European Union Aviation Safety Agency

Model aircraft

Does the new EU Regulation on drones also apply to model aircraft?

Answer

Yes, the EU Regulation on drones applies also to model aircraft. However, model aircraft are not the main 'target' of the new rules. EASA is aware that aeromodelling is a hobby that has been practised for almost a century by many pilots throughout Europe, with an excellent safety record. EASA is also aware that it's a hobby that has always been important for the development of aviation technology and attracts young people to aviation-related professions.

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Why have model aircraft been considered the same as drones?

Answer

Both model aircraft and drones are unmanned aircraft and therefore it makes sense that both need to be considered under the same regulation.

With the inclusion of model aircraft in the EU UAS Regulation, the intention of the legislator was not to introduce new restrictions, but to enable EASA Member States to continue applying their current requirements for model aircraft. It explicitly encourages States to do so and provides various options for this, with one important exception: the need for the model aircraft owner to register themselves as UAS operator and make their registration number visible on (or easily accessible within) the aircraft while on the ground.

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What distinguishes a model aircraft from a drone?

Answer

They both have a flying part and a remote control. In addition, both may be used for recreational purposes. In reality, the difference between them lies more in how the aircraft is operated:

• Pilots of model aircraft are generally more interested in the pleasure of the flight and in directly controlling the aircraft's flight surfaces.

• Pilots of drones on the other hand are generally more interested in checking the video being filmed with the on-board camera in the drone and prefer to use automatic functions to stabilise the drone.

What is the result? Pilots of model aircraft are passionate aviators and normally quite well informed about the safety rules, especially when they operate within the framework of a model aircraft club or association.

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In some specialised forums we see some discussions on the applicability date of the EU Regulation on drones. Can you confirm that it has been in force since December 31, 2020? Are you aware of any EASA Member States requesting a postponement of the application of the Regulation?

Answer

Correct! On December 31, 2020 the EU UAS Regulation became applicable in all EU Member States, plus two of the EFTA States: Norway and Liechtenstein. It is expected that it will soon become applicable in Switzerland and Iceland too. The Regulation includes transitional provisions so that certain elements become applicable later and the full Regulation will become applicable on the January 1, 2023. There are no plans to postpone this.

It is important to note that until January 1, 2023 the EU UAS Regulation does not apply to operations conducted in the context of model aircraft clubs and associations. After this date clubs or associations could receive an authorisation from their State (according to Article 16 of the EU UAS Regulation) allowing them to operate with different limitations and conditions, as set in that authorisation.

Therefore, model aircraft clubs and associations need to address this with their national

aviation authorities. Other elements of the Regulation, like the definition of geographical zones, etc. have been already applicable since December 31, 2020.

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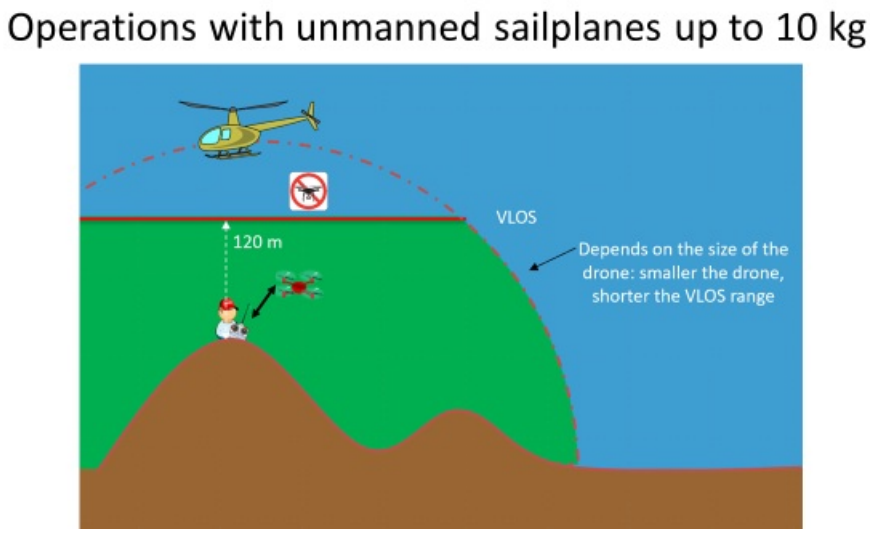
Link:

https://www.easa.europa.eu/en/faq/132026

You mentioned that the Member States have the power to identify designated areas for the purpose of aeromodelling where drone and model aircraft operations are exempt from some of the ‘open’ category requirements. What are the advantages/disadvantages of this ‘option’?

Answer

This is a very flexible tool at the disposition of the States. Depending on their risk, drone and model aircraft operations in some areas in the country may be exempt from some of the ‘open’ category requirements. This may apply also to mountainous areas where slope soaring flights with model sailplanes are conducted. For example, the Regulation allows slope soaring flights with unmanned sailplanes up to 10 kg to exceed the 120 m limit from the ground, as long as the aircraft remains below 120 m from the position of the remote pilot (see picture below).



The State authorities may create a zone where the limitations are even extended; for instance, the maximum height limit or the maximum weight can be increased. Several of these zones have already been published and EASA is aware of initiatives of citizens discussing with the State authorities to obtain exemptions in some areas. The exemption defined under these requirements is applicable to all pilots operating in such areas.

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EASA's Basic Regulation (EU) 2018/1139 (as the name indicates) is the top-level regulation that defines the main scope of EASA's functions and its limits in terms of delegation provided by the European Commission. On this basis, the EU UAS Regulation states in the recitals: '(27) Since model aircraft are considered as UAS and given the good safety level demonstrated by model aircraft operations in clubs and associations, there should be a seamless transition from the different national systems to the new Union regulatory framework, so that model aircraft clubs and associations can continue to operate as they do today, as well as taking into account existing best practices in the Member States'. Has this indication been taken into account? If so, how?

Answer

Yes! When drafting the legislation, we took into consideration the multiple comments provided by European aeromodellers. This is the main reason why the legislator' has not introduced new restrictions for European aeromodellers. The regulator offered instead three options to pilots of model aircraft:

1. **Operate within the framework of a model aircraft club or association (according to Article 16)** Model aircraft clubs and associations provide an environment emphasising a strong safety culture and, in many cases, offering extensive guidance, safety information and courses to their members and the wider model flying community. This creates a safety culture that all pilots operating within the framework of the model aircraft club or association are willing to follow. Model aircraft clubs and associations may receive from their national aviation authority an operational authorisation that sets the conditions for the operation of model aircraft. This can be based on relevant national rules or the established procedures defined by the club or association. The limits defined by the authorisation may be different from those for the 'open' category (e.g. flying with drones/model aircraft heavier than 25 kg, at a height more than 120 m, etc.). EASA considers this the best way to operate model aircraft.
2. **Operate in a UAS geographical zone where drone and model aircraft operations are**

exempt from some of the ‘open’ category requirements (according to Article 15) States may identify geographical zones where drone and model aircraft operations are exempt from some of the ‘open’ category requirements (e.g. flying with drones/model aircraft heavier than 25 kg, at a height more than 120 m, etc.). Each pilot operating in these zones can benefit from these exemptions.

3. **Operate in subcategory A3 of the ‘open’ category** All model aircraft may be operated in subcategory A3, following the operational limitation defined in the Regulation. New ‘ready to fly’ model aircraft (sold as a complete system) purchased after the 1st of January 2023 need to have a C4 class identification label if they are to be operated within the ‘open’ category. This label will ensure that the aircraft comes with proper instructions from the manufacturer. The requirement for C4 labelling does not apply to privately built (or assembled) model aircraft.

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Regarding Article 16 (authorisations to model aircraft clubs and associations), is it in the ‘spirit’ of the Regulation to have ‘few and concentrated’ clubs/associations or to facilitate clubs/associations distributed throughout the national territory to access this ‘authorisation'?

Answer

It was certainly not the intention of the regulator to limit or concentrate in any way access to an authorisation, or bring advantage to certain clubs or associations over others. The intent is to foster a safety culture that has been preserved and encouraged within clubs and associations.

EASA is aware of the very frequent international competitions as well as the importance of model aircraft tourism, also for the local economy (hotels, restaurants, etc.) in some regions. For this reason, the phrase ‘operations in the framework of’ was used in the Regulation. By requiring the authorisation under Article 16 to apply to operations ‘in the framework of’, the legislator allows Member States to grant this authorisation to a broader set of pilots than members alone. This also includes, for instance, guest pilots, competitors, and all the persons listed in the authorisation provided by the State. It is decisive that the national legislator is sufficiently satisfied that the pilots operating under this authorisation are aware of and adhere to the requirements under the authorisation. How this is done is for the national authorities (and authorisation holders) to decide.

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In what ways may the requirements for an Article 16 authorisation differ from those for the ‘open’ category?

Answer

The only compulsory requirement is that related to the operator’s registration. However, with the agreement of the competent authority, even this can be carried out by the club/association on behalf of its members.

Everything else can be agreed between the club/association and the competent authority including height limits, weight limits, age limits and competency requirements.

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Are control line (circular tethered) flights within the scope of the EU UAS Regulation? What about tethered and non-tethered free-flight aircraft?

Answer

Yes. In general, the EU Regulation applies to all tethered UAS heavier than 1 kg and having a propulsion system. If they are tethered free-flight aircraft (such as kites), the EU UAS Regulation applies only if the weight is more than 25 kg. Changing this requirement would require a change in the Basic Regulation and this cannot be done through an implementing regulation.

Non-tethered free-flight aircraft weighing less than 250 g do not need to comply with any requirement.

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According to the EU UAS Regulation, States ‘may’ issue national regulations for allowing for model aircraft operations. Can the ‘national’ Regulation be in contraposition with the ‘European’ Regulation?

Answer

The regulator included in the Regulation the option for the States to issue the operational authorisation to model aircraft clubs or associations on the basis of either national rules or on procedures established by the club or association, defining the purpose of such procedures.

Other than this, States cannot develop national regulations related to the safety of flights. In case of security, privacy or environmental risk, then the Member States may define additional requirements.

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Can we ‘Sunday aeromodellers’ report/suggest changes to the Regulation? Who should we contact?

Answer

Sure! EASA has set up a webform to receive questions and comments from all involved stakeholders. However, it would be more effective if proposals are discussed at the level of the EU associations (such as the European Model Flying Union (EMFU)) so that a consolidated position is provided to EASA. We encourage model aircraft flyers to monitor the EASA website and subscribe to receive news since we constantly publish informative material.

We would love to hear — from you particularly — what we can do to clarify any aspects of the rules, e.g. more concrete articles, webinars, podcasts, explanatory leaflets, more translations, etc. There are a few EASA staff members too who are keen aeromodellers. They would also be more than happy to support.

Periodically we hold consultations with stakeholders leading to changes to the acceptable means of compliance (AMC) and guidance material (GM). These support aeromodellers in complying with the Regulation. However, it is worth pointing out that modifications to the regulations require a completely different and longer process.

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