definitions	157	1113	General Aviation Manufacturers Association (GAMA)	Not accepted	Designs like the Racer would fall under the rotorcraft category, and the definition of 'rotorcraft' is based on the means to produce lift and not horizontal thrust. To ensure a coherent regulatory approach to different aircraft categories, there is a need to introduce the definition of 'rotorcraft' on the level of an implementing act. The existing definition of 'rotorcraft' in CS-Definitions on Definitions and Abbreviations would conflict with the proposed definition of VTOL-capable aircraft and needs to be consequently and coherently adapted.
Article 2 Definitions	157	1122	General Aviation Manufacturers Association (GAMA)	Accepted	
3.6. Proposed amendments to Commission Regulation (EU) No 965/2012	157	1063	ENAC – Ente Nazionale per l'Aviazione Civile	Noted	The definition of IAM is in Article 2 'Definitions' of the cover regulation. By definition, IAM comprises operations <u>in the 'certified' category</u> , although this is not visible in Part-IAM text at this stage. 'Certified' category operations include manned/unmanned VTOL and UAS. <u>This category includes</u> the certification of aircraft, operators, and pilots.
3.6. Proposed amendments to Commission Regulation (EU) No 965/2012	157	1040	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Noted	Please, refer to the response to comment # 1131.
3.6. Proposed amendments to Commission Regulation (EU) No 965/2012	157	947	Civil Aviation Authority the Netherlands	Noted	It is believed that the first applicants for air operator certificates (AOCs) in the beginning of the VCA roll-out will be OEMs. OEMs are typically organisations that have already been subjected to an organisation approval process (such as DOA and/or POA). VCA operations, especially in UAM environment, are challenging in principle. It is not assumed that there will be inexperienced applicants for an AOC in the beginning.
Article 5 Air operations	158	828	FOCA (Switzerland)	Noted	This proposal deals with VTOL-capable aircraft (VCA) only. NVIS and PBN will be regulated at a later stage.
Article 5 Air operations	158	218	ENAIRE	Accepted	
Article 5 Air operations	158	497	JEDA	Not accepted	Regulation (EU) 965/2012 is not applicable to UAS operations in the 'specific' category.
Article 5 Air operations	158	256	Civil Aviation Authority the Netherlands	Noted	Please, refer to the response to comment #255.



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Article 5 Air operations	158	26	DGAC FR (Mireille Chabroux)	Accepted	
Article 5 Air operations	158	1250	European Cockpit Association	Noted	
Article 5 Air operations	158	1347	Gregory Walden	Not accepted	Please, refer to the response to comment #497.
Article 8 Flight time limitations	159	630	ASD	Accepted	Please, refer to the response to comment #1116.
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	200	Lilium	Accepted	
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	199	Lilium	Not accepted	The VEMS operating base, where flight crew and VEMS crew are on standby, shall be an aerodrome with adequate facilities for that purpose. The VEMS operating site may be any site selected by the pilot. This is already reflected in the relevant definition.
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	198	Lilium	Accepted	
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	197	Lilium	Not accepted	In general, a 'vertiport' is a sub-domain of an 'aerodrome'. For the purposes of VCA operations, however, the operator shall only use adequate vertiports with dimensions appropriate to a particular VCA design, with markings/signs, and equipped with services and facilities necessary for the intended operation. Therefore, not every aerodrome qualifies as 'adequate vertiport'.
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	123	Lilium	Accepted	
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	320	FlightSafety International	Accepted	
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	319	FlightSafety International	Accepted	
Article 8 Flight time limitations	159	317	FlightSafety International	Accepted	Please, refer to the response to comment #1116.
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	92	Supernal	Noted	Limited overwater operations are defined extensively in point UAM.IDE.MVCA.300.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	91	Supernal	Noted	All this information is available under SC VTOL.
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	90	Supernal	Noted	Comment not clear.
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	88	Supernal	Not accepted	Ground taxiing is part of flight time.
Article 8 Flight time limitations	159	27	DGAC FR (Mireille Chabroux)	Partially accepted	As regards paragraph 1, it should, in addition to aeroplanes, include helicopters, as this is the intention of the rule and the derogations under paragraphs (2) and (3) clearly demonstrate this. As regards adding a paragraph (5), it should address any operation of VCA, not only CAT.
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	89	Supernal	Not accepted	All this information is already available under SC VTOL.
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	518	Volocopter GmbH	Accepted	Please, refer to the responses to comments #1118 and #28.
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	498	JEDA	Noted	The definition will be amended as follows: “‘ground personnel’ means personnel other than flight crew members that are assigned tasks for the ground movement of the VTOL-capable aircraft or any other ground assistance for VTOL-capable aircraft and have been trained in the relevant operational and safety procedures’. Thus, ‘ground handling’ will fall under ‘any other ground assistance for VTOL-capable aircraft’.
Article 7 Air operator certificates	159	446	Europe Air Sports	Not accepted	Your statement that the certification of VCA operators will be ‘very complex, demanding and expensive’ is not substantiated. On the contrary, considering some already available cases, EASA believes that the AOC process will be non-complex and not more demanding and expensive than, e.g., the current certification of small non-complex A-to-A and A-to-B operators or the current high-risk authorisation (HRA) system of commercial specialised operators, which replaced AOC issuance.
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	368	German NSA (BAF)	Accepted	
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	339	ASD	Noted	‘Congested area’ means, in relation to a city, town or settlement, any area which is substantially used for residential, commercial or recreational purposes’. ‘Urban air mobility (UAM)’ means a subset of IAM operations where at least one segment of the flight is conducted in a congested (urban) area.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
					This means that UAM operations also cover operations between congested areas or between a congested area and a non-congested area.
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	338	ASD	Not accepted	The acronym 'LDRV' regarding VCA will be used in the related AMC & GM and in the operator documentation. As VCA is not a helicopter, LDRH and LDRV should be kept separate.
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	334	ASD	Not accepted	Please, refer to the response to comment #1114.
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	333	ASD	Accepted	Please, refer to the response to comment #1116.
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	257	Civil Aviation Authority the Netherlands	Not accepted	A gyroplane is a rotorcraft category aircraft, supported in flight chiefly by one or more non-engine-driven rotors. 'VTOL-capable aircraft' is other than aeroplane or rotorcraft, capable of performing vertical take-offs and landings by means of lift/thrust units used to provide lift during the take-off and landing. Considering these differences, EASA believes it is not necessary to integrate the two regulatory proposals.
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	28	DGAC FR (Mireille Chabroux)	Partially accepted	As regards definition (48), your proposal is noted. As regards definition (70), your proposal is noted. As regards definitions (70) and (113), the answer is the vertiport operator. As regards definitions (71a) and (102), your proposal is not accepted. As regards definition (132), your proposal is noted. As regards definition (141), your proposal is accepted. Please note that not all definitions proposed in NPA 2022-06 are retained in the Opinion and, therefore, the numbering may have changed.
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	1196	Joby Aviation	Not accepted	The use of predefined routes for flights over urban and densely populated areas is foreseen and recommended as one of the possible mitigation measures to address ground and collision risk. Predefined routes may be specific routes or corridors, or geographical areas, which the competent authority may establish in its territory for use by VCA operators where operations may be conducted within acceptable air and ground risk levels and under specified conditions. It must be noted that, today, helicopter operations in urban (congested) areas, excluding HEMS/police/similar operations, may also follow predetermined routes published in the AIP. Outside urban areas, manned VTOL-capable aircraft may be handled like any other manned aircraft.
Article 8 Flight time limitations	159	583	AIRBUS	Not accepted	Please, refer to the response to comment #1114.
Article 8 Flight time limitations	159	582	AIRBUS	Accepted	Please, refer to the response to comment #1116.



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3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	1304	Aerospace Industries Association	Not accepted	Please, refer to the response to comment #1196.
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	1149	Lilium	Accepted	<p>The suggestion to provide guidance on the concept of predefined routes for competent authorities and operator risk assessments and to enable a uniform implementation is accepted.</p> <p>The guidance should be based on the impact assessment of NPA 2017-17 which explains why and under what circumstances the use of predefined routes is a mitigation measure.</p> <p>Guidance material may be introduced to Implementing Regulation (EU) 2017/373, as predefined routes could be considered as airspace structure as per the definition of GM1 to Article 3(1). Alternatively, it could be introduced as guidance material to point UAM.OP.VCA.135 of Annex IX to Regulation (EU) No 965/2012 on routes and areas of operation, or to point SERA.3105 on minimum heights of Regulation (EU) No 923/2012.</p>
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	1042	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Accepted	
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	906	ADAC Luftrettung gGmbH	Not accepted	The ‘medical person’ may be a paramedic/doctor who fulfils the tasks of a technical crew in the VEMS mission. In any case, by definition, the technical crew is a crew member, if they are not a passenger. Therefore, saying ‘other than a crew member’ is not correct. The purpose of the definition of ‘ground personnel’ is to indicate who carries out the ground movement of the aircraft. The purpose was not to define ground operations in general; flight crew can also perform some ground operations.
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	995	FOCA (Switzerland)	Not accepted	Please, refer to the response to comment #992.
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	992	FOCA (Switzerland)	Not accepted	<p>The definition from ICAO Annex 14 Volume II Heliports is transposed into EASA’s CSs for heliports; it does not forbid the use of FATO by VTOL-capable aircraft.</p> <p>The term ‘FATO’ is also used in EASA’s guidance material on vertiport design (PTS-VPT-DSN). Prototype technical specifications are developed for VTOL-capable aircraft.</p> <p>VTOL-capable aircraft can use heliports, taking performance and D value into account, while helicopters may not always use vertiports. The FATO of a heliport is marked with ‘H’, whilst the FATO of a vertiport will be marked with ‘V’.</p>
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	886	FAA	Accepted	Comments regarding ground personnel and ground movement are accepted.
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	829	FOCA (Switzerland)	Not accepted	Definitions differ where there is a difference or where differences are expected to occur in the future. A VTOL-capable aircraft is not a helicopter and has specificities which warrant separate definitions, within the same logic as applied today to aeroplanes and helicopters. The reason why there is no definition of ‘landing distance required’ (LDR) for aeroplanes, both in the EU Air Operations Regulation and in ICAO SARPs, is because LDR is usually calculated on the basis of ‘landing distance available’ (LDA) by taking into account the effect of various influencing factors, including aeroplane mass and configuration, pressure altitude, wind, outside air temperature, runway slope



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					and approach speed increments, as well as prevailing surface conditions, and the extent to which aircraft devices which are available to assist deceleration are deployed.
3.6.2. Annex I – Definitions for terms used in Annexes II to IX	159	635	ASD	Noted	Please, refer to the response to comment # 338.
Article 8 Flight time limitations	159	631	ASD	Not accepted	Please, refer to the response to comment #1114.
ARO.OPS.200 Specific approval procedure	164	29	DGAC FR (Mireille Chabroux)	Accepted	
3.6.3. Annex II (Part-ARO)	164	340	ASD	Noted	The requirements for a management system and a safety risk management process are already available for all AOC holders (point ORO.GEN.200 and associated AMC & GM). Further guidance is available in ICAO Annex 19 ‘Safety Management’ and in ICAO Doc 9859 ‘Safety Management Manual (SMM)’. All references may be found in the AMC & GM to point ORO.GEN.200.
ARO.OPS.200 Specific approval procedure	164	266	skyguide Compliance Management	Partially accepted	The definition will be amended to reflect other suggestions as well. However, not all definitions proposed in NPA 2022-06 will be retained in the Opinion.
ARO.OPS.224 Approval of fuel/energy schemes for IAM operations	165	30	DGAC FR (Mireille Chabroux)	Not accepted	Merging the requirement for CAT and IAM operators does not bring added value as this makes the text wordy and heavy to understand and implement. Moreover, it is not considered realistic to ask VCA operators (that will be newly certified) to demonstrate ‘the baseline safety performance of the current fuel/energy scheme’, as they have never used a fuel/energy scheme before. Point (c)(3) is also unnecessary.
Appendix I to Annex II (Part-ARO)	165	31	DGAC FR (Mireille Chabroux)	Not accepted	The term ‘IAM operators’ includes also commercial air transport operators of VCA.
Appendix II to Annex II (Part-ARO)	166	1123	General Aviation Manufacturers Association (GAMA)	Noted	Please, refer to the response to comment #124.
Appendix II to Annex II (Part-ARO)	166	124	Lilium	Noted	Overwater operations include offshore operations. Limited overwater operations cannot be included in the operations specifications as there is no operational approval for such operations.
ORO.GEN.005 Scope	168	388	H. Raeder	Noted	SPO operations with VCA will be addressed at a later stage, if necessary, in terms of business case. Please note that current ‘specific’ category operations of UAS seem to cover the use cases at this stage.
ORO.AOC.100 Application for an air operator certificate	169	447	Europe Air Sports	Accepted	
ORO.AOC.100 Application for an air operator certificate	169	125	Lilium	Partially accepted	Comments regarding (a) and (1a) are accepted. SPO operations with VCA will be addressed at a later stage, if necessary.
ORO.GEN.140 Access	169	32	DGAC FR (Mireille Chabroux)	Accepted	



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
ORO.GEN.140 Access	169	258	Civil Aviation Authority the Netherlands	Noted	No, IAM operations are not intended to include PAL-V gyroplanes. Please, refer to the response to comment #257.
ORO.GEN.140 Access	169	935	Civil Aviation Authority the Netherlands	Noted	A two-seater VTOL-capable aircraft will be most likely single pilot operated, based on available CONOPS. A VCA with more than two seats should be able to accommodate two pilots and an examiner. Simulators are also being developed.
ORO.AOC.100 Application for an air operator certificate	169	432	FlightSafety International	Accepted	
ORO.GEN.140 Access	169	386	H. Raeder	Not accepted	The text is correct. CAT operations with non-complex aircraft are the subject of other aviation regulations, not Regulation (EU) No 965/2012.
ORO.AOC.100 Application for an air operator certificate	169	33	DGAC FR (Mireille Chabroux)	Accepted	
ORO.AOC.100 Application for an air operator certificate	169	1124	General Aviation Manufacturers Association (GAMA)	Partially accepted	Editorial changes accepted. Requirements for specialised operations (SPO) will be developed once more experience is gained with urban operations (e.g. air taxi) of VTOL-capable aircraft.
ORO.AOC.100 Application for an air operator certificate	169	998	Austro Control	Accepted	
ORO.AOC.125 Non-commercial operations of an AOC holder with aircraft listed on its AOC	170	1004	Austro Control	Not accepted	This implementing rule permits the AOC holder to comply with Annex VI (Part-NCC) or Annex VII (Part-NCO) instead of Annex IV (Part-CAT) for the non-commercial use of aircraft listed in the AOC holder's operations specifications. This is obviously only applicable to aeroplanes and helicopters, and not applicable to VCA operations. IAM operators of VCA (which are also AOC holders) may operate VCA both commercially and non-commercially under their AOC in accordance with Annex IX (Part-IAM). Part-IAM will also apply to demo, ferry, and maintenance check flights with VCA.
ORO.MLR.101 Operations manual – structure for commercial air transport and IAM operations	170	127	Lilium	Accepted	
ORO.MLR.100 Operations manual – general	170	449	Europe Air Sports	Accepted	
ORO.AOC.125 Non-commercial operations of an AOC holder with aircraft listed on its AOC	170	448	Europe Air Sports	Not accepted	Please, refer to the response to comment #1004.
ORO.AOC.125 Non-commercial operations of an AOC holder with aircraft listed on its AOC	170	434	FlightSafety International	Not accepted	Please, refer to the response to comment #1004.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
ORO.FC.005 Scope	170	387	H. Raeder	Not accepted	The deletion of 'complex motor-powered aircraft' has been made long before the issuance of NPA 2022-06. Subpart ORO.FC has never been applicable to non-complex aircraft operators.
ORO.MLR.100 Operations manual – general	170	126	Lilium	Accepted	
ORO.FC.005 Scope	170	35	DGAC FR (Mireille Chabroux)	Accepted	
ORO.MLR.100 Operations manual – general	170	34	DGAC FR (Mireille Chabroux)	Accepted	
ORO.MLR.101 Operations manual – structure for commercial air transport and IAM operations	170	1126	General Aviation Manufacturers Association (GAMA)	Accepted	
ORO.MLR.100 Operations manual – general	170	1125	General Aviation Manufacturers Association (GAMA)	Accepted	
ORO.MLR.100 Operations manual – general	170	1003	Austro Control	Accepted	
ORO.FC.105 Designation as pilot-in-command/commander	171	655	NGFT	Noted	EASA agrees that appropriate conditions should be established for the operation of different VCA types or the operation of aeroplanes/helicopters and VCA in parallel. For this topic, please refer to the final draft regulation text as published with the Opinion, and the related explanatory note.
ORO.FC.146 Personnel providing training, checking and assessment	171	129	Lilium	Not accepted	Point (f)(3) is an alleviation applicable to VCA operations by day and over routes navigated by reference to visual landmarks, similar to the one applicable to SPO and CAT operations with non-complex aeroplanes. For any other operation (e.g. VFR night, IFR/PBN), point ORO.FC.146(b) applies, i.e. the checking shall be conducted by the TRE/CRE qualified in accordance with Annex I (Part-FCL) to Regulation (EU) No 1178/2011. Please, also refer to the response to comment #72.
ORO.FC.105 Designation as pilot-in-command/commander	171	128	Lilium	Not accepted	Better to limit the amendments to what is strictly necessary.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
ORO.FC.146 Personnel providing training, checking and assessment	171	72	DGAC FR (Mireille Chabroux)	Not accepted	<p>Point ORO.FC.146(b) requires inter alia that the OPC be conducted by a TRE/CRE. There are two exemptions from that rule: the exemption in point (f) allowing that in SPO and CAT operations with non-complex aeroplanes the OPC is conducted by a suitably qualified PIC nominated by the operator, and the exemption in point (e), applicable to CAT operations with non-complex helicopters and to CAT operations with non-complex helicopters by day and by reference to visual landmarks, on the condition that the also suitably qualified PIC holds a FI/TRI/SRI certificate.</p> <p>It was, therefore, found appropriate to use the same approach to VCA operated by day and over routes navigated by reference to visual landmarks. These exemptions are driven by the need to strike a balance between safety risks, i.e. where the safety risk comes from the complexity of a given operation rather than the complexity of the aircraft type.</p> <p>It is true that TREs/CREs typically have more experience and expertise in a specific aircraft type than a PIC, e.g. they have:</p> <ul style="list-style-type: none"> — deeper knowledge of aircraft systems, procedures, and performance; — a thorough understanding of flight test techniques and criteria; — more experience in conducting competency checks for other pilots; — better knowledge of regulatory requirements for the specific aircraft type. <p>In the context of VCA, however, the two sides of the balance (type of operation and type of aircraft) have some differences when compared to traditional operations with aeroplanes/helicopters.</p> <p>VCA designs, operating characteristics and complexity in operation will considerably differ from one operator to another. For the first years of VCA operations, greater expertise in specific VCA types will be mostly available within operators, developed by their PICs.</p> <p>Considering the above, the balanced approach to VCA operations will be maintained. However, to be consistent with the existing exemption for helicopters, point (f)(3) has been amended to include the requirement that the suitably qualified PIC shall also hold a FI/TRI/SRI certificate.</p>
ORO.FC.105 Designation as pilot-in-command/commander	171	1291	European Helicopter Association	Not accepted	Please, refer to the responses to comments #654 and #655.
ORO.FC.105 Designation as pilot-in-command/commander	171	909	European Helicopter Association	Not accepted	Please, refer to the response to comment #654.
ORO.FC.105 Designation as pilot-in-command/commander	171	435	FlightSafety International	Not accepted	Please, refer to the response to comment #128.
ORO.FC.105 Designation as pilot-in-command/commander	171	36	DGAC FR (Mireille Chabroux)	Not accepted	<p>In IAM (that is, a combination of CAT and non-commercial operations with VCA), the pilot is designated as pilot-in-command (PIC) and not as commander. The concept of ‘commander’ will be kept for CAT operations with aeroplanes and helicopters only.</p> <p>Therefore, the definition of ‘commander’ has been amended to apply to CAT operations with aeroplanes and helicopters only.</p> <p>The term ‘complex motor-powered aircraft’ has been replaced with ‘aeroplanes and helicopters’.</p>
ORO.FC.105 Designation as pilot-in-command/commander	171	1314	Kusi	Not accepted	Please, refer to the responses to comments #654 and #655.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
ORO.FC.146 Personnel providing training, checking and assessment	171	1128	General Aviation Manufacturers Association (GAMA)	Not accepted	Point (f)(3) is an alleviation applicable to IAM operations by day and over routes navigated by reference to visual landmarks. For any other IAM operation (e.g. VFR night, IFR/PBN), the rest of point ORO.FC.146 applies, i.e. the personnel that provide the training and conduct the checking or assessment shall be qualified in accordance with Annex I (Part-FCL) to Regulation (EU) No 1178/2011, i.e. holding an instructor or examiner certificate. Please, refer to the response to comment #72.
ORO.FC.105 Designation as pilot-in-command/commander	171	1127	General Aviation Manufacturers Association (GAMA)	Not accepted	Please, refer to the response to comment #128.
ORO.FC.105 Designation as pilot-in-command/commander	171	654	NGFT	Not accepted	Nothing changes for helicopter operations. With SMS in Part-145 (Regulation (EU) 2021/1963, applicable since 2 December 2022), the term 'commander' was replaced with 'pilot' in point 145.A.30(j) (and related AMC). So, VCA pilots will also be eligible for the 'limited certification authorisation' mechanism.
ORO.FC.105 Designation as pilot-in-command/commander	171	936	Civil Aviation Authority the Netherlands	Noted	Powered-lift aircraft is a concept defined exclusively in Regulation (EU) No 1178/2011 — hence, having relevance only for the purpose of issuing a pilot licence. There are neither airworthiness requirements nor operational requirements defined for powered-lift aircraft. The proposed definition of VTOL-capable aircraft establishes a new aircraft category having relevance both in the airworthiness and the operational domains (Air Operations, Flight Crew Licensing, SERA). The introduction of this new aircraft category requires also the subsequent introduction of the new definition of 'rotorcraft' in the applicable regulations and the subsequent clustering of helicopters and gyrocopters. ICAO is still in the process of revisiting the SARPs and considering the applicability of the concept of powered-lift aircraft to the currently proposed VTOL design. The specific design of a 'tilt-rotor aircraft', referred to as 'CMPA' in point (j) of Article 3 of Regulation (EC) No 216/2008 (refer to Article 140(2)(b) of Regulation (EU) 2018/1139), may be clustered under the rotorcraft family, provided that its design includes up to two rotors. Traditional two-rotor tiltrotor designs (e.g. AW609) are excluded from the scope of the regulatory proposal. EASA plans to review the approach to operational rules applicable to tiltrotor aircraft in the context of RMT.0731 Subtask #3.
ORO.FC.105 Designation as pilot-in-command/commander	171	910	European Helicopter Association	Accepted	Please, refer to the response to comment #655.
ORO.FC.400 Composition of flight crew	172	896	DGAC FR (Mireille Chabroux)	Accepted	
ORO.FC.402 Single-pilot operations under IFR or at night	172	130	Lilium	Noted	Requirements related to IFR and VFR by night will be developed in the next stage. This means that point ORO.FC.402 will be deleted from the Opinion. However, the comments may be taken into consideration and necessary amendments may be made, where necessary, and used for a future proposal. As regards lift/thrust management, it will be added in point (a)(1).



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ORO.FC.402 Single-pilot operations under IFR or at night	172	100	Supernal	Not accepted	<p>Distinguishing between the skills and abilities required for a single-pilot operation under IFR versus a multi-crew operation under IFR is important because the complexity and workload of these two types of operations are significantly different.</p> <p>In single-pilot IFR operations, the pilot is solely responsible for managing all aspects of the flight, including communication with air traffic control, navigation, and instrument scans. The pilot must have a thorough understanding of IFR procedures, weather patterns, and aircraft systems, as well as excellent situational awareness, decision-making skills, and the ability to quickly respond to unexpected events. This can be a challenging and demanding task and requires a high level of training and considerable experience.</p> <p>In multi-crew IFR operations, the workload is shared among the flight crew, which typically includes a pilot and a co-pilot. The pilot and co-pilot can divide the responsibilities of the flight, such as communication with air traffic control, monitoring navigation systems, and instrument scans. This division of workload allows the crew to better manage the demands of the flight and reduces the risk of errors or problems arising.</p> <p>As a result, pilots in multi-crew IFR operations need to have a strong understanding of teamwork, communication, and decision-making skills, in addition to the skills and knowledge required for single-pilot IFR operations.</p>
ORO.FC.402 Single-pilot operations under IFR or at night	172	38	DGAC FR (Mireille Chabroux)	Noted	The requirements related to IFR have been removed from the final text of the Opinion, but the proposal will be considered for future NPAs covering IFR operations.
ORO.FC.400 Composition of flight crew	172	37	DGAC FR (Mireille Chabroux)	Accepted	
ORO.FC.402 Single-pilot operations under IFR or at night	172	1198	Joby Aviation	Noted	Please, refer to the response to comment #130.
ORO.FC.402 Single-pilot operations under IFR or at night	172	1264	Direction de l'Aviation Civile	Accepted	
ORO.FC.402 Single-pilot operations under IFR or at night	172	1130	General Aviation Manufacturers Association (GAMA)	Noted	Please, refer to the response to comment #130.
ORO.FC.402 Single-pilot operations under IFR or at night	172	1129	General Aviation Manufacturers Association (GAMA)	Noted	Please, refer to the response to comment #130.
ORO.FC.430 Recurrent training and checking – operator proficiency check	173		Austro Control	Accepted	The word 'specialised' has been deleted.
ORO.FC.430 Recurrent training and checking – operator proficiency check	173	614	Volocopter GmbH	Accepted	The proficiency check is intended to assess pilots' flying skills and operational knowledge to ensure that they are competent to conduct flights that the operator has assigned to them. Where applicable, the pilot's capability to keep using the ratings that include privileges to conduct a flight under IFR or at night is also checked. For example, when the flight crew member is required to operate under IFR, the operator proficiency check shall be conducted without external visual reference. For pilots required to engage in IFR operations, proficiency checks include additional abnormal/emergency procedures, such as 3D approach operation to minima, 2D approach operation to minima, RNP APCH or RNP AR APCH operation, go-around on instruments from minima, etc.



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					AMC & GM will provide the necessary clarifications and details using AMC1 ORO.FC.230(b)(1)(ii)(A), (B) and (C). Please note that point (a)(2) will be reserved for the development of the requirements regarding IFR and VFR by night.
ORO.TC.100 Scope	173	40	DGAC FR (Mireille Chabroux)	Accepted	
ORO.FC.430 Recurrent training and checking – operator proficiency check	173	39	DGAC FR (Mireille Chabroux)	Accepted	The proposal about the validity period of the OPC is accepted. EASA agrees that appropriate conditions should be established for the operation of different VTOL types or the operation of aeroplanes/helicopters and VTOLs in parallel. For this topic, please refer to the final draft regulation text as published with the Opinion, and the related explanatory note. Also, paragraphs for initial operator CRM training, operator conversion training and line check will be added.
ORO.FC.430 Recurrent training and checking – operator proficiency check	173	1265	Direction de l'Aviation Civile	Accepted	
ORO.FC.430 Recurrent training and checking – operator proficiency check	173	1132	General Aviation Manufacturers Association (GAMA)	Noted	Please, refer to the response to comment #614.
ORO.FC.430 Recurrent training and checking – operator proficiency check	173	1199	Joby Aviation	Noted	Please, refer to the response to comment #614.
3.6.5. Annex V (Part-SPA)	174	341	ASD	Not accepted	It is assumed that in VFR flights the pilot can rely on visual cues; hence, the number/type of means of measuring and displaying indications may be minimal. In normal VFR flights by day, heading and/or attitude indications may not be necessary. Hence, in the initial certification of a given type, they may not be required. However, heading and attitude references are expected to be required for emergency medical services with VTOL-capable aircraft (VEMS) day operations (like HEMS), because they are critical for safety, in the case of low-level flights where the aircraft flies close to the ground and obstacles and in the case of reduced VMC visibility by day of less than 5 km (that is typical for HEMS flights as well). Accurate and reliable heading and attitude reference will help the pilot to make quick and accurate decisions and to avoid any potential hazards. The assumption for special VFR (typical for HEMS and, in the future, for VEMS) is that much more instruments will be needed to provide situational awareness, avoid special disorientation, control the flight trajectory, etc.
SPA.GEN.100 Competent authority	174	42	DGAC FR (Mireille Chabroux)	Partially accepted	Points (a)(1) and (2) will specify that it is about operators of helicopters or aeroplanes.
3.6.5. Annex V (Part-SPA)	174	342	ASD	Noted	The term 'abandon the flight' is also used for HEMS. As a matter of fact, point SERA.5001 'VMC minima' foresees certain reduction in the VMC minima (visibility and distance from cloud) for flights operating at 140 kt IAS or less, helicopters and HEMS, when so prescribed by the competent authority. Manned VCA may use the



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					flexibility available for lower-speed operations. It should be determined whether point SERA.5001 needs to be adapted to allow VEMS to use the flexibility available for helicopters and HEMS.
3.6.5. Annex V (Part-SPA)	174	259	Civil Aviation Authority the Netherlands	Noted	No, IAM operations are not intended to include PAL-V gyroplanes. Please, refer to the response to comment #257.
ORO.FTL.100 Scope	174	41	DGAC FR (Mireille Chabroux)	Not accepted	Subpart FTL is intended to apply to all CAT operators of aeroplanes and their aircrew: scheduled, charter, air taxi, and AEMS. The current applicability of Subpart FTL is defined in Article 8 of Regulation (EU) No 965/2012. Your proposal in fact does not differ from point ORO.FTL.100 proposed in NPA 2022-06.
ORO.FTL.100 Scope	174	1315	Kusi	Not accepted	Please, refer to the response to comment #41.
ORO.FTL.100 Scope	174	1292	European Helicopter Association	Not accepted	Please, refer to the response to comment #41.
ORO.FTL.100 Scope	174	656	NGFT	Not accepted	Please, refer to the response to comment #41.
SPA.GEN.100 Competent authority	174	1058	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Accepted	
ORO.TC.120 Operator conversion training	174	937	Civil Aviation Authority the Netherlands	Noted	Point (b)(1) will not be changed.
ORO.FTL.100 Scope	174	912	European Helicopter Association	Not accepted	Please, refer to the response to comment #41.
SPA.PBN.100 PBN operations	174	830	FOCA (Switzerland)	Noted	PBN requirements are removed from this Opinion. A future NPA will address potential inconsistencies in relation to PBN 0.3.
SPA.LVO.100 Low visibility operations and operations with operational credits	175	1135	General Aviation Manufacturers Association (GAMA)	Accepted	
SPA.RVSM.100 RVSM operations	175	174	DGAC FR (Mireille Chabroux)	Noted	No change to point SPA.RVSM.100 is needed as the text is exactly the same as the one proposed.
SPA.LVO.100 Low visibility operations and operations with operational credits	175	131	Lilium	Accepted	
SPA.DG.100 Transport of dangerous goods	175	499	JEDA	Not accepted	Commission Implementing Regulation (EU) 2019/947 is a stand-alone regulation as regards UAS operations in the 'open' and 'specific' category. It is not an annex to Commission Regulation (EU) No 965/2012 and, therefore, no reference to it is necessary.
SPA.MNPS.100 MNPS operations	175	43	DGAC FR (Mireille Chabroux)	Noted	No change to point SPA.MNSP.100 is needed as the text is exactly the same as the one proposed.
SPA.NVIS.110 Equipment requirements for NVIS operations	176	44	DGAC FR (Mireille Chabroux)	Noted	NVIS requirements have been removed from this Opinion. The proposal will be considered in future NPAs.



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SPA.NVIS.130 Crew requirements for NVIS operations	176	45	DGAC FR (Mireille Chabroux)	Noted	NVIS requirements have been removed from this Opinion. The proposal will be considered in future NPAs.
SPA.VEMS.110 Equipment requirements for VEMS operations	177	625	ASD	Noted	Please, refer to the response to comment #589.
SPA.VEMS.110 Equipment requirements for VEMS operations	177	229	DGAC FR (Mireille Chabroux)	Accepted	
SPA.EFB.100 Use of electronic flight bags (EFBs) – operational approval	177	132	Lilium	Not accepted	IAM operators may also perform CAT operations with VCA. The intension is to be clear rather than consistent.
SPA.VEMS.110 Equipment requirements for VEMS operations	177	590	AIRBUS	Accepted	As a matter of fact, the comment referring to point (d) is in principle accepted. Please note that ‘reduced visual cues’ are not only observed at night and in IMC. HEMS flights (and in the future, VEMS flights) that are typically allowed to operate in reduced VMC by day where visibility is less than 5 km, may experience the same issue.
SPA.VEMS.110 Equipment requirements for VEMS operations	177	46	DGAC FR (Mireille Chabroux)	Not accepted	Please, refer to the response to comment # 341.
SPA.VEMS.110 Equipment requirements for VEMS operations	177	589	AIRBUS	Noted	The requirement applies to any VEMS operation.
SPA.EFB.100 Use of electronic flight bags (EFBs) – operational approval	177	1136	General Aviation Manufacturers Association (GAMA)	Not accepted	IAM operators may also perform CAT operations with VCA.
SPA.VEMS.100 Emergency medical service operations with VTOL-capable aircraft (VEMS operations)	177	657	NGFT	Not accepted	The proposal and the arguments to defer VEMS operations to an unspecified point in the future are not accepted. It is, however, agreed that VTOL-capable aircraft cannot be used like helicopters in highly sensitive HEMS operations. For this reason, EASA has developed a separate regulatory basis for emergency medical service missions performed with VTOL-capable aircraft: these are called VEMS. VEMS operations differ from HEMS operations. The cabins of VTOL-capable aircraft are not suitable for the transportation of patients and such aircraft will be predominantly used in day VFR operations.
SPA.VEMS.110 Equipment requirements for VEMS operations	177	871	ADAC Luftrettung gGmbH	Noted	Please, refer to the responses to comments # 589 and #590.
SPA.VEMS.130 Crew requirements	178	840	FLYINGGROUP	Noted	No such possibility exists at the moment for emergency medical flights.



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SPA.VEMS.130 Crew requirements	178	73	DGAC FR (Mireille Chabroux)	Accepted	
SPA.VEMS.130 Crew requirements	178	74	DGAC FR (Mireille Chabroux)	Accepted	
SPA.VEMS.130 Crew requirements	178	47	DGAC FR (Mireille Chabroux)	Noted	Point (b) of point SPA.VEMS.130 is reserved, as it was done for the recent EASA Opinion No 08/2022 on HEMS where point (b) was intentionally left blank, transposing experience requirements in related AMC & GM. Nonetheless, for this the Opinion, point (b) will not be reserved. Additional experience for VEMS flight crew will be established in the related AMC & GM to point SPA.VEMS.130.
SPA.VEMS.120 Operating minima	178	1137	General Aviation Manufacturers Association (GAMA)	Noted	Please, refer to the response to comment #875.
SPA.VEMS.130 Crew requirements	178	941	Civil Aviation Authority the Netherlands	Noted	VTOL-capable aircraft are not capable of transporting passengers. Night operations are not included in the related Opinion.
SPA.VEMS.125 Performance requirements for VEMS operations	178	940	Civil Aviation Authority the Netherlands	Noted	The title is correct. The lighting system is not mandatory for VCA in general, but it enhances the performance of VCA when taking off from or landing at VEMS operating sites during night VEMS missions.
SPA.VEMS.125 Performance requirements for VEMS operations	178	939	Civil Aviation Authority the Netherlands	Not accepted	On p. 39, it is specified for which operations a specific approval is required; the use of EFB type A in VCA operations is possible without such approval. On p. 177, an approval is needed only if EFB type B will be used.
SPA.VEMS.130 Crew requirements	178	938	Civil Aviation Authority the Netherlands	Noted	Please, refer to the responses to comments #32, #258, #935 and #386 on point ORO.GEN.140, and to the responses to comments #614, #39, #1265, #1132 and #1199 on ORO.FC.430.
SPA.VEMS.130 Crew requirements	178	876	ADAC Luftrettung gGmbH	Noted	Please note that VEMS are not treated differently from HEMS. The text of recent EASA Opinion No 08/2022 on HEMS (and in particular point SPA.HEMS.130) is mirrored in point SPA.VEMS.130. The use of PISs is not prohibited either. PISs may be used in VEMS if permitted by the competent authority.
SPA.VEMS.120 Operating minima	178	875	ADAC Luftrettung gGmbH	Noted	Please note that VEMS are not treated differently from HEMS. The text of recent EASA Opinion No 08/2022 on HEMS (and in particular point SPA.HEMS.120) is mirrored in point SPA.VEMS.120. Requirements for VEMS under IFR will be developed at a later stage.
SPA.VEMS.140 Information, procedures and documentation	180	885	ADAC Luftrettung gGmbH	Not accepted	An OFP should always be prepared before a VEMS mission and may be simplified, in electronic format. Nothing prevents the PIC/operator from amending the OFP while the VCA is in flight, as soon as it becomes practicable.
SPA.VEMS.155 Fuel/energy scheme – fuel/energy planning and in-flight replanning	180	48	DGAC FR (Mireille Chabroux)	Not accepted	Actually, the AFM will have data about the final energy reserve based on the representative time and conservative estimations of the energy needed for a go-around from LDP to LDP. Hence, the competent authorities will have a precise calculation/figure established in the AFM when approving a given fuel/energy scheme.



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SPA.VEMS.140 Information, procedures and documentation	180	1138	General Aviation Manufacturers Association (GAMA)	Not accepted	Please, refer to the response to comment #885.
IAM.GEN.VCA.100 Pilot responsibilities	181	915	European Helicopter Association	Noted	According to definition (96) of Annex I to Commission Regulation (EU) No 965/2012, “pilot-in-command” means the pilot designated as being in command and charged with the safe conduct of the flight. The pilot-in-command has more responsibilities than the pilot. Please, refer to points CAT.GEN.MPA.100 and CAT.GEN.MPA.105 of Commission Regulation (EU) No 965/2012.
SPA.VEMS.280 Aircraft tracking system	181	247	Civil Aviation Authority the Netherlands	Noted	Please, refer to point SPA.HOFO.150 for more information about the tracking system. Similar AMC & GM will be developed for VEMS.
SPA.VEMS.280 Aircraft tracking system	181	230	DGAC FR (Mireille Chabroux)	Noted	Please, refer to point SPA.HOFO.150 for more information about the tracking system. Similar AMC & GM will be developed for VEMS.
IAM.GEN.100 Scope	181	133	Lilium	Not accepted	The definition of CAT means ‘an aircraft operation to transport passengers, cargo or mail for remuneration or other valuable consideration’. It is very clear that it does not depend on the type of aircraft. In the context of the Air Operations Regulation, the difference between CAT and IAM operations is the following: <ul style="list-style-type: none"> • CAT operations, if performed with aeroplanes and helicopters, should be compliant with Part-CAT; the scope of Part-CAT is clearly defined. • IAM operations performed with VTOL-capable aircraft should be compliant with Part-IAM; IAM operations may be both CAT operations and non-commercial operations.
IAM.GEN.VCA.100 Pilot responsibilities	181	51	DGAC FR (Mireille Chabroux)	Accepted	
IAM.GEN.VCA.050 Scope	181	49	DGAC FR (Mireille Chabroux)	Not accepted	The word ‘any’ does not provide information to national competent authorities and operators which operations are within the scope of Section 1.
IAM.GEN.100 Scope	181	1316	Kusi	Noted	The current regulatory proposal does not include requirements for aerial work operations (i.e. SPO).
SPA.VEMS.195 Fuelling / defuelling / battery charging while passengers are embarking, on board, or disembarking	181	1139	General Aviation Manufacturers Association (GAMA)	Noted	Please, refer to the response to comment # 537.
IAM.GEN.055 Competent authority	181	1061	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Accepted	
SUBPART A – GENERAL REQUIREMENTS	181	916	European Helicopter Association	Not accepted	Part-CAT is only relevant to aeroplanes and helicopters. No duplication is found in Part-IAM, which is dedicated to VCA only.



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SPA.VEMS.195 Fuelling / defuelling / battery charging while passengers are embarking, on board, or disembarking	181	537	Volocopter GmbH	Accepted	Point SPA.VEMS.195 (new SPA.VEMS.150) will be linked to point UAM.MVCA.205, thus allowing for battery swapping and battery charging while passengers are embarking, are on board, or disembarking. Battery swapping and battery charging require different operational procedures and precaution measures by the operator. Battery 'swap' corresponds to the removal/installation of a battery on the aircraft, which is within the scope of maintenance (Regulation (EU) No 1321/2014), and as any maintenance, it has to be certified by a person authorised as 'certifying staff'. Note that certain alleviation means exist for the certification authorisation (e.g. point 145.A.30(j)(4): limited certification authorisation to the pilot).
IAM.GEN.100 Scope	181	389	H. Raeder	Not accepted	It is made very clear that Part-SPO does not apply to IAM operations for the time being.
3.6.6. Draft Annex IX (Part-IAM)	181	345	ASD	Noted	Please, refer to the response to comment #193.
3.6.6. Draft Annex IX (Part-IAM)	181	344	ASD	Not accepted	Current destination is one of the safe landing options. Landing options are in fact alternate vertiports selected to meet certain performance failure conditions and minimum energy requirements, as well as deteriorating weather conditions.
3.6.6. Draft Annex IX (Part-IAM)	181	343	ASD	Noted	Precise expectations of the psychological assessment will be given in AMC.
IAM.GEN.VCA.100 Pilot responsibilities	181	52	DGAC FR (Mireille Chabroux)	Noted	
IAM.GEN.VCA.050 Scope	181	50	DGAC FR (Mireille Chabroux)	Accepted	
SUBPART A – GENERAL REQUIREMENTS	181	1295	European Helicopter Association	Not accepted	Please, refer to the response to comment #916.
IAM.GEN.100 Scope	181	1140	General Aviation Manufacturers Association (GAMA)	Not accepted	Please, refer to the response to comment #133.
IAM.GEN.VCA.100 Pilot responsibilities	181	1317	Kusi	Noted	The PIC is the pilot among other members of the crew who has been designated by the operator as being in command of and charged with the safe conduct of the flight.
IAM.GEN.VCA.100 Pilot responsibilities	181	1294	European Helicopter Association	Noted	The PIC is the pilot among other members of the crew who has been designated by the operator as being in command of and charged with the safe conduct of the flight.
IAM.GEN.100 Scope	181	1293	European Helicopter Association	Noted	The current regulatory proposal does not include requirements for aerial work operations (i.e. SPO).
IAM.GEN.VCA.100 Pilot responsibilities	181	1274	EDA/NH	Noted	The requirement does not depend neither on the number of pilots other than the PIC nor on the configuration (manned/unmanned).
3.6.6. Draft Annex IX (Part-IAM)	181	1273	EDA/NH	Accepted	
IAM.GEN.VCA.100 Pilot responsibilities	181	1266	Direction de l'Aviation Civile	Not accepted	Point IAM.GEN.VCA.100 is intended to apply to manned (with pilot) VCA and also, in the future, unmanned VCA (that may be operated/monitored by a remote pilot). This is the reason why the preferred term is 'pilot'.
SPA.VEMS.195 Fuelling / defuelling / battery charging while passengers are embarking, on board, or disembarking	181	1252	European Cockpit Association	Not accepted	Point IAM.GEN.VCA.100 refers to the responsibilities of pilots and crew members other than pilots, whereas point IAM.GEN.VCA.105 refers to the responsibilities of the pilot-in-command (PIC).



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IAM.GEN.VCA.100 Pilot responsibilities	181	659	NGFT	Noted	According to definition (96) of Annex I to Commission Regulation (EU) No 965/2012, 'pilot-in-command' means the pilot designated as being in command and charged with the safe conduct of the flight'. The pilot-in-command has more responsibilities than the pilot. Please, refer to points CAT.GEN.MPA.100 and CAT.GEN.MPA.105 of Commission Regulation (EU) No 965/2012.
IAM.GEN.100 Scope	181	658	NGFT	Not accepted	It has been made very clear that Part-SPO does not apply to IAM operations for the time being.
IAM.GEN.VCA.050 Scope	181	942	Civil Aviation Authority the Netherlands	Noted	Commission Regulation (EU) No 965/2012 only addresses UAS operations in the 'certified' category; it does not address UAS operations in the 'open' and 'specific' category. These are addressed by Commission Implementing Regulation (EU) 2019/947.
SPA.VEMS.195 Fuelling / defuelling / battery charging while passengers are embarking, on board, or disembarking	181	932	ADAC Luftrettung gGmbH	Noted	Please, refer to the response to comment # 537.
IAM.GEN.100 Scope	181	913	European Helicopter Association	Not accepted	It has been made very clear that Part-SPO does not apply to IAM operations for the time being.
IAM.GEN.VCA.105 Responsibilities of the pilot-in-command (PIC)	182	914	ADAC Luftrettung gGmbH	Accepted	
IAM.GEN.VCA.105 Responsibilities of the pilot-in-command (PIC)	182	134	Lilium	Partially accepted	This point refers to the PIC responsibilities with regard to 'sterile flight crew compartment', which means any period of time when the flight crew members are not disturbed or distracted, except for matters critical to the safe operation of the aircraft or the safety of the occupants. The operator shall typically have procedures and instructions in place for ensuring a sterile flight crew compartment, specifically instructing crew members to not perform any activities during critical phases of flight other than those required for the safe operation of the aircraft. In a flight crew compartment, passengers are in general not allowed to perform any activity that would interfere with the flight crew tasks. Passengers should, however, be instructed on how to communicate with the PIC during the flight. This may be addressed in a separate point as follows: '(...) ensure that all passengers are briefed on how they may communicate with the flight crew member(s) during the flight.'
IAM.GEN.VCA.105 Responsibilities of the pilot-in-command (PIC)	182	1142	General Aviation Manufacturers Association (GAMA)	Accepted	
IAM.GEN.VCA.105 Responsibilities of the pilot-in-command (PIC)	182	1141	General Aviation Manufacturers Association (GAMA)	Not accepted	During the critical phases of flight, the PIC shall not be distracted with activities other than to aviate, navigate and communicate with, e.g., air traffic service units, to ensure the safe operation of the aircraft. Communication with passengers is not one of these activities. Passengers have no duties related to the safe operation of the aircraft. Passenger briefings shall be carried out prior to the flight.
IAM.GEN.VCA.105 Responsibilities of the pilot-in-command (PIC)	182	687	FOCA Switzerland	Accepted	



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IAM.GEN.VCA.140 Portable electronic devices (PEDs)	183	845	FLYINGGROUP	Noted	Please, refer to point CAT.GEN.MPA.140 and associated AMC & GM. There are technical requirements under which any kind of PED may be used on board the aircraft without adversely affecting the performance of the aircraft's systems and equipment.
IAM.GEN.VCA.130 Powering on of lift or thrust units	183	523	Volocopter GmbH	Not accepted	The implementing regulation only applies to powering on the lift/thrust units for the purpose of flight. The implementing regulation, however, does not prevent ground runs from being conducted by qualified personnel, other than pilots, for maintenance purposes. Ground runs should not include the taxiing of the VCA (under its own power) and there should be no passengers on board. This will be clarified, if necessary, in GM.
IAM.GEN.VCA.120 Common language	183	1062	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Accepted	
IAM.GEN.VCA.140 Portable electronic devices (PEDs)	183	1036	AESA	Noted	Please, refer to point CAT.GEN.MPA.140 and associated AMC & GM. There are technical requirements under which any kind of PED may be used on board the aircraft without adversely affecting the performance of the aircraft's systems and equipment. This is also applicable for VCA operations.
IAM.GEN.VCA.120 Common language	183	1021	Austro Control	Accepted	
IAM.GEN.VCA.140 Portable electronic devices (PEDs)	183	900	DGAC FR (Mireille Chabroux)	Accepted	
IAM.GEN.VCA.141 Use of electronic flight bags (EFBs)	184	899	DGAC FR (Mireille Chabroux)	Accepted	
IAM.GEN.VCA. 160 Carriage of sporting weapons and ammunition	184	136	Lilium	Not accepted	It is premature at this stage to allow the same flexibility for VTOL-capable aircraft as for helicopters. If sporting weapons, with ammunition unloaded, cannot be stowed in a place that is inaccessible, they should not be accepted for carriage. Exemptions may be provided by the competent authority on a case-by-case basis. Where the aircraft does not have a separate compartment where sporting weapons can be stowed, they should be stowed in such a way so that they are not immediately accessible to the passengers, e.g. in locked boxes, in checked baggage that is stowed under other baggage or under fixed netting.
IAM.GEN.VCA.155 Carriage of weapons of war and munitions of war	184	135	Lilium	Not accepted	Considering the concepts of operation of VTOL-capable aircraft (air taxi in congested areas) and the security and safety risks posed by such operations in congested areas and other sensitive areas, the carriage of weapons of war on board should not be permitted. Weapons of war carried by sky marshals or bodyguards may be allowed under strict conditions, but this is rather an exception and not a regular operation. If this is needed, the flexibility provisions provided for by Regulation (EU) 2018/1139 may be used to cover for exceptions.
IAM.GEN.VCA. 160 Carriage of sporting weapons and ammunition	184	1144	General Aviation Manufacturers Association (GAMA)	Not accepted	Not acceptable. Please, refer to the response to comment #136.
IAM.GEN.VCA.155 Carriage of weapons of war and munitions of war	184	1143	General Aviation Manufacturers Association (GAMA)	Not accepted	Please, refer to the response to comment #135.



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IAM.GEN.VCA.160 Carriage of sporting weapons and ammunition	184	943	Civil Aviation Authority the Netherlands	Noted	Please, refer to point CAT.GEN.MPA.160. It is allowed for aeroplanes and helicopters, regardless of where they operate. If sporting weapons, with ammunition unloaded, cannot be stowed in a place that is not inaccessible, then they shall not be accepted for carriage. Exemptions may be granted by national competent authorities on a case-by-case basis.
IAM.GEN.VCA.175 Endangering safety	185	638	ASD	Accepted	AMC1 CAT.GEN.MPA.175(b) will be used to precise the psychological assessment requirements for operators of complex motor-powered aircraft. AMC1 CAT.GEN.MPA.175(c) is the basis for operators of non-complex motor-powered aircraft.
IAM.GEN.VCA.170 Psychoactive substances	185	53	DGAC FR (Mireille Chabroux)	Not accepted	Point IAM.GEN.VCA.170(b) precisely requires the operator to develop and implement an objective, transparent and non-discriminatory policy and procedure for the prevention and detection of misuse of psychoactive substances.
IAM.GEN.VCA.185 Information to be preserved on the ground	185	1267	Direction de l'Aviation Civile	Not accepted	OFP will always be necessary.
IAM.GEN.VCA.185 Information to be preserved on the ground	185	1023	Austro Control	Accepted	
IAM.GEN.VCA.185 Information to be preserved on the ground	185	793	AIRBUS	Partially accepted	Partially accepted. The related Opinion does not deal with UAS operations.
IAM.GEN.VCA.195 Handling of recording-system recordings: preservation, production, protection and use	186	927	ADAC Luftrettung gGmbH	Noted	The use of recorded data for a flight data monitoring (FDM) programme (part of the operator's predictive SMS or for sharing this flight data with the TC holder is not forbidden by current point (f)(3) of point IAM.GEN.VCA.195. When flight data is used for an FDM programme, then this programme should contain adequate safeguards to protect the source of data (meaning the involved flight crew members), such as de-identifying the flight data (see point (f)(3)(ii)) or framing their disclosure by procedures that typically define who has access to what data and what they can do with it (see point (f)(3)(iii)). Likewise, when flight data is shared with an external organisation, such as the TC holder or other organisations, a framework should be in place to protect the source of the data.
IAM.GEN.VCA.195 Handling of recording-system recordings: preservation, production, protection and use	186	519	Volocopter GmbH	Noted	Current text of point IAM.GEN.VCA.195(f)(3) does not prevent the use of such data recordings by the TC holder, on the condition that the data recordings are de-identified and disclosed under secure procedures. Guidance will be provided with regard to points 3(ii) and (iii).
IAM.GEN.VCA.195 Handling of recording-system recordings: preservation, production, protection and use	186	1145	General Aviation Manufacturers Association (GAMA)	Noted	Please, refer to the responses to comments #519 and #927.
IAM.GEN.VCA.195 Handling of recording-system recordings: preservation, production, protection and use	186	1064	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Accepted	
IAM.GEN.MVCA.180 Documents, manuals and	188	1268	Direction de l'Aviation Civile	Accepted	



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information to be carried on board each flight					
IAM.GEN.MVCA.180 Documents, manuals and information to be carried on board each flight	188	165	GdF	Partially accepted	<p>Partially accepted.</p> <p>EASA has long ago proposed common European rules for the provision of certified meteorological services. Meteorological service providers and meteorological data shall conform to ICAO Annex 3 'Meteorological Service for International Air Navigation' and to Annex V (Part-MET) 'SPECIFIC REQUIREMENTS FOR PROVIDERS OF METEOROLOGICAL SERVICES' to Commission Implementing Regulation (EU) 2017/373.</p> <p>AMC & GM to that Regulation will provide details on the use of 'appropriate meteorological information'.</p> <p>Appropriate meteorological information should be relevant to the planned operation, as specified in point (a) of point MET.TR.215 of Part-MET, and should comprise the meteorological information that is specified in point (e) of point MET.TR.215 of Part-MET, and supplementary meteorological information.</p> <p>This Opinion addresses for the time being manned VCA operations; in the future, appropriate meteorological information shall also be required to be used by remote pilots for the operation of UAS.</p>
IAM.GEN.MVCA.180 Documents, manuals and information to be carried on board each flight	188	276	EUMETNET ASP	Noted	Please, refer to the response to comment #165.
IAM.GEN.MVCA.135 Access to the pilot's assigned station	188	1305	Axalp Technologies	Noted	<p>Noted. No separate flight crew compartment is necessary in order to grant access to the pilot's assigned station.</p> <p>The implementing regulation refers to physical access that should only be granted to the persons referred to in points (a)(1) to (3).</p> <p>More details may be provided in AMC & GM.</p>
IAM.GEN.MVCA.181 Documents and information to be retained on the ground	189	688	FOCA Switzerland	Accepted	
IAM.GEN.MVCA.181 Documents and information to be retained on the ground	189	277	EUMETNET ASP	Noted	Please, refer to the response to comment #165.
IAM.GEN.MVCA.181 Documents and information to be retained on the ground	189	54	DGAC FR (Mireille Chabroux)	Accepted	
UAM.OP.VCA.105 Use of aerodromes or operating sites	190	832	FLYINGGROUP	Not accepted	<p>Not accepted.</p> <p>VTOL-capable aircraft (VCA) shall use vertiports when carrying passengers.</p> <p>With the additional safety precautions taken into account when carrying passengers and required performance of VTOL-capable aircraft (VCA), it was concluded that only adequate vertiports can ensure safety of operations.</p>



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
					The vertiport is a type of aerodrome, designed for use by VCA. For the time being, there are no mandatory technical specifications for vertiports.
UAM.OP.VCA.050 Scope	190	168	GdF	Not accepted	<p>Responses to the individual points of the comment:</p> <ol style="list-style-type: none"> 1- This NPA is not about U-space airspace. 2- This NPA does not introduce deviations from ICAO for non-segregated UAS operations. 3- Operations in controlled airspace remain subject to ATC clearance. 4- Risk assessment and ATCO workload to be managed in accordance with point 3 above. 5- Manned VTOL-capable aircraft operated in U-space airspace are treated as any other manned aircraft (refer to GM2 Article1(1) of Implementing Regulation (EU) 2021/664). 6- Manned VTOL-capable aircraft are not subject to U-space services.
UAM.OP.VCA.105 Use of aerodromes or operating sites	190	1	Patrick WILLS	Noted	
MODULE UAM-OP	190	75	DGAC FR (Mireille Chabroux)	Accepted	
UAM.OP.VCA.105 Use of aerodromes or operating sites	190	17	Vertical Aerospace	Noted	
MODULE UAM-OP	190	101	Supernal	Not accepted	<p>Not accepted.</p> <p>There is no duplication. Part-IAM contains general requirements for any VTOL-capable aircraft (VCA), whilst modules -UAM/-NAM and related sections are dedicated to detailed requirements according to the area and type of operation. For the time being, the Opinion shall only contain requirements for manned VCA operations, where the VCA is certified in accordance with the EASA SC-VTOL 'enhanced category' requirements. Requirements for unmanned VCA operations and operations of VCA certified in accordance with the EASA SC-VTOL 'basic category' requirements will be included in the future.</p>
SUBPART B - OPERATING PROCEDURES	190	369	German NSA (BAF)	Not accepted	<p>It is clear from the content of Subpart B that operating procedures refer to a broader set of guidelines and instructions that cover all aspects of aircraft operation, including flight procedures, maintenance procedures, ground operations, and emergency procedures. These procedures are established by air operators, aircraft manufacturers, and regulatory bodies to ensure safe and efficient operation of aircraft.</p> <p>Flight procedures, on the other hand, are a subset of operating procedures that specifically relate to the operation of an aircraft during flight. Flight procedures cover a range of topics, including pre-flight checks, take-off procedures, climb procedures, cruise procedures, descent procedures, and landing procedures. These procedures are designed to ensure safe and efficient operation of an aircraft during all phases of flight.</p> <p>In summary, operating procedures refer to a broader set of guidelines that cover all aspects of aircraft operation, while flight procedures specifically relate to the operation of an aircraft during flight.</p>



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
UAM.OP.VCA.105 Use of aerodromes or operating sites	190	137	Lilium	Partially accepted	The vertiport is a type of aerodrome to be used mostly by VTOL-capable aircraft (VCA). Requirements regarding vertiport adequacy can be found in point UAM.OP.MVCA.107. For a vertiport to qualify as adequate, it shall be compatible with the dimensions and weight of the VCA, with the VCA approach and departure paths, and equipped with services and facilities necessary for the intended operation. Also, AMC & GM will be provided for operators on the adequacy of vertiports and operating sites.
UAM.OP.VCA.105 Use of aerodromes or operating sites	190	1146	General Aviation Manufacturers Association (GAMA)	Partially accepted	Please, refer to the response to comment #137.
UAM.OP.VCA.105 Use of aerodromes or operating sites	190	956	Supernal	Not accepted	Please, refer to the response to comment #832.
UAM.OP.VCA.130 Noise - abatement procedures	191	863	Umwelt- und Nachbarschaftshaus	Noted	Part-IAM deals with VCA operations and the responsibilities of operators and their pilots for the safe operation of VCA. As to aircraft noise levels, they are subject to EASA certification and approval as part of the aircraft certification process. Noise levels are established in compliance with the applicable noise standards as defined in ICAO Annex 16 Volume I. They are the basis against which the national competent authorities of the EASA Member States issue individual noise certificates to aircraft on their registers. EASA publishes a database of certification noise levels containing all approved aircraft configurations. The database covers aircraft for which EASA has issued a type certificate data sheet for noise (TCDSN).
UAM.OP.VCA.125 Taxiing and ground movement	191	138	Lilium	Accepted	
UAM.OP.VCA.130 Noise - abatement procedures	191	331	ASD	Accepted	
UAM.OP.VCA.130 Noise - abatement procedures	191	76	DGAC FR (Mireille Chabroux)	Accepted	
UAM.OP.VCA.125 Taxiing and ground movement	191	1147	General Aviation Manufacturers Association (GAMA)	Accepted	
UAM.OP.VCA.135 Routes and areas of operation	191	501	JEDA	Not accepted	If the equipment for 'horizontal RNP and for height keeping' is part of the minimum aircraft equipment, then the current text covers future developments and need not be changed.
UAM.OP.VCA.135 Routes and areas of operation	191	500	JEDA	Not accepted	This is a general requirement applicable to both manned and unmanned VCA. It states that '... operations are only conducted along routes or within areas for which: (1) space-based facilities, ground facilities and services, and meteorological services, adequate for the planned operation, are provided;'. The use of U-space airspace is not mandatory by manned VCA.
UAM.OP.VCA.135 Routes and areas of operation	191	1296	European Helicopter Association	Accepted	The term 'surfaces' has been changed to 'adequate vertiports or operating sites'.
UAM.OP.VCA.130 Noise - abatement procedures	191	577	AIRBUS	Accepted	



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
UAM.OP.VCA.125 Taxiing and ground movement	191	1150	General Aviation Manufacturers Association (GAMA)	Accepted	
UAM.OP.VCA.130 Noise - abatement procedures	191	1148	General Aviation Manufacturers Association (GAMA)	Partially accepted	Please, refer to the response to comment #331.
UAM.OP.VCA.135 Routes and areas of operation	191	1318	Kusi	Accepted	The term 'surfaces' has been changed to 'adequate vertiports or operating sites'.
UAM.OP.VCA.135 Routes and areas of operation	191	660	NGFT	Accepted	The term 'surfaces' has been changed to 'adequate vertiports or operating sites'.
UAM.OP.VCA.125 Taxiing and ground movement	191	919	ADAC Luftrettung gGmbH	Accepted	
UAM.OP.VCA.135 Routes and areas of operation	191	917	European Helicopter Association	Accepted	The term 'surfaces' has been changed to 'adequate vertiports or operating sites'.
UAM.OP.VCA.135 Routes and areas of operation	191	903	DGAC FR (Mireille Chabroux)	Partially accepted	The term 'surfaces' has been replaced with 'adequate vertiports' in line with the requirements of SC-VTOL.
UAM.OP.VCA.145 Establishment of minimum flight altitudes and lateral clearance distances	192	370	German NSA (BAF)	Not accepted	Not accepted. Please, refer to point CAT.OP.MPA.145. The method for establishing minimum flight altitudes for IFR/VFR shall be approved by the competent authority. Where the minimum flight altitudes established by the operator and the State being overflown differ, the higher values shall apply. There are several methods for the establishment of minimum flight altitudes in IFR flights. For VFR operations by day, the operator should ensure that operations are only conducted along such routes or within such areas for which a safe terrain clearance can be maintained and take account of factors such as temperature, terrain, and unfavourable meteorological conditions.
UAM.OP.VCA.145 Establishment of minimum flight altitudes and lateral clearance distances	192	217	DGAC FR (Mireille Chabroux)	Accepted	Indeed, the VFR minimum flight altitudes according to SERA come with a lateral distance which in urban areas is 600 m, and in non-urban areas is 150 m. However, it is very likely that in urban areas VCA will be operated along predefined corridors that may be larger or narrower than 600 m.
UAM.OP.VCA.145 Establishment of minimum flight altitudes and lateral clearance distances	192	166	GdF	Noted	The requirements for UAS operations in the 'certified' category will be developed at a later stage.
UAM.OP.VCA.150 Fuel/energy scheme - general	192	77	DGAC FR (Mireille Chabroux)	Not accepted	The purpose here is to achieve consistency with Subpart OP.MPA.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
UAM.OP.VCA.155 Fuel/energy scheme - fuel/energy planning and in-flight replanning	193	925	ADAC Luftrettung gGmbH	Accepted	GM1 CAT.OP.MPA.181 for aeroplanes contains guidance on 'unforeseen factors'. There is no such GM for helicopters. Unforeseen factors are those that could have an influence on the fuel consumption to the destination aerodrome, such as deviations of an individual aeroplane from the expected fuel consumption data, deviations from forecast meteorological conditions, extended unexpected delays in flight, extended unexpected taxiing times, and deviations from planned routings and/or cruising levels. Unforeseen factors may differ based on the type of fuel scheme adopted by each operator; the higher the capability of the operator, the fewer unforeseen factors there may be. Based on GM1 CAT.OP.MPA.181, a GM will be provided to point UAM.OP.VCA.155(c)(3).
UAM.OP.VCA.155 Fuel/energy scheme - fuel/energy planning and in-flight replanning	193	203	Lilium	Partially accepted	Point (d)(2) will be reproduced in AMC. Point (d)(2) is about the application of predictive factors (safety margins) to the amount of final reserve fuel/energy that remains in the aircraft upon landing. These safety margins are typically established thanks to objective quantifiable data: fuel/energy consumption data provided in the AFM by the manufacturer or actual data from the aircraft fuel/energy consumption monitoring system. The operator needs to also account for the anticipated operating conditions, such as take-off and landing profiles, masses, meteorological conditions, effects of deferred maintenance items, departure and arrival routes, and delays, to name a few. These operating conditions also provide objective data that can be measured and factored in. When applying safety margins, the operator may use a pre-established factor(s).
UAM.OP.VCA.155 Fuel/energy scheme - fuel/energy planning and in-flight replanning	193	202	Lilium	Noted	AMC & GM will provide the necessary clarifications. The expression 'commit to land' has been deleted from point (a) since it refers to actual operation decision whilst the implementing regulation is about planning and selecting suitable aerodromes. According to definition (52a) of Regulation (EU) No 965/2012, 'go-around' means a transition from an approach operation to a stabilised climb. This includes manoeuvres conducted at or above the MDA/H or DA/H, or below the DA/H (balked landings). For VFR flights, no DA/H or MDA/H is established. The LDP is an aircraft performance parameter; it means the point used in determining landing performance from which, given an engine failure has been recognised at this point, the landing may be safely continued, or a balked landing initiated. The LDP by definition is the last point from which a go-around can be executed, while still meeting the minimum clearance, and should be used when considering the worst-case scenario. Point MOC.VTOL.2130(5)(c) requires a representative amount of time to perform a go-around from a LDP and another approach back to the LDP.
UAM.OP.VCA.155 Fuel/energy scheme - fuel/energy planning and in-flight replanning	193	201	Lilium	Accepted	AMC & GM will provide guidance with regard to the go-around profile to be considered for the calculation of the amount of final reserve fuel/energy. One or more profiles and associated final reserve fuel/energy will be provided by the OEM. The profiles will depend on the applicable flight rules.
UAM.OP.VCA.155 Fuel/energy scheme - fuel/energy planning and in-flight replanning	193	139	Lilium	Accepted	Indeed, the amount of fuel/energy necessary for landing from the LDP should only be calculated once for the planned route.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
UAM.OP.VCA.155 Fuel/energy scheme - fuel/energy planning and in-flight replanning	193	78	DGAC FR (Mireille Chabroux)	Not accepted	As regards final energy reserve, the implementing regulation does not suggest that it shall be used. Actually, the AFM will have data about the final energy reserve based on the energy needed for a go-around from LDP to LDP, as required by point MOC.2115. EASA strongly disagrees that accounting for human factors (e.g. PIC reaction time necessary to acknowledge a situation where the final reserve will not be preserved upon landing, take a decision to divert and/or declare minimum fuel) is not applicable to VCA operations. In fact, the definition of 'LDP' involves human factors considerations.
UAM.OP.VCA.155 Fuel/energy scheme - fuel/energy planning and in-flight replanning	193	1151	General Aviation Manufacturers Association (GAMA)	Partially accepted	
UAM.OP.VCA.155 Fuel/energy scheme - fuel/energy planning and in-flight replanning	193	524	Volocopter GmbH	Partially accepted	The term 'contingency fuel/energy' is defined in Annex I 'Definitions' (p. 26). Point UAM.OP.VCA.155(c)(3) will be aligned with that definition. Further guidance on contingency energy for VCA will be provided in AMC. GM1 CAT.OP.MPA.181 for aeroplanes contains guidance on 'unforeseen factors'. There is no such GM for helicopters. Unforeseen factors are those that could have an influence on the fuel consumption to the destination aerodrome, such as deviations of an individual aeroplane from the expected fuel consumption data, deviations from forecast meteorological conditions, extended unexpected delays in flight, extended unexpected taxiing times, and deviations from planned routings and/or cruising levels. Unforeseen factors may differ based on the type of fuel scheme adopted by each operator; the higher the capability of the operator, the fewer unforeseen factors there may be. Based on GM1 CAT.OP.MPA.181, a GM will be provided to point UAM.OP.VCA.155(c)(3). EUROCAE D-289_G only partially covers the objective of this implementing regulation, as it does not give details on the planning but more on how to determine remaining energy; it specifies standards for observation and prediction of the usable energy, while in flight.
UAM.OP.VCA.155 Fuel/energy scheme - fuel/energy planning and in-flight replanning	193	336	ASD	Accepted	
UAM.OP.VCA.155 Fuel/energy scheme - fuel/energy planning and in-flight replanning	193	335	ASD	Partially accepted	
UAM.OP.VCA.155 Fuel/energy scheme - fuel/energy planning and in-flight replanning	193	278	EUMETNET ASP	Noted	Please, refer to the responses to comments #269, #276, #278 and #279.
UAM.OP.VCA.155 Fuel/energy scheme - fuel/energy planning and in-flight replanning	193	585	AIRBUS	Accepted	



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
UAM.OP.VCA.155 Fuel/energy scheme - fuel/energy planning and in-flight replanning	193	584	AIRBUS	Partially accepted	
UAM.OP.VCA.155 Fuel/energy scheme - fuel/energy planning and in-flight replanning	193	1152	General Aviation Manufacturers Association (GAMA)	Accepted	Please, refer to the response to comment #925.
UAM.OP.VCA.155 Fuel/energy scheme - fuel/energy planning and in-flight replanning	193	1271	Direction de l'Aviation Civile	Not accepted	Final fuel/energy reserve is an operational issue that depends on factors such as consumption, ambient conditions and human factors, to name a few, that are typically subject to changes in real operations.
UAM.OP.VCA.155 Fuel/energy scheme - fuel/energy planning and in-flight replanning	193	1154	General Aviation Manufacturers Association (GAMA)	Accepted	Text has been clarified.
UAM.OP.VCA.155 Fuel/energy scheme - fuel/energy planning and in-flight replanning	193	1153	General Aviation Manufacturers Association (GAMA)	Accepted	
UAM.OP.VCA.160 Fuel/energy scheme - selection of aerodromes or operating sites	195	918	European Helicopter Association	Not accepted	Not accepted. The selection of aerodromes/operating sites is part of the operator's fuel/energy scheme. This concept becomes clearer when the operator needs to select alternate aerodromes/operating sites for the purpose of diversion and these alternates should be reachable with final reserve fuel preserved upon landing.
UAM.OP.VCA.170 Special refuelling or defuelling of the aircraft	195	525	Volocopter GmbH	Accepted	Indeed, it is applicable to VTOLs powered by conventional fuel. This will become evident in the associated GM.
UAM.OP.VCA.160 Fuel/energy scheme - selection of aerodromes or operating sites	195	1297	European Helicopter Association	Not accepted	The selection of aerodromes / operating sites is part of the operator's fuel/energy scheme. This concept becomes clearer when the operator needs to select alternate aerodromes/operating sites for the purpose of diversion and these alternates should be reachable with final reserve fuel preserved upon landing.
UAM.OP.VCA.170 Special refuelling or defuelling of the aircraft	195	1155	General Aviation Manufacturers Association (GAMA)	Accepted	Please, refer to the response to comment #525.
UAM.OP.VCA.170 Special refuelling or defuelling of the aircraft	195	1275	EDA/NH	Noted	Please, refer to the response to comment #525.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
UAM.OP.VCA.160 Fuel/energy scheme – selection of aerodromes or operating sites	195	661	NGFT	Not accepted	The selection of aerodromes / operating sites is part of the operator's fuel/energy scheme. This concept becomes clearer when the operator needs to select alternate aerodromes/operating sites for the purpose of diversion and these alternates should be reachable with final reserve fuel preserved upon landing.
UAM.OP.VCA.170 Special refuelling or defuelling of the aircraft	195	929	ADAC Luftrettung gGmbH	Accepted	Please, refer to the response to comment #525.
UAM.OP.VCA.245 Meteorological conditions	196	279	EUMETNET ASP	Not accepted	The proposal takes into account that VCA existing capabilities may not be sufficient to operate in all-weather conditions. Therefore, initially, before better performance is achieved and more data is obtained, VCA will be only allowed to operate in VMC/VFR by day. Please, also refer to the response to comment #269.
UAM.OP.VCA.245 Meteorological conditions	196	450	Europe Air Sports	Noted	Point UAM.OP.VCA.245 refers to point UAM.OP.MVCA.245 for manned VCA. In the future, it will refer to UAS for carriage of passengers or for delivery.
UAM.OP.VCA.270 Minimum flight altitudes/heights	198	905	DGAC FR (Mireille Chabroux)	Not accepted	Please, refer to point SERA.3105. Both terms are usually used in aviation: altitude with reference to MSL and height with reference to ground level.
UAM.OP.VCA.265 Take-off conditions	198	140	Lilium	Noted	For VFR operations, it makes sense to require that the conditions at the destination are equal to or above the VMC conditions already before departure, given the flight duration of the VCA. This is already embedded in the requirement on the selection of vertiports. When selecting an adequate vertiport, the PIC shall consider whether the actual and forecast weather conditions indicate that at the estimated time of arrival the conditions at the selected vertiport will be at or above the applicable vertiport operating minima and the occupants will be protected after landing in case of adverse weather. However, point UAM.OP.VCA.265 is a general requirement covering VFR and IFR operations. For future IFR operations with VCA, this may not be the case.
UAM.OP.VCA.290 Proximity detection	198	97	Supernal	Noted	Indeed, the warning may be triggered automatically by a proximity <u>warning</u> system and the requirement already mentions this. Appropriate response procedures for flight crews are determined after careful study of the aircraft performance capability. The procedures must be clearly defined by operators and, in the case of a warning, should be followed without hesitation as soon as triggered.
UAM.OP.VCA.260 Oil supply	198	526	Volocopter GmbH	Not accepted	The requirement applies to turbine-powered aircraft.
UAM.OP.VCA.265 Take-off conditions	198	280	EUMETNET ASP	Noted	Please, refer to the responses to comments #269, #276, #278 and #279.
UAM.OP.VCA.265 Take-off conditions	198	1156	General Aviation Manufacturers Association (GAMA)	Noted	Please, refer to the response to comment #140.
UAM.OP.VCA.260 Oil supply	198	1276	EDA/NH	Not accepted	Please, refer to the response to comment #526.
UAM.OP.MVCA.100 Use of air traffic services (ATS)	199	662	NGFT	Not accepted	Access requirements to U-space airspace are detailed in Implementing Regulation (EU) 2021/664.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
UAM.OP.MVCA.100 Use of air traffic services (ATS)	199	232	DGAC FR (Mireille Chabroux)	Not accepted	Please, refer to point SERA.6005.
UAM.OP.VCA.295 Collision avoidance	199	231	DGAC FR (Mireille Chabroux)	Not accepted	Point UAM.IDE.VCA.100(a) covers all instruments and equipment required by Part-IAM. It is not necessary to repeat this requirement each time a piece of equipment is mandated.
UAM.OP.VCA.300 Approach and landing conditions	199	208	Lilium	Accepted	
UAM.OP.VCA.300 Approach and landing conditions	199	207	Lilium	Not accepted	Point UAM.OP.MVCA.245 is about commencement of the flight, whilst point UAM.OP.VCA.300 is about approach and landing. Please note that aerodrome operating minima are established in point UAM.OP.MVCA.110.
UAM.OP.VCA.295 Collision avoidance	199	167	GdF	Not accepted	The implementing regulation is generic; it only requires a functional capability. The term 'DAA system' refers to any collision avoidance system, in both manned and unmanned VTOL-capable-aircraft operations, based on the use of electronic conspicuity devices.
UAM.OP.MVCA.100 Use of air traffic services (ATS)	199	99	Supernal	Not accepted	Other regulations deal with U-space airspace (Implementing Regulation (EU) 2021/664), and requirements for ATS (Regulation (EU) No 923/2012).
UAM.OP.VCA.295 Collision avoidance	199	98	Supernal	Noted	The function of the DAA system is automated. In the future, it is likely that the collision avoidance manoeuvre is also automated. The implementing regulation, however, focuses on the use of the system and the training of those using it.
UAM.OP.MVCA.100 Use of air traffic services (ATS)	199	224	ENAIRE	Not accepted	Responses to the individual comments: 1- This NPA is not about U-space airspace. 2- This NPA does not introduce deviations from ICAO for non-segregated UAS operations. 3- Operations in controlled airspace remain subject to ATC clearance. 4- Risk assessment and ATCO workload to be managed in accordance with point 3 above. 5- Manned VTOL-capable aircraft operated in U-space airspace are treated as any other manned aircraft (refer to GM2 Article1(1) of Commission Implementing Regulation (EU) 2021/664). 6- Manned VTOL-capable aircraft are not subject to U-space services.
UAM.OP.VCA.300 Approach and landing conditions	199	141	Lilium	Not accepted	The differences between point UAM.OP.VCA.300 and point UAM.OP.MVCA.305 are the following: - The timing of the meteorological information, which in the case of point UAM.OP.MVCA.305, is the latest possible information at the commencement of the approach. - Point UAM.OP.VCA.300 is a general requirement that may apply to both VFR and IFR operations, as well as to operations with unmanned aircraft. - Point UAM.OP.MVCA.305 applies to instrument approach procedures (IAP) where the visibility conditions are not sufficient for the pilot to establish visual reference to the runway/FATO. Both above requirements will not be published as part of the Opinion with the proposed regulatory amendments which are dedicated only to VFR day operations. IFR operations will be addressed in a future NPA.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
UAM.OP.VCA.295 Collision avoidance	199	1201	Joby Aviation	Not accepted	Please, refer to the response to comment #1157.
UAM.OP.VCA.295 Collision avoidance	199	1157	General Aviation Manufacturers Association (GAMA)	Not accepted	Predetermined VFR routes for operations with VTOL-capable aircraft may be established by the national competent authority as part of the appropriate traffic organisation/management based on a risk assessment, but they are not mandatory. Part-IAM does not require the establishment of predefined routes. This should be a risk- and performance-based measure.
UAM.OP.MVCA.100 Use of air traffic services (ATS)	199	920	European Helicopter Association	Not accepted	The requirements as regards access to U-space airspace are detailed in Implementing Regulation (EU) 2021/664.
UAM.OP.VCA.295 Collision avoidance	199	502	JEDA	Accepted	
UAM.OP.MVCA.100 Use of air traffic services (ATS)	199	451	Europe Air Sports	Not accepted	Requirements as regards operational procedures, such as checking the functional capability of an item of equipment of a device, typically apply to pilots and/or air operators and are contained in Regulation (EU) No 965/2012.
UAM.OP.VCA.300 Approach and landing conditions	199	281	EUMETNET ASP	Noted	Please, refer to the responses to comments #269, #276, #278 and #279.
UAM.OP.MVCA.100 Use of air traffic services (ATS)	199	1298	European Helicopter Association	Not accepted	Access requirements to U-space airspace are detailed in Commission Implementing Regulation (EU) 2021/664.
UAM.OP.VCA.295 Collision avoidance	199	1254	European Cockpit Association	Not accepted	The requirement for a DAA system equipment is airspace based. Where airspace has been segregated, a DAA system may not be required.
UAM.OP.MVCA.100 Use of air traffic services (ATS)	199	1340	Gregory Walden	Noted	
UAM.OP.MVCA.100 Use of air traffic services (ATS)	199	1277	EDA/NH	Noted	Point UAM.OP.MVCA.100 is applicable to manned VTOL-capable aircraft only. The USSP does not provide instructions to manned aircraft. With the future extension of the scope to unmanned aircraft, your proposal will be taken into account.
UAM.OP.VCA.300 Approach and landing conditions	199	1158	General Aviation Manufacturers Association (GAMA)	Not accepted	Please, refer to the responses to comments #141, #207 and #208.
UAM.OP.MVCA.100 Use of air traffic services (ATS)	199	1065	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Not accepted	U-space airspace is a segregated area established for unmanned aircraft by the competent authority of the place of operation. This shall be a risk- and performance-based measure. If U-space airspace overlaps with airspace where ATC service is being provided to manned aircraft, the separation minima applicable in that airspace remain the same and the ATC service continues to be provided to manned aircraft in the same manner.
UAM.OP.VCA.295 Collision avoidance	199	986	ENAC - Ente Nazionale per l'Aviazione Civile	Accepted	
UAM.OP.MVCA.100 Use of air traffic services (ATS)	199	833	FOCA (Switzerland)	Not accepted	The rationale means that when the ATC unit segregates manned VTOL-capable aircraft from UAS, UAS operators will have to discontinue their flights, vacate the restricted part of the U-space airspace, or conform with amended flight authorisations, as applicable.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
UAM.OP.MVCA.100 Use of air traffic services (ATS)	199	831	FOCA (Switzerland)	Accepted	The draft implementing regulation has been amended and the new text addresses your concern.
UAM.OP.MVCA.107 Adequate aerodrome	200	371	German NSA (BAF)	Noted	The text has been amended to consider the fact that class E airspace does not provide ATC service to VFR traffic.
UAM.OP.MVCA.107 Adequate aerodrome	200	142	Lilium	Accepted	
UAM.OP.MVCA.107 Adequate aerodrome	200	96	DGAC FR (Mireille Chabroux)	Partially accepted	The Opinion allows the use of diversion locations.
UAM.OP.MVCA.107 Adequate aerodrome	200	1159	General Aviation Manufacturers Association (GAMA)	Accepted	
UAM.OP.MVCA.125 Instrument departure and approach procedures	201	921	European Helicopter Association	Noted	Please, refer to the response to comment #663.
UAM.OP.MVCA.126 Performance-based navigation (PBN)	201	169	GdF	Noted	The Air Operations Regulation typically contains requirements applicable to air operators and crew members. Responsibilities for occurrence reporting are contained in Regulation (EU) No 376/2014. Responsibilities for UTM/ATM/ATCOs may be found in other regulations, such as Commission Implementing Regulation (EU) 2017/373, Commission Regulation (EU) 2015/340 and Commission Implementing Regulation (EU) 2021/664.
UAM.OP.MVCA.126 Performance-based navigation (PBN)	201	143	Lilium	Not accepted	The AFM is part of the OM. According to point ORO.MLR.101, Part B of the OM contains aircraft operating matters, comprising all type-related instructions and procedures, taking into account differences between types/classes, variants or individual aircraft used by the operator. When compiling an OM, the operator may take advantage of the contents of other relevant documents. Material produced by the operator for the type-related part of the OM (i.e. Part B) may be supplemented with, or substituted by, applicable parts of the AFM or, where such a document exists, by an aircraft operating manual produced by the manufacturer of the aircraft.
UAM.OP.MVCA.125 Instrument departure and approach procedures	201	220	ENAIRE	Noted	Please note that the Air Operations Regulation does not lay down responsibilities for ATM/ANS providers. Point (c)(2) covers the cases where the operator, under certain conditions, may design its own approach procedures and include associated SOPs in its OM on the basis of a safety risk assessment. Please, refer also to the response to comment #219.
UAM.OP.MVCA.125 Instrument departure and approach procedures	201	219	ENAIRE	Noted	Instrument departure and approach procedures requirements are not part of this Opinion. They will be developed at a later stage.



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UAM.OP.MVCA.126 Performance-based navigation (PBN)	201	374	German NSA (BAF)	Noted	Routes where PBN is required are not predefined routes where air traffic segregation is applied. However, a predetermined route established by the competent authority for VCA operation may be associated with certain requirements for PBN capabilities.
UAM.OP.MVCA.125 Instrument departure and approach procedures	201	373	German NSA (BAF)	Not accepted	Point UAM.OP.MVCA.125(b) mirrors point SERA.8015(b)(6) from the perspective of the PIC of the aircraft. The ultimate responsibility during flight time always remains with the PIC. The PIC shall inform ATC if an air traffic control clearance is not satisfactory. In such cases, ATC will issue an amended clearance, if practicable.
UAM.OP.MVCA.110 Aerodrome operating minima	201	372	German NSA (BAF)	Not accepted	Vertiport operating minima consist of two parts: one relating to the cloud base and one relating to the visibility and/or RVR. Minima for VCA operations to vertiports need to be established by the operator for VFR/IFR departure and approach/landings. These minima shall not be lower than those established for such vertiport by the State in which it is located, unless specifically approved by that State. Any increment specified by the competent authority shall be added to the minima.
UAM.OP.MVCA.126 Performance-based navigation (PBN)	201	1161	General Aviation Manufacturers Association (GAMA)	Not accepted	Please, refer to the response to comment #143.
UAM.OP.MVCA.125 Instrument departure and approach procedures	201	1299	European Helicopter Association	Noted	Please, refer to the response to comment #663.
UAM.OP.MVCA.126 Performance-based navigation (PBN)	201	957	Supernal	Not accepted	Please, refer to the response to comment #143.
UAM.OP.MVCA.125 Instrument departure and approach procedures	201	663	NGFT	Noted	PinS departures and PinS approaches for helicopters are already addressed in Regulation (EU) No 965/2012.
UAM.OP.MVCA.165 Passenger seating	202	810	German Unmanned Aviation Association (VUL)	Not accepted	Please, refer to the response to comment #12.
UAM.OP.MVCA.175 Flight preparation	202	144	Lilium	Not accepted	Point UAM.OP.MVCA.175 is not about training flights. Please, refer to point IAM.GEN.050 for the scope of Part-IAM.
UAM.OP.MVCA.175 Flight preparation	202	527	Volocopter GmbH	Not accepted	The requirement about 'oil' is applicable to turbine-powered aircraft. Hence, the items listed in point UAM.OP.MVCA.175(b)(7) apply provided they are relevant for a given aircraft type and propulsion system.
UAM.OP.MVCA.165 Passenger seating	202	12	ACI EUROPE	Not accepted	VCA will come in different designs and seating capacities. This implementing regulation is about the operator's arrangements for passenger seats with direct access to emergency exits and for categories of passengers who should not be allocated to seats that permit direct access to emergency exits. A VCA with four or more seats is unlikely to have four or more emergency exits.
UAM.OP.MVCA.175 Flight preparation	202	1204	Joby Aviation	Not accepted	Please, refer to the response to comment #1169.
UAM.OP.MVCA.170 Passenger briefing	202	1202	Joby Aviation	Noted	Please, refer to the response to comment #1162.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
UAM.OP.MVCA.175 Flight preparation	202	1169	General Aviation Manufacturers Association (GAMA)	Not accepted	Before compiling the OM, the operator should consider the appropriateness of those items. The PIC cannot, during flight preparations, assess whether one or another item is appropriate for the planned flight. Their duty is to check whether the requirements of the OM can be complied with.
UAM.OP.MVCA.175 Flight preparation	202	1167	General Aviation Manufacturers Association (GAMA)	Not accepted	Please, refer to the response to comment #144.
UAM.OP.MVCA.170 Passenger briefing	202	1162	General Aviation Manufacturers Association (GAMA)	Noted	The implementing regulation is very clear in terms of safety objective. Means of compliance will be provided in related AMC & GM. Safety briefing material may include but is not limited to a safety video or a safety briefing card. In any case, the information in the safety briefing material should be presented in a clear and unambiguous manner and in a form easily understandable to passengers. Only providing a safety video prior to boarding would not suffice when it comes to the operation of safety equipment on board or emergency exits available.
UAM.OP.MVCA.175 Flight preparation	202	689	FOCA Switzerland	Accepted	
UAM.OP.MVCA.155 Carriage of special categories of passengers (SCPs)	202	958	Supernal	Not accepted	Please, refer to the response to comment #144.
UAM.OP.MVCA.181 Fuel/energy scheme - selection of aerodromes	203	282	EUMETNET ASP	Noted	Please, refer to the responses to comments #269, #276, #278 and #279.
UAM.OP.MVCA.181 Fuel/energy scheme - selection of aerodromes	203	102	DGAC FR (Mireille Chabroux)	Accepted	Changes have been introduced to clarify the concept of point of commitment at the planning stage. It is a reference point that should be defined such that the safe landing options, including the destination vertiport, are reachable at the point of commitment, taking into account the aircraft minimum certified performance following a non-catastrophic failure. The aircraft performance will be known to the operator from the AFM; hence, the range to any of the landing options is known in the pre-flight planning.
UAM.OP.MVCA.181 Fuel/energy scheme - selection of aerodromes	203	640	ASD	Noted	The destination vertiport is one of the safe landing options.
UAM.OP.MVCA.190 Submission of ATS flight plan	204	889	FAA	Noted	Current point CAT.OP.MPA.177 served as a basis for this implementing regulation. AMC1 CAT.OP.MPA.177 will be used to provide means of compliance. As it is evident from AMC1 CAT.OP.MPA.177, no VFR flight plan is required.
UAM.OP.MVCA.200 Charging of batteries while passengers are embarking, on board, or disembarking	204	145	Lilium	Accepted	



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
UAM.OP.MVCA.200 Charging of batteries while passengers are embarking, on board, or disembarking	204	1189	General Aviation Manufacturers Association (GAMA)	Noted	Please, refer to the response to comment #537.
UAM.OP.MVCA.200 Charging of batteries while passengers are embarking, on board, or disembarking	204	931	ADAC Luftrettung gGmbH	Not accepted	<p>These implementing regulations have different purpose and scope.</p> <p>Points UAM.OP.MVCA.195 (new UAM.OP.MVCA.200) and UAM.OP.VCA.185 (new UAM.OP.MVCA.200) address conventional fuel since Part-IAM has a wider scope than electric VCA.</p> <p>Point UAM.OP.MVCA.200 (new UAM.OP.MVCA.205) is intended for electric propulsion VCA. It is, therefore, a separate implementing regulation relevant to charging battery packs mounted on VCA.</p> <p>Battery swaps is a different procedure which requires an approval under the CAW requirements. Please, see also comment #537.</p>
UAM.OP.MVCA.200 Charging of batteries while passengers are embarking, on board, or disembarking	204	529	Volocopter GmbH	Not accepted	<p>These implementing regulations have different purpose and scope.</p> <p>Points UAM.OP.MVCA.195 (new UAM.OP.MVCA.200) and UAM.OP.VCA.185 (new UAM.OP.MVCA.200) address conventional fuel since Part-IAM has a wider scope than electric VCA.</p> <p>Point UAM.OP.MVCA.200 (new UAM.OP.MVCA.205) is intended for electric propulsion VCA. It is, therefore, a separate implementing regulation relevant to charging battery packs mounted on VCA.</p>
UAM.OP.MVCA.195 Fuelling/defuelling while passengers are embarking, on board, or disembarking	204	528	Volocopter GmbH	Not accepted	<p>These implementing regulations have different purpose and scope.</p> <p>Points UAM.OP.MVCA.195 (new UAM.OP.MVCA.200) and UAM.OP.VCA.185 (new UAM.OP.MVCA.200) address conventional fuel since Part-IAM has a wider scope than electric VCA.</p> <p>Point UAM.OP.MVCA.200 (new UAM.OP.MVCA.205) is intended for electric propulsion VCA. It is, therefore, a separate implementing regulation relevant to charging battery packs mounted on VCA.</p> <p>Battery swaps is a different procedure which requires an approval under the applicable CAW requirements. Please, refer to the response to comment #537.</p>
UAM.OP.MVCA.190 Submission of ATS flight plan	204	452	Europe Air Sports	Not accepted	If an ATS flight plan has not been filed because it is not required, the operator should make sure that the flight is known to the alerting services. This is equally important for both urban and non-urban areas.
UAM.OP.MVCA.195 Fuelling/defuelling while passengers are embarking, on board, or disembarking	204	1181	General Aviation Manufacturers Association (GAMA)	Not accepted	Please, refer to the responses to comments #528 and #537.
UAM.OP.MVCA.195 Fuelling/defuelling while passengers are embarking, on board, or disembarking	204	930	ADAC Luftrettung gGmbH	Not accepted	Please, refer to the responses to comments #528 and #537.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
UAM.OP.MVCA.245 Meteorological conditions	205	1193	General Aviation Manufacturers Association (GAMA)	Partially accepted	
UAM.OP.MVCA.245 Meteorological conditions	205	204	Lilium	Accepted	
UAM.OP.MVCA.245 Meteorological conditions	205	176	Lilium	Accepted	
UAM.OP.MVCA.245 Meteorological conditions	205	105	DGAC FR (Mireille Chabroux)	Partially accepted	This implementing regulation is intended to apply to VFR flights as well.
UAM.OP.MVCA.240 Smoking on board	205	175	Lilium	Not accepted	Unnecessarily complex text. In small VTOL-capable aircraft (single cabin, no separate flight deck), no sperate compartment may be used for smoking.
UAM.OP.MVCA.240 Smoking on board	205	1191	General Aviation Manufacturers Association (GAMA)	Not accepted	Please, refer to the response to comment #175.
UAM.OP.MVCA.245 Meteorological conditions	205	283	EUMETNET ASP	Noted	
UAM.OP.MVCA.230 Securing of passenger compartment	205	267	skyguide Compliance Management	Accepted	
UAM.OP.MVCA.305 Commencement and continuation of approach	206	1200	General Aviation Manufacturers Association (GAMA)	Accepted	
UAM.OP.MVCA.305 Commencement and continuation of approach	206	205	Lilium	Accepted	
UAM.OP.MVCA.305 Commencement and continuation of approach	206	177	Lilium	Accepted	In addition, texts relevant to IFR are not part of the related Opinion.
UAM.OP.MVCA.305 Commencement and continuation of approach	206	106	DGAC FR (Mireille Chabroux)	Accepted	
NAM.OP.VCA.050 Scope	207	1341	Gregory Walden	Noted	This refers only to UAS operated in the 'certified' category, as opposed to the 'open' and 'specific' category. Please note that 'certified UAS' does not necessarily mean that it is operated in the 'certified' category.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
NAM.OP.VCA.105 Use of aerodromes or operating sites	207	2	Patrick WILLS	Noted	
NAM.OP.VCA.050 Scope	207	454	Europe Air Sports	Not accepted	Typically, the PIC refers to the POH where all relevant information and data is contained.
NAM.OP.MVCA.050 Scope	208	455	Europe Air Sports	Not accepted	Typically, the PIC refers to the POH where all relevant information and data is contained.
UAM.POL.VCA.100 Certification basis	209	1203	General Aviation Manufacturers Association (GAMA)	Accepted	
UAM.POL.VCA.100 Certification basis	209	238	DGAC FR (Mireille Chabroux)	Not accepted	Module UAM.POL requirements are intended to be applicable not only to aircraft certified under SC-VTOL 'Enhanced category', but also to an equivalent certification basis or higher, which may be determined by EASA in the future. Module UAM.POL will also apply to UAS cargo deliveries for which the certification basis will most likely be CS-23/-27/-29 or SC-VTOL 'Enhanced category', complemented with CS-UAS. The above will be clarified in AMC to point UAM.POL.VCA.100.
UAM.POL.VCA.100 Certification basis	209	178	Lilium	Accepted	
UAM.POL.VCA.110 General performance requirements	209	107	DGAC FR (Mireille Chabroux)	Accepted	
UAM.POL.VCA.110 General performance requirements	209	284	EUMETNET ASP	Not accepted	As it has already been established by many studies, density altitude has a significant influence on aircraft and engine performance, so operators and pilots need to fully understand its effects and take them into account. The 'pressure altitude and temperature' requirement of point CAT.POL.H.105(c)(3)(i) for helicopters has been replaced with 'density altitude' for VTOLs, which is pressure altitude corrected for non-standard temperature. On a hot day, which in some urban areas will be even hotter, the aircraft will climb more slowly as the air density decreases. The less dense the air, the less lift, the more lacklustre the climb. As regards winds in urban areas, the same requirements are today applicable to helicopters. The change in wind velocity and direction is something that the PIC should take into account when preparing to take off or land. Subpart POL defines a nominal envelope for the flight.
UAM.POL.VCA.115 Obstacle accountability	210	1000	FOCA (Switzerland)	Not accepted	By definition, VTOL-capable aircraft are not helicopters; Part-IAM is not applicable to helicopters; and the 'D-value' is defined in point (a)(1)(i). Considering these three arguments, no confusion is anticipated.
UAM.POL.VCA.115 Obstacle accountability	210	1300	European Helicopter Association	Noted	Please, refer to the response to comment #664.
UAM.POL.VCA.115 Obstacle accountability	210	664	NGFT	Noted	Nothing in the Air Operations Regulation prevents other aircraft from using automatic approach and landing procedures, if certified to do so.
UAM.POL.VCA.115 Obstacle accountability	210	922	European Helicopter Association	Noted	Please, refer to the response to comment #664.
UAM.POL.VCA.120 Take-off	211	959	Supernal	Noted	Please, refer to the response to comment #206.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
UAM.POL.VCA.120 Take-off	211	206	Lilium	Noted	Transition point is not the TDP as the rationale text clearly states. Transition point is the point where the VCA transitions from the initial (vertical) portion of the take-off trajectory to a forward flight until VTOSS and a positive rate of climb (RoC) is achieved.
UAM.POL.VCA.120 Take-off	211	179	Lilium	Accepted	
UAM.POL.VCA.120 Take-off	211	1205	General Aviation Manufacturers Association (GAMA)	Noted	Please, refer to the responses to comments #179 and #206.
UAM.POL.VCA.125 Take-off flight path	212	1206	General Aviation Manufacturers Association (GAMA)	Accepted	Please, refer to the response to comment #180.
UAM.POL.VCA.125 Take-off flight path	212	180	Lilium	Accepted	
UAM.POL.VCA.135 Landing	213	1207	General Aviation Manufacturers Association (GAMA)	Accepted	Please, refer to the response to comment #181.
UAM.POL.VCA.135 Landing	213	181	Lilium	Accepted	
UAM.POL.VCA.130 En route	213	108	DGAC FR (Mireille Chabroux)	Not accepted	No comment placed.
UAM.POL.VCA.130 En route	213	1301	European Helicopter Association	Not accepted	Point UAM.POL.VCA.130 applies to situations where at least one segment of the flight (be it commercial or non-commercial) is over a congested area, namely because the exposure of uninvolved third parties on the ground is the same.
UAM.POL.VCA.145 Mass and balance data, documentation	214	1269	Direction de l'Aviation Civile	Noted	It should only refer to 'zero fuel mass' for VCA that are not powered by batteries.
NAM.POL.VCA.050 Scope	216	456	Europe Air Sports	Not accepted	Typically, the PIC refers to the POH where all relevant information and data is contained.
NAM.POL.VCA.135 Landing	217	944	Civil Aviation Authority the Netherlands	Noted	NAM modules in principle, and NAM.POL in particular, apply to situations where all segments of the flight are outside congested areas (i.e. lower risk), and where the aircraft may be certified, for example, in the 'basic' category (lower safety objective). In fact, aircraft certification may be a limiting factor as regards the areas where the operation may take place. Thus, 'basic' category aircraft may operate commercial / non-commercial air transport of cargo or non-commercial air transport of passengers only in non-congested areas.
NAM.POL.VCA.130 En route	217	109	DGAC FR (Mireille Chabroux)	Accepted	
NAM.POL.VCA.130 En route	217	665	NGFT	Not accepted	The text is based on point CAT.IDE.H.205 where an upper torso restraint system incorporating a device that will automatically restrain the occupant's torso in the event of rapid deceleration is only required for the pilot seat. This is clearly evident in point UAM.IDE.MVCA.205(b)(2).
UAM.IDE.VCA.100 Instruments and equipment	218	579	AIRBUS	Accepted	In principle, EASA agrees that, if available, the certification specifications for energy measuring and displaying equipment and for an autopilot should be referenced in AMC.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
UAM.IDE.VCA.100 Instruments and equipment	218	332	ASD	Accepted	In principle, EASA agrees that, if available, the certification specifications for energy measuring and displaying equipment and for an autopilot should be referenced in AMC.
UAM.IDE.VCA.100 Instruments and equipment	218	503	JEDA	Not accepted	EFBs are not required by Part-IAM. Where an EFB is used on board an aircraft, the operator shall ensure that it does not adversely affect the performance of the aircraft systems or equipment, or the ability of the flight crew members to operate the aircraft (refer to point UAM.IDE.VCA.100(b)). This means that installed EFBs are part of the aircraft and are, therefore, certified as part of the aircraft airworthiness approval. Portable EFBs are not part of the aircraft and may be used away from the flight deck, but they may be connected to the aircraft by (for example) a power supply or data connection (refer to AMC1 CAT.GEN.MPA.141(a)).
UAM.IDE.VCA.100 Instruments and equipment	218	1208	General Aviation Manufacturers Association (GAMA)	Accepted	Please, refer to the response to comment #332.
UAM.IDE.MVCA.125 Flight instruments and associated equipment	219	1209	General Aviation Manufacturers Association (GAMA)	Partially accepted	Due to the variety of VTOL designs, it will be very difficult to create a prescriptive list of instruments that differentiate between flight rules. The specific design and various levels of automation will certainly impact the required flight instruments. Both points will be complemented by GM.
UAM.IDE.MVCA.125 Flight instruments and associated equipment	219	233	DGAC FR (Mireille Chabroux)	Partially accepted	In urban areas, any VCA operated by a single pilot in IMC must be equipped with an autopilot or must be flown with a second-in-command. However, in non-urban areas where aircraft not certified for commercial operations are flown, no autopilot should be required for any IFR as is today the case with other aircraft. Therefore, a legal hook will be provided at implementing regulation level to allow for the installation of autopilot. Point (b) will be amended to include crew workload as a consideration for additional equipment. The proposed text for point (c) will be included in AMC.
UAM.IDE.MVCA.145 Height-determination equipment	220	1210	General Aviation Manufacturers Association (GAMA)	Accepted	Please, refer to the response to comment # 183.
UAM.IDE.MVCA.180 Public address system (PAS)	220	185	Lilium	Not accepted	References to MOPSC are inappropriate considering that: the safety equipment depends on the risks for occupants and ground risks, and not on the number of pax; and the VCA will be up to 3 175 kg, mostly two-seater. The ability to give instructions to passengers is crucial for passenger safety and does not depend on the number of pax. The rule provides for sufficient flexibility by not requiring VCA that do not have a bulkhead between the pilot and the passengers to have a public address system.
UAM.IDE.MVCA.160 Airborne weather-detecting equipment	220	184	Lilium	Partially accepted	References to MOPSC are inappropriate considering that the safety equipment depends on the risks for occupants and ground risks, and not on the number of passengers. Considering the latest technological developments in communications systems, the rule will be amended to include the possibility to receive accurate and timely weather information by data link.
UAM.IDE.MVCA.145 Height-determination equipment	220	183	Lilium	Accepted	The radio altimeter is an acceptable means of compliance. Radio altimeters onboard aircraft do not operate as an independent avionics component; they are integrated into the aircraft flight management computer systems and are also a critical input component to the TAWS. TAWS that rely on a radio altimeter reading to derive vertical position information may also be acceptable.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
UAM.IDE.MVCA.145 Height-determination equipment	220	459	Europe Air Sports	Not accepted	Accepted #1. A mistake due to oversight. Not accepted #2. This requirement is for a radio altimeter on flights in urban (congested) areas over water, in situations clearly defined in the implementing regulation: out of sight of the land; in a visibility less than 1 500 m; at night; and at a distance from land corresponding to more than 3 minutes at normal cruising speed. These conditions are based on safety risks and have nothing to do with the number of occupants.
UAM.IDE.MVCA.180 Public address system (PAS)	220	1217	General Aviation Manufacturers Association (GAMA)	Not accepted	Please, refer to the response to comment #185.
UAM.IDE.MVCA.160 Airborne weather-detecting equipment	220	1215	General Aviation Manufacturers Association (GAMA)	Not accepted	Please, refer to the response to comment #184.
UAM.IDE.MVCA.160 Airborne weather-detecting equipment	220	1211	General Aviation Manufacturers Association (GAMA)	Not accepted	Please, refer to the response to comment #184.
UAM.IDE.MVCA.190 Flight data recorder (FDR)	221	690	FOCA Switzerland	Noted	
UAM.IDE.MVCA.185 Cockpit voice recorder (CVR)	221	234	DGAC FR (Mireille Chabroux)	Accepted	
UAM.IDE.MVCA.190 Flight data recorder (FDR)	221	110	DGAC FR (Mireille Chabroux)	Noted	
UAM.IDE.MVCA.185 Cockpit voice recorder (CVR)	221	960	Supernal	Not accepted	Please, refer to ICAO Annex 6 for more information on the various recorders/recordings and their use. Data link recording is different from a cockpit voice recorder.
UAM.IDE.MVCA.191 Flight recorder	222	811	German Unmanned Aviation Association (VUL)	Not accepted	ICAO Annex 6 Part IV on RPAS also prescribes flight recorder equipment along with a ground-based recorder.
UAM.IDE.MVCA.191 Flight recorder	222	186	Lilium	Not accepted	Point UAM.IDE.MVCA.191 requires a lightweight flight recorder for VTOL-capable aircraft with an MCTOM of 5 700 kg or less, instead of FDRs and CVRs. The requirements to record audio in the flight crew compartment and radio communication messages with air traffic service (ATS) units are specific, because it is the only flight recorder on board.
UAM.IDE.MVCA.191 Flight recorder	222	1311	JEDA	Not accepted	Please, refer to the response to comment #811.
UAM.IDE.MVCA.191 Flight recorder	222	1306	Volocopter GmbH	Accepted	
UAM.IDE.MVCA.191 Flight recorder	222	1218	General Aviation Manufacturers Association (GAMA)	Not accepted	Please, refer to the response to comment #186.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
UAM.IDE.MVCA.191 Flight recorder	222	824	UAV DACH e.V.	Not accepted	Please, refer to the response to comment #811.
UAM.IDE.MVCA.205 Seats, seat safety belts, restraint systems and child restraint devices	223	1220	General Aviation Manufacturers Association (GAMA)	Accepted	
UAM.IDE.MVCA.205 Seats, seat safety belts, restraint systems and child restraint devices	223	187	Lilium	Accepted	
UAM.IDE.MVCA.205 Seats, seat safety belts, restraint systems and child restraint devices	223	530	Volocopter GmbH	Not accepted	The text is based on point CAT.IDE.H.205 where an upper torso restraint system incorporating a device that will automatically restrain the occupant's torso in the event of rapid deceleration is only required for the pilot seat. This is clearly evident in point UAM.IDE.MVCA.205(b)(2).
UAM.IDE.MVCA.210 'Fasten seat belt' and 'no smoking' signs	224	980	European Helicopter Association	Not accepted	Please, refer to the response to comment #666.
UAM.IDE.MVCA.220 First- aid kits	224	189	Lilium	Accepted	AMC1 CAT.IDE.H.220 'First-aid kits' will be used to provide details on the content of the first-aid kit.
UAM.IDE.MVCA.210 'Fasten seat belt' and 'no smoking' signs	224	188	Lilium	Accepted	
UAM.IDE.MVCA.210 'Fasten seat belt' and 'no smoking' signs	224	1302	European Helicopter Association	Not accepted	Please, refer to the response to comment #666.
UAM.IDE.MVCA.220 First- aid kits	224	1223	General Aviation Manufacturers Association (GAMA)	Accepted	
UAM.IDE.MVCA.210 'Fasten seat belt' and 'no smoking' signs	224	1221	General Aviation Manufacturers Association (GAMA)	Accepted	
UAM.IDE.MVCA.210 'Fasten seat belt' and 'no smoking' signs	224	666	NGFT	Not accepted	It is not clear whether all equipment requirements are considered 'no sense' or only the 'FASTEN SEAT BELT' and 'NO SMOKING' signs. Also, not clear what is meant by 'small VTOL'.
UAM.IDE.MVCA.300 Flights over water	225	616	Volocopter GmbH	Noted	Text has been deleted. Please, refer to the response to comment #221.
UAM.IDE.MVCA.280 Emergency locator transmitter (ELT)	225	236	DGAC FR (Mireille Chabroux)	Partially accepted	Related AMC & GM will provide details on the performance requirements for an automatic tracking system and a beacon. However, these performance requirements cannot be aligned with point CAT.GEN.MPA.210 as they are not adequate for HOFO/VTOL.
UAM.IDE.MVCA.250 Handheld fire extinguishers	225	235	DGAC FR (Mireille Chabroux)	Noted	Commission Regulation (EU) No 744/2010 applies to all aircraft.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
UAM.IDE.MVCA.300 Flights over water	225	221	DGAC FR (Mireille Chabroux)	Noted	<p>1. Point UAM.IDE.MVCA.300 refers to certification for ditching, emergency flotation, and limited overwater operations.</p> <p>2. The comment is not accepted. VCA have no gliding/autorotation capability. The design of an aeroplane or a helicopter is likely to always meet the 'limited overwater category' requirements.</p> <p>From an operations and aircraft certification perspective, the aim is to enhance the survivability of occupants. Compared to emergency flotation and ditching, the set of requirements for the limited overwater category are much lighter. The most challenging requirement, however, is that the aircraft must stay afloat for 15 minutes following the functional loss of a buoyancy component. The other requirements will not be demanding in terms of weight, complexity, and cost.</p> <p>3. Related AMC & GM will provide further guidance on how NAAs may escalate the certification requirements in the case of increased safety risks when, e.g., operating over a river with streams compared to a lake.</p> <p>4. The comment is accepted.</p>
UAM.IDE.MVCA.300 Flights over water	225	193	Lilium	Accepted	
UAM.IDE.MVCA.280 Emergency locator transmitter (ELT)	225	192	Lilium	Noted	<p>Point UAM.IDE.MVCA.280 requires an automatic ELT, whilst point UAM.IDE.MVCA.311 requires a survival ELT.</p> <p>There are four types of ELTs:</p> <ul style="list-style-type: none"> o ELT(AD) emergency locator transmitter (automatically deployable), o ELT(AF) emergency locator transmitter (automatic fixed), o ELT(AP) emergency locator transmitter (automatic portable), o ELT(S) survival emergency locator transmitter. <p>More information on the types of ELTs and general technical specifications are contained in AMC2 CAT.IDE.H.280.</p>
UAM.IDE.MVCA.275 Emergency lighting and marking	225	191	Lilium	Accepted	<p>An AMC will be added to read:</p> <p>'For small passenger cabins, one sign may be used for each emergency exit as both the locating and marking sign. This must be visible in daylight or in the dark.'</p>
UAM.IDE.MVCA.250 Handheld fire extinguishers	225	190	Lilium	Not accepted	<p>Point VTOL.2325(b)(1) refers to the provision of extinguishing means when practical, which has some relevance to handheld fire extinguishers.</p> <p>However, SC VTOL.2325 does not specify the handheld fire-extinguishing agent type.</p> <p>Point VTOL.2325(b)(2) has nothing to do with handheld fire extinguishers.</p>
UAM.IDE.MVCA.250 Handheld fire extinguishers	225	538	Volocopter GmbH	Not accepted	At least one handheld fire extinguisher is needed.
UAM.IDE.MVCA.275 Emergency lighting and marking	225	534	Volocopter GmbH	Accepted	Please, refer to the response to comment #191.
UAM.IDE.MVCA.300 Flights over water	225	1228	General Aviation Manufacturers Association (GAMA)	Accepted	Please, refer to the response to comment #193.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
UAM.IDE.MVCA.280 Emergency locator transmitter (ELT)	225	1226	General Aviation Manufacturers Association (GAMA)	Noted	Please, refer to the response to comment # 192.
UAM.IDE.MVCA.275 Emergency lighting and marking	225	1225	General Aviation Manufacturers Association (GAMA)	Accepted	Please, refer to the response to comment #191.
UAM.IDE.MVCA.250 Handheld fire extinguishers	225	1224	General Aviation Manufacturers Association (GAMA)	Not accepted	Point VTOL.2325(b)(1) refers to the provision of extinguishing means when practical, which has some relevance to handheld fire extinguishers. However, SC VTOL.2325 does not specify the handheld fire-extinguishing agent type. Point VTOL.2325(b)(2) has nothing to do with handheld fire extinguishers.
UAM.IDE.MVCA.280 Emergency locator transmitter (ELT)	225	535	Volocopter GmbH	Not accepted	ELT equipment does not depend on the requirements on airspace class. It depends on the type of flight, the area over which an ELT is required for reasons of availability of SAR services and accessibility of SAR services to a crash site.
UAM.IDE.MVCA.300 Flights over water	225	643	ASD	Accepted	Please, refer to the response to comment #193.
UAM.IDE.MVCA.305 Life jackets and other equipment	226	1230	General Aviation Manufacturers Association (GAMA)	Accepted	
UAM.IDE.MVCA.305 Life jackets and other equipment	226	194	Lilium	Partially accepted	Currently, for helicopter offshore operations (HOFO) only, a constant-wear life jacket, survival suit and emergency breathing system (EBS) are required for passengers on board a HOFO mission. A similar requirement related to VCA will replace points (c), (d) and (e). For other flights, life jackets should be at an easy reach of each occupant. The additional ditching survival equipment is not mandated.
UAM.IDE.MVCA.305 Life jackets and other equipment	226	1232	General Aviation Manufacturers Association (GAMA)	Partially accepted	Please, refer to the response to comment #194.
UAM.IDE.MVCA.311 Survival equipment	227	961	Supernal	Noted	Please, refer to the response to comment #195.
UAM.IDE.MVCA.330 Radio communication equipment	227	237	DGAC FR (Mireille Chabroux)	Noted	Point (a) states: 'VTOL-capable aircraft shall be equipped with at least one radio communication system [...] and as many more as necessary for the type of operation to be conducted and the class of airspace in which the operation shall take place.' This means that VCA operated under IFR or under VFR over routes that cannot be navigated by reference to visual landmarks shall be equipped with radio communication equipment in accordance with the applicable airspace requirements, under a similar requirement as that for helicopters (refer to point CAT.IDE.H.345(a)).
UAM.IDE.MVCA.311 Survival equipment	227	195	Lilium	Partially accepted	In principle, the Air Ops Regulation does not regulate search and rescue areas. A search and rescue area of defined dimensions is typically associated with a rescue coordination centre within which search and rescue services are provided. The respective rescue coordination centre is competent for and shall be able to establish areas where search and rescue is particularly difficult. GM2 CAT.IDE.H.305 will be used for a GM to point UAM.IDE.MVCA.311. Point UAM.IDE.MVCA.280 requires an automatic ELT, whereas point UAM.IDE.MVCA.311 requires a survival ELT, as this is only for flights in certain areas where search and rescue is difficult.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
UAM.IDE.MVCA.311 Survival equipment	227	1237	General Aviation Manufacturers Association (GAMA)	Noted	Please, refer to the response to comment #195.
UAM.IDE.MVCA.345 Navigation equipment	228	1238	General Aviation Manufacturers Association (GAMA)	Noted	Please, refer to the response to comment #196.
UAM.IDE.MVCA.345 Navigation equipment	228	196	Lilium	Noted	AMC will be provided using AMC2 CAT.IDE.H.345 as a basis. No navigation equipment is required for VFR flights/routes. Ground-based nav aids or GNSS navigation or INS may be used to establish position in VFR flights only to supplement visual navigation. For IFR flights, navigation equipment relying on VOR/DME, NDB/ADF or on GNSS, is an acceptable means of compliance. For long-range navigation, two different long-range navigational systems are required. Having an INS and a GNSS onboard satisfies that requirement. The INS cannot be the sole means of navigation; modern INS are integrated into GNSS navigation equipment.
UAM.IDE.MVCA.350 Transponder	228	536	Volocopter GmbH	Partially accepted	The SSR requirement will be simplified.
NAM.IDE.MVCA.300 Flights over water	229	461	Europe Air Sports	Not accepted	The scope of NCO is non-commercial operations with aeroplanes and helicopters, where the ground risk is significantly lower than that of VTOL-capable aircraft operations. The limitation in point NAM.IDE.MVCA.300 refers to VTOL-capable aircraft certified in the 'basic' category.
NAM.IDE.VCA.050 Applicability	229	460	Europe Air Sports	Noted	No pilot operates an aircraft while reading a regulation. The operator usually develops manuals and pilot operating handbooks based on the applicable regulatory requirements to assist its pilots.
3.7. Proposed amendments to Commission Regulation (EU) No 1178/2011	230	693	FOCA Switzerland	Accepted	The reference has been updated accordingly.
3.7. Proposed amendments to Commission Regulation (EU) No 1178/2011	230	216	Lilium	Accepted	The text has been updated accordingly.
3.7. Proposed amendments to Commission Regulation (EU) No 1178/2011	230	214	Lilium	Not accepted	The current text does not refer to an 'entire training course' but just to 'training for extending instructor privileges' which can be understood as the very training that is needed to extend privileges — not less, not more. EASA, therefore, believes that no additional text is necessary.
3.7. Proposed amendments to Commission Regulation (EU) No 1178/2011	230	213	Lilium	Not accepted	After reviewing it, EASA, together with the RMT.0230 FCL expert group, considered that in the context of the transitional provision as regards innovative VTOL-capable aircraft pilot licensing, there is no need to allow OSD to determine a different type-rating validity period. It is not believed that a shorter or longer validity period would be necessary/appropriate. Also, from an administrative point of view, a standardised 1-year validity period is preferred.
3.7. Proposed amendments to Commission Regulation (EU) No 1178/2011	230	513	DGAC FR (Mireille Chabroux)	Partially accepted	As regards the information below, references are made to Article 4f as presented in NPA 2022-06. The following proposals made in your comment are accepted and will be reflected in the updated text:



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
					<p>- In Article 4f(4)(a), the word 'valid' has been deleted for consistency with other Part-FCL requirements and their general interpretation according to which 'holder of a licence, rating or certificate' always refers to valid licences, valid ratings or valid certificates.</p> <p>- Article 4f(6)(a) and (8)(a): Text changed to require the involvement of ATOs or, in case of examiners, the CAA for the refresher training, for consistency with existing Part-FCL requirements.</p> <p>With regard to the remaining content of your comment/proposal:</p> <p>- As regards Article 4f(a), EASA fails to see a difference between your proposal and the text as shown in the NPA.</p> <p>- The phrase 'including mandatory training elements' is already well established and commonly understood (see, for example, point FCL.725(a), second sentence).</p> <p>- In Article 4f(7), when the text refers to 'instructor privileges as per paragraph 4', it means instructors for aeroplanes or helicopters who additionally hold instructor privileges in accordance with that Article. A stand-alone instructor certificate for VTOL training is not introduced with Article 4f.</p>
3.7. Proposed amendments to Commission Regulation (EU) No 1178/2011	230	462	Europe Air Sports	Not accepted	Please, refer to the response to comment #196.
3.7. Proposed amendments to Commission Regulation (EU) No 1178/2011	230	390	H. Raeder	Noted	EASA agrees that point ORO.FC.240 is not applicable and that appropriate conditions should be established for the operation of different VTOL types or the operation of aeroplanes/helicopters and VTOLs in parallel. For this topic, please refer to the final draft regulation text as published with the Opinion, and the related explanatory note.
3.7. Proposed amendments to Commission Regulation (EU) No 1178/2011	230	261	Civil Aviation Authority the Netherlands	Not accepted	Please, refer to the response to comment #198.
3.7. Proposed amendments to Commission Regulation (EU) No 1178/2011	230	260	Civil Aviation Authority the Netherlands	Noted	A consistency check between the draft rule text from NPA 2021-12 and NPA 2022-06 will be performed.
3.7. Proposed amendments to Commission Regulation (EU) No 1178/2011	230	254	DGAC FR (Mireille Chabroux)	Noted	Such a comprehensive change in the OSD framework is outside the scope of this RMT. However, EASA will consider your comment in general when reviewing the OSD process in the future.
3.7. Proposed amendments to Commission Regulation (EU) No 1178/2011	230	1246	General Aviation Manufacturers Association (GAMA)	Noted	Your comment was discussed with the RMT.0230 FCL expert group, with the following conclusion: For the initial phase, it is too early to allow IR(A) and IR(H) holders to keep their instrument rating valid by solely flying VTOL-capable aircraft under IFR, considering also the (potential) different operational environments of flying under IFR in a VTOL on the one hand and in a conventional aeroplane or helicopter on the other hand. Such cross-credit option may, after consideration of experience gained with VTOL-capable aircraft operations, be part of NPA#2 (long-term solution) but should not be introduced already with Article 4f.
3.7. Proposed amendments to Commission Regulation (EU) No 1178/2011	230	1244	General Aviation Manufacturers Association (GAMA)	Not accepted	Please, refer to the response to comment #1223.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
3.7. Proposed amendments to Commission Regulation (EU) No 1178/2011	230	1101	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Not accepted	Please, refer to the response to comment #196.
3.7. Proposed amendments to Commission Regulation (EU) No 1178/2011	230	1243	General Aviation Manufacturers Association (GAMA)	Not accepted	Please, refer to the response to comment #1224.
3.7. Proposed amendments to Commission Regulation (EU) No 1178/2011	230	692	FOCA Switzerland	Accepted	The reference has been updated accordingly.
3.7. Proposed amendments to Commission Regulation (EU) No 1178/2011	230	691	FOCA Switzerland	Accepted	The reference has been updated accordingly.
3.7. Proposed amendments to Commission Regulation (EU) No 1178/2011	230	1047	Danish Civil Aviation and Railway Authority - DCARA	Noted	EASA fails to see a particular proposal in your comment. In general, EASA confirms that, for the initial (transitional) phase, only CPL(A) and CPL(H) holders will be entitled to obtain additional privileges to fly VTOL-capable aircraft, for the reasons explained in NPA 2022-06. In the long term, the future regulatory framework will include VTOL pilot ab initio training, with no need to already hold a CPL(A) or CPL(H).
3.7. Proposed amendments to Commission Regulation (EU) No 1178/2011	230	1029	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Not accepted	Please, refer to the response to comment #196.
3.7. Proposed amendments to Commission Regulation (EU) No 1178/2011	230	945	Civil Aviation Authority the Netherlands	Noted	Article 4f(2)(b) was drafted with the intention to allow OSD to determine additional training elements that are necessary considering the background of the applicant (e.g. more training in hovering for aeroplane pilots). The ongoing OSD processes have been adjusted to particularly consider this aspect.
3.7.1. Annex I (Part-FCL)	233	1172	Joby Aviation	Not accepted	Please, refer to the response to comment #1231.
3.7.1. Annex I (Part-FCL)	233	262	Civil Aviation Authority the Netherlands	Noted	Please, refer to the response to comment #1229.
3.8.2. Annex - Rules of the air	234	1096	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Noted	As stated in the explanatory note (Section 2.3.6.3, p. 44), vertiports are considered part of the aerodromes.
3.8.2. Annex - Rules of the air	234	212	Lilium	Not accepted	Arguments well understood; however, at this stage there are no sufficient performance parameters of manned VTOL-capable aircraft available. This is why, at least in the initial phase, such approach is considered necessary to ensure safety! The assessment of EASA is based on identified risks of operations over urban areas and a density of traffic potentially much higher than what has been observed with helicopter operations until now. Once more experience is gained, this limitation could be removed.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
3.8.2. Annex - Rules of the air	234	211	Lilium	Not accepted	It has to be clarified that a FATO is a runway. As such, point SERA.8012 does apply. However, there is a need for detailed research in relation to different VTOLs and wake turbulence generated.
SERA.2010 Responsibilities	234	544	DJI Technology	Noted	It is considered that the current requirement covers properly the subject.
Article 2 Definitions	234	263	Civil Aviation Authority the Netherlands	Noted	To be considered based on future developments in SERA and specificities of gyroplanes.
3.8.2. Annex - Rules of the air	234	1251	General Aviation Manufacturers Association (GAMA)	Not accepted	It has to be clarified that a FATO is a runway. As such, point SERA.8012 does apply. However, there is a need for detailed research in relation to different VTOLs and wake turbulence generated.
Article 2 Definitions	234	543	DJI Technology	Not accepted	'Minimum fuel' is a term well defined and known, based on ICAO material, and only the 'energy' aspect was taken into account for the proposed amendment as it concerns a new type of propulsion.
SERA.9005 Scope of flight information service	236	836	FOCA (Switzerland)	Noted	The optimistic view is noted. This NPA does not address U-space operations but operations in the 'certified' category that are also expected to apply SERA, as indicated in Article 7(3) of Commission Implementing Regulation (EU) 2019/947. It should also be noted that the proposed requirement includes the condition 'pertinent' for the information to be provided.
SERA.8020 Adherence to flight plan	236	210	Lilium	Noted	Adequate adaptations have been made in the related Opinion.
SERA.8020 Adherence to flight plan	236	209	Lilium	Not accepted	'Alternate aerodrome' is a specific term defined in SERA (Article 2(38)). Here, the term 'alternative' describes an option that may or may not be an 'alternate aerodrome'.
SERA.9005 Scope of flight information service	236	120	IFATCA	Noted	The elements described in the comment are not always provided for other cases listed in point SERA.9005 (e.g. 'any other information likely to affect safety') and the lead-in sentence contains the word 'pertinent' which allows air traffic services to use their best judgement to determine which information is to be provided to aircraft. As indicated in SERA (GM1 SERA.9005(b)(2)), it is known that information may not always be complete or available.
SERA.11012 Minimum fuel/energy and fuel/energy emergency	236	545	DJI Technology	Not accepted	The operating instructions for ATCOs are not part of SERA and not addressed in this NPA, especially since manned VTOL-capable aircraft are handled like other aircraft except for the energy aspect.
SERA.9005 Scope of flight information service	236	375	German NSA (BAF)	Not accepted	The lead-in sentence contains the word 'pertinent' which allows air traffic services to use their best judgement to determine which information is to be provided to aircraft. As indicated in SERA (GM1 SERA.9005(b)(2)), it is known that information may not always be complete or available.
SERA.9005 Scope of flight information service	236	265	skyguide Compliance Management	Not accepted	The lead-in sentence contains the word 'pertinent' which allows air traffic services to use their best judgement to determine which information is to be provided to aircraft. As indicated in SERA (GM1 SERA.9005(b)(2)), it is known that information may not always be complete or available. The condition that information may only be provided for activities that are known is fully acknowledged.
SERA.9005 Scope of flight information service	236	1255	European Cockpit Association	Noted	UAS operations are required to follow SERA for the 'certified' and the 'specific' category of operations, as established by Article 7 of Commission Implementing Regulation (EU) 2019/947. Other types of UAS operations may justify that air traffic services provide related pertinent information (when available) to manned aircraft.
SERA.8020 Adherence to flight plan	236	1249	General Aviation Manufacturers Association (GAMA)	Not accepted	'Alternate aerodrome' is a specific term defined in SERA (Article 2(38)). Here, the term 'alternative' describes an option that may or may not be an 'alternate aerodrome'.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
SERA.9005 Scope of flight information service	236	1030	Danish Civil Aviation and Railway Authority - DCARA	Not accepted	The lead-in sentence contains the word 'pertinent' which allows air traffic services to use their best judgement to determine which information is to be provided to aircraft
4. Impact assessment (IA)	241	464	Europe Air Sports	Not accepted	Please, refer to the response to comment #1020.
4.1. Innovative air mobility - introduction to the issue	241	891	FAA	Noted	
4.1.1. Drivers	242	892	FAA	Noted	
4.1.2. Issues	242	20	ACI EUROPE	Noted	Security checks of passengers and aircrew, as well as scanning of luggage and cargo, are the responsibility of vertiport operators. The vertiport is a type of aerodrome and, as such, should meet certain requirements with regard to design and operation.
4.1.2. Issues	242	19	ACI EUROPE	Noted	Valid comment. To be addressed at later stage. Work is ongoing on all aspects of VTOLs and wake turbulence.
4.1.2. Issues	242	1256	European Cockpit Association	Accepted	See-and-avoid is the last barrier and must be complemented by other technical (e.g. DAA) and procedural measures. This is well understood and the reason for, e.g., operations on predefined routes combined with dynamic airspace reconfiguration in the initial phase of operations until other tools/procedures become available.
4.1.2. Issues	242	350	Norwegian Air Traffic Controller Association	Noted	
4.1.2. Issues	242	894	FAA	Not accepted	The approach to the regulations for VTOL-capable aircraft and the underlying safety risk assessment is technology agnostic. The suggested safety risks are linked to energy storage/management operations, which is implied by the refuelling/recharging of the aircraft.
4.1.3. Safety risk assessment	244	895	FAA	Not accepted	The approach to the regulations for VTOL-capable aircraft and the underlying safety risk assessment is technology agnostic. The suggested safety risks are linked to energy storage/management operations, which is implied by the refuelling/recharging of the aircraft.
4.1.3. Safety risk assessment	244	463	Europe Air Sports	Noted	Incomplete comment.
4.1.3.2.1 Risk to occupants	245	897	FAA	Not accepted	The screening of passengers and luggage/cargo is not linked to safety risks but rather to security risks. These security risks are addressed through dedicated requirements applicable to aircraft and vertiport operators.
4.1.3.2.2 Ground safety risk	249	898	FAA	Not accepted	The approach to the regulations for VTOL-capable aircraft and the underlying safety risk assessment is technology agnostic. The suggested safety risks are linked to energy storage/management operations, which is implied by the charging of aircraft.
4.1.3.2.2 Ground safety risk	249	902	FAA	Not accepted	The screening of passengers and luggage/cargo is not linked to safety risks but rather to security risks. These security risks are addressed through dedicated requirements applicable to aircraft and vertiport operators.
4.1.3.2.3 Air safety risk	253	351	Norwegian Air Traffic Controller Association	Noted	The impact assessment contained in the NPA considers the general case and cannot review each and every specific local situation. If somewhere UAS traffic in CTR Class D is already considered being dense today, specific measures should be implemented locally to guarantee the safety level in absence of DAA or equivalent. As of 2023, U-space might be one of the options.
4.1.3.2.3 Air safety risk	253	227	ENAIRES	Not accepted	Manned VTOL-capable aircraft are treated like manned aircraft and are controlled by ATC. Once VTOL operations become unmanned, this changes and they will be managed by USSPs and related services.
4.1.3.2.3 Air safety risk	253	226	ENAIRES	Noted	This is self-explanatory. Uncontrolled airspace is accurately and well defined, whereas U-space airspace is well described in Implementing Regulation (EU) 2021/664.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
4.1.3.2.3 Air safety risk	253	225	ENAIRE	Noted	Generation of a DAR would happen only in U-space + controlled airspace, which is not the case for OPE#2.
4.1.3.2.3 Air safety risk	253	172	GdF	Noted	
4.1.3.2.3 Air safety risk	253	170	GdF	Noted	Point 4.1.3.2.3.2.3 relates to controlled airspace without U-space (OPE#3). It means that traffic is controlled under the rules for controlled airspace and subject to the requirements for the applicable class of controlled airspace. It is for the State to decide what kind of traffic and which traffic density can be acceptable or not, and to adapt the airspace classification to maintain the safety levels.
4.1.3.2.3 Air safety risk	253	171	GdF	Noted	Point 4.1.3.2.3.2.3 relates to controlled airspace without U-space (OPE#3). The issues related to cost should be addressed at national level when designing the agreements between ANSPs, USSPs and CISP(s). This is not the subject of the subject NPA.
4.1.3.2.3 Air safety risk	253	965	Tuncay Deniz	Noted	As stated in the explanatory note, EASA is aware that the traffic management at vertiports is still unknown and will necessitate a more in-depth analysis once the concept is described in more detail. A slot allocation system will have to be considered and implemented at least at a later stage when traffic figures increase.
4.1.3.2.3 Air safety risk	253	384	German NSA (BAF)	Noted	This sentence refers to operations conducted in VFR but below VMC conditions, with the support of, e.g., accurate navigation systems.
4.1.3.2.3 Air safety risk	253	383	German NSA (BAF)	Noted	Class E is controlled airspace, and in such airspace the possibility for ATC to apply the DAR would be subject to its awareness of the manned traffic, namely the manned aircraft would contact ATC to notify its flight in Class E airspace. Details regarding how a known VFR flight would be taken into account and protected against the risk of collision with UAS operating in U-space airspace located in Class E airspace are expected to be determined by the local authorities taking into account the conspicuity requirement.
4.1.3.2.3 Air safety risk	253	382	German NSA (BAF)	Partially accepted	Figure 14 has been corrected! The title of Figure 14 should be amended since the case 'OPE#4' addresses controlled airspace within U-space. Being subject to ATC for a VFR flight in Class E airspace depends on the decision of the pilot to contact ATC and make it aware of their flight in Class E airspace.
4.1.3.2.3 Air safety risk	253	381	German NSA (BAF)	Not accepted	The case 'OPE#4' corresponds to controlled airspace within U-space. The text of the title will remain unchanged, but the text of the box will be amended to read: 'SAC-OPE#4: The probability of in-flight collision or near-collision between a VFR operation with manned VTOL-capable aircraft with other airspace users in controlled airspace with U-space shall not be greater than a collision between a VFR helicopter operation (performed under an AOC) with other airspace users in controlled airspace.'
4.1.3.2.3 Air safety risk	253	380	German NSA (BAF)	Noted	Indeed, these corridors would fall under the definition referred to in the comment (see definition 140 in the NPA referring to 'corridors'), and their design and integration in local procedures would be ensured by local authorities based on local geography and constraints.
4.1.3.2.3 Air safety risk	253	379	German NSA (BAF)	Noted	A respective concept is not yet developed. A third party will require certification and may be, e.g., the vertiport operator.
4.1.3.2.3 Air safety risk	253	378	German NSA (BAF)	Not accepted	Point 1: Airspace Class E is controlled airspace, so it cannot be treated separately. Point 2: There is a mismatch between title and content. The correct text will be amended to 'controlled airspace without U-space'.
4.1.3.2.3 Air safety risk	253	377	German NSA (BAF)	Noted	A respective concept is not yet developed. Such management will require certification and may be, e.g., the vertiport operator. Regarding a vertiport located in controlled airspace, the case needs to be carefully assessed and flight procedures developed.
4.1.3.2.3 Air safety risk	253	376	German NSA (BAF)	Noted	Indeed, these corridors would fall under the definition referred to in the comment (see definition 140 in the NPA referring to 'corridors'), and their design and integration in local procedures would be ensured by local authorities based on local geography and constraints.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
4.1.3.2.3 Air safety risk	253	1322	Markus Engelhart - umlaut	Noted	The assumptions of the SIA are based on available material. It is not expected that helicopters and manned VTOL-capable aircraft would not be able to coexist in such environments on the basis of SERA and ATC clearance.
4.1.3.2.3 Air safety risk	253	1324	Markus Engelhart - umlaut	Noted	The assumptions of the SIA are based on available material. The risk of MAD is expected to be mitigated in conjunction with Commission Implementing Regulations (EU) 2019/947 and (EU) 2021/664 and the decisions of the national authorities based on the ARA.
4.1.3.2.3 Air safety risk	253	1323	Markus Engelhart - umlaut	Noted	The arguments are well understood; however, at this stage there are no sufficient performance parameters of manned VTOL-capable aircraft available. This is why, at least in the initial phase, such approach is considered necessary to ensure safety! Once more experience is gained, this limitation could be removed.
4.1.3.2.3 Air safety risk	253	1321	Markus Engelhart - umlaut	Noted	
4.1.3.2.3 Air safety risk	253	1262	European Cockpit Association	Noted	The final decision will be for local authorities to take.
4.1.3.2.3 Air safety risk	253	547	DJI Technology	Accepted	EASA is well aware. Respective work is ongoing.
4.1.3.2.3 Air safety risk	253	1259	European Cockpit Association	Accepted	All manned aircraft tending to fly in U-space inside uncontrolled airspace have to be equipped with an electronic conspicuity device.
4.1.3.2.3 Air safety risk	253	1066	Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)	Accepted	Text to be adapted in the text box and in the figure, as necessary.
4.1.3.2.3 Air safety risk	253	904	FAA	Noted	EASA's annual safety review reports provide some air accident analyses (especially for rotorcraft operations, please refer to Sections 3.2, 3.3 and 3.4 of the document available at https://www.easa.europa.eu/en/downloads/136901/en); however, flight-hour data to determine rates is not currently available in Europe. EASA would appreciate to be able to review the corresponding safety assessment from the FAA, especially how the chosen safety objectives for the aircraft contributes to UAM safety levels, compared to other modes of transports for the occupants, and the anticipated level of risk to third parties.
4.1.3.2.3 Air safety risk	253	843	FOCA (Switzerland)	Accepted	Text to be adapted in the text box and in the figure, as necessary.
4.1.3.2.3 Air safety risk	253	839	FOCA (Switzerland)	Accepted	Text to be adapted in the text box and in the figure, as necessary.
4.1.4. Who is affected	279	1006	FOCA (Switzerland)	Noted	
4.1.4. Who is affected	279	173	GdF	Partially accepted	General aviation aircraft are required to be equipped with electronic conspicuity devices if tending to fly inside U-space located outside controlled airspace for the purpose of being detected/identified by the USSP automatically using respective technical infrastructure. There is <u>no</u> direct connection required between a GA pilot and a USSP.
4.1.4. Who is affected	279	122	IFATCA	Partially accepted	General aviation aircraft are required to be equipped with electronic conspicuity devices if tending to fly inside U-space located outside controlled airspace for the purpose of being detected/identified by the USSP automatically using respective technical infrastructure. There is <u>no</u> direct connection required between a GA pilot and a USSP.
4.1.4. Who is affected	279	385	German NSA (BAF)	Not accepted	The list is not meant to be exhaustive. EASA refers to 'competent authority' (CA) in general terms, but there might be different CAs being competent for approving different aspects of the Regulation.
4.1.4. Who is affected	279	1342	Gregory Walden	Accepted	Text amended.



SEGMENT_DESCRIPTION	START_PAGE	CRD COMMENT #	COMMENTATOR	RESPONSE	RATIONALE
4.1.5. How could the issue evolve	280	814	German Unmanned Aviation Association (VUL)	Not accepted	Point 4.1.5 is not meant to list the affected stakeholders but rather identify the consequences in a what-if scenario when no regulatory initiative in the listed domains would be started.
4.1.5. How could the issue evolve	280	13	ACI EUROPE	Not accepted	Point 4.1.5 is not meant to list the affected stakeholders but rather identify the consequences in a what-if scenario when no regulatory initiative in the listed domains would be started.
4.2. Introduction to the options	281	907	FAA	Partially accepted	Point 4.1.5 is meant to identify the consequences in a what-if scenario when no regulatory initiative in the listed domains would be started. The lack of such regulatory initiative at European Union level may lead to the development of different regulations and rules in various Member States and the possible establishment of different levels of safety and imposition of administrative burden.
4.3.1.1 Description of the options	284	954	FAA	Noted	As explained on p. 285 of the NPA, it is acknowledged that Option 2 'represents the highest possible safety standard'.
4.3.1. Options for the continuing airworthiness of UAS subject to certification and operated in the 'specific' category	284	1320	Markus Engelhart - umlaut	Not accepted	Please consider that Part-ML.UAS and Part-CAO.UAS would not apply to all UAS operated in the 'specific' category. They would apply only if all the following conditions are met: - the UAS has been issued with a TC or a restricted TC; - the UAS is operated in high risk (SAIL V and VI) and an airworthiness certificate is obtained in accordance with Commission Implementing Regulation (EU) 2019/947.
4.3.1. Options for the continuing airworthiness of UAS subject to certification and operated in the 'specific' category	284	1343	Gregory Walden	Noted	
4.3.2.1.1 VTOL-capable aircraft employed in emergency medical services (VEMS)	287	908	FAA	Accepted	Please, refer to the response to comment #183.
4.3.2. Options for manned VTOL-capable aircraft	287	1325	Markus Engelhart - umlaut	Not accepted	It seems there is a misunderstanding of what was discarded and what was retained. The following elements in relation to the VEMS options have been discarded: • Use exemptions to regulate VEMS; • Develop a stand-alone regulation that will duplicate existing operator and authority requirements. The selected option is to develop a dedicated regulatory framework for VEMS within the existing Air Operations Regulation, which will use HEMS requirements as a basis.
4.3.2.1.2 Certification of non-commercial operators of manned VTOL-capable aircraft	288	1263	Direction de l'Aviation Civile	Noted	Please, refer to the response to comment #1020.
5. Proposed actions to support implementation	293	817	German Unmanned Aviation Association (VUL)	Accepted	EASA is already engaged in actively supporting and evaluating the outcomes of several demonstrator projects being currently deployed in Europe, particularly through the SESAR JU.
5. Proposed actions to support implementation	293	14	ACI EUROPE	Accepted	EASA is already engaged in actively supporting and evaluating the outcomes of several demonstrator projects being currently deployed in Europe, particularly through the SESAR JU.



