



European Union Aviation Safety Agency  
**Comment-Response Document (CRD) 2024-103**

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RELATED NPA: 2024-103 — RMT.0749

Regular update of Commission Implementing Regulation (EU) 2023/2117

*Repository of civil-aviation-related information*

28.10.2024



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## 1. Summary of the outcome of the consultation

EASA conducted a focused consultation with the Member States Advisory Body (MAB) and received 23 comments from 10 national competent authorities (NCAs).

The table below shows the main outcome of the focused consultation.

In summary, the majority of the comments shows that Member States agree with the proposed amendments to Annex I (LIST OF INFORMATION OBJECT) to Commission Implementing Regulation (EU) 2023/2117.

Member State	Main comments	EASA's position
Austria	Request priority change (from A to C) for both 'Permit to fly – approval of flight conditions' and 'Permit to fly'.	Accepted
Belgium	No objection with the proposal. Request priority change (from A to C) for both 'Permit to fly – approval of flight conditions' and 'Permit to fly'.	Accepted
Croatia	No agreement on the deletion of the information object 'Operator confirmation of acceptability of the updated mitigation measures and compliance of local conditions in case of cross border operations'.	Not accepted
France	No objection with the proposal. Request priority change (from A to C) for both 'Permit to fly – approval of flight conditions' and 'Permit to fly'.	Accepted
Germany	No objection with the proposal Request priority change (from A to C) for both 'Permit to fly – approval of flight conditions' and 'Permit to fly'.	Accepted
Latvia	Clarification requested on the deletion of the information object 'Operator confirmation of acceptability of the updated mitigation measures and compliance of local conditions in case of cross border operations'.	Noted
Luxembourg	No objection with the proposal. Clarification requested on theoretical training of remote pilot.	Noted
Portugal	No objection with the proposal.	Noted
Sweden	No objection with the proposal. Request priority change (from A to C) for both 'Permit to fly – approval of flight conditions' and 'Permit to fly'.	Accepted
Switzerland	No objection with the proposal. Request priority change (from A to C) for both 'Permit to fly – approval of flight conditions' and 'Permit to fly'.	Accepted



## 2. Individual comments and responses

In responding to comments, EASA states its position as follows:

- (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.

comment

comment by: Portugal

Regarding the NPA shared, Portugal has no comments, and agrees with its content. We wish, however, reinforce the need for sharing the technical details for the objects and API as soon as possible, to ensure a timely transition, according to the schedule set-out.

response

Noted

comment

comment by: Luxembourg

### 1. Registration of certified UAS

No objection to downgrade the priority of this object from A to B since there is currently no existing certified UAS.

### 2. Exemption (cumulative) duration up to 8 months — notification

No objection to decrease the priority since the Flextool already covers this object. In addition, it would be important to clarify the future of the Flextool. Will it be replaced by REPIF or will it remain/be integrated in the REPIF?

### 3. UAS operator certificate

No objection to remove this object from Annex I since it will be a sub-case of the AOC object, already part of REPIF.

### 4. Operator confirmation of acceptability of the updated mitigation measures and compliance of local conditions in case of cross border operations

No objection to remove this object from Annex I. Nevertheless, it should be reminded that:

- The update of the operational authorisation is “only” a general recopy of the confirmation of acceptability;
- The operational authorisation form has no dedicated Cross border field for the update ; As a consequence, the update of the operational authorisation is not strictly endorsed / harmonised at MS level and the information could be missing from the Repository.

### 5. Operational authorisation for UAS operators



	<p>In line with the proposal to add this object as priority A.</p> <p>6. Comments related to other information objects not affected by the foreseen change We would also like to take advantage of this opportunity to request clarifications on the following objects:</p> <ul style="list-style-type: none"> <li>- “Certificate of remote pilot theoretical training”. Is it about A1/A3, and/or A2, and/or STS?</li> <li>- Operator declaration as provider of technical training STS → This refers only to the Appendix 4 of Reg. 2019/947. The Appendix 6 of the same regulation foresees a declaration for a private entity. We recommend the wording to be clarified as “Declaration as provider of technical training STS”. Also we wonder why this information object has a different priority (group C) than the object “UAS operational declaration STS” (group A) belonging to the same topic.</li> </ul>
response	<ol style="list-style-type: none"> <li>1. Noted</li> <li>2. Noted. Currently, FlexTool is independent from the repository. EASA will clarify its intention regarding the future of the FlexTool and ensure the most pragmatic solution to facilitate stakeholder action.</li> <li>3. Noted</li> <li>4. Noted. The confirmation of acceptability is just evidence collected by the NAA issuing the operational authorisation in case there is a need to amend it. Once the operational authorisation is amended, there is no need to further share the document. In accordance with Article 13 of Commission Implementing Regulation (EU) 2019/947, the Member State of registration shall record the updated mitigation measures in the operational authorisation. For this reason, the confirmation of acceptability may be deleted from Annex I.</li> <li>5. Noted</li> <li>6. Noted</li> </ol> <ul style="list-style-type: none"> <li>— The referenced information object refers to all certificates of competency for remote pilots. It should potentially also include the new certificate for the ‘specific’ category, currently under discussion in the ‘UAS TEB training TF’.</li> <li>— Accepted. It is proposed to amend the information object title to ‘Declaration as provider of training for UAS operators’ to provide some flexibility for future non-STs training. This would also cover Appendix 4 and 6 of Commission Implementing Regulation (EU) 2019/947.</li> </ul> <p>Noted. This information object has indeed a different priority group than the ‘UAS operational declaration STS’. It is not intended to reprioritise this information object. However, it may be reconsidered during (one of) the next regular updates.</p>
comment	<p style="text-align: right;">comment by: Austria</p> <p><b>19) Page/Para/Ref.</b></p> <p>Chapter 2.3. – Page 5</p>



## 2) Comment

The proposed changes of Annex I of Regulation (EU) 2023/2117 in NPA 2024-103 should be extended to two more information objects to avoid the effects described in chapter 2.1. of NPA 2024-103.

The survey conducted by EASA on the digitalization of information objects revealed, that risks in unnecessary costs for Member states as well as incompleteness and inconsistency in storing the information objects “Permit to fly” and “Permit to fly – approval of flight conditions” will arise. Therefore we propose to change the priority group for these information objects from priority A to priority C.

## 3) Justification

Information object “Permit to Fly”:

Permits to Fly (PtF) have in principle two sources. PtF “Form A” are created by the competent authority; PtF “Form B” are created under a privilege by an approved holder. They are issued for limited purposes as defined in 21.A.701 (very often for a single flight).

“Form A” PtF: The survey revealed an odd distribution of numbers between the MS. Those MS with very small numbers are running a less digitalized process, those with higher numbers are partly digitalized, with often “last minute changes” in the field (e. g. during aircraft inspection), which are reflected in the officially signed PtF, but not in the previous created. This induces, that in many cases, the content of the information object in the repository would be inconsistent at the time the PtF is used for a flight.

“Form B” PtF: Those PtF, issued by the POA approval holder are not available to the competent authority at the time of issue (and probable use in flight). The rule allows 3 days to send these PtFs to the competent authority, mainly done as a scanned signed PDF-copy, as the survey revealed. Such PtFs need to be manually entered into the authority’s IT-systems to be transferred to the repository. It is nearly impossible to provide the PtF-information in the repository at the time, the PtF is first time used in flight.

Due to these facts of systemic inconsistency, incompleteness and not achievable timeliness, the EASA could not provide a use case (e. g. use the repository in cross-checking during the flight permission process) in the RSB to justify that priority A is needed for this information object. To solve the weak points revealed, EASA need to start a rulemaking process to change Regulation 748/2012 Annex I Section A Subpart P (namely 21.A.711) to require on-time entering the information into the repository and provide an interface for privilege-holders. As this needs time, a shift of the priority from A to C is justified.

Information object “Permit to Fly – approval of flight conditions”:

According requirement 21.A.710 of Regulation (EU) 748/2012 Annex I Section A Subpart P, flight conditions related to the safety of design are either to be approved by the agency or an DOA under a privilege. Certification and oversight of this privilege are under responsibility of the agency. For those flight conditions not related to the safety of design (examples are given in GM 21.A.710), the approval could be the competent authority or approved organisations holding a privilege for PtF. 21. For these flight conditions, 21.A.710 does not foresee, that those not approved by the competent authority (which is the vast majority) to be sent to the competent authority. This will hinder the competent authority or the agency to enter them into the repository. The competent authority might get “indirect knowledge”, if a PtF “Form B” uses those flight conditions. To solve the weak



points revealed, EASA need to start a rulemaking process to change Regulation 748/2012 Annex I Section A Subpart P (namely 21.A.710) to require on-time entering the information into the repository and provide an interface for privilege-holders. As this needs time, a shift of the priority from A to C is justified.

**4) Proposal/Proposed Text**

Additional Change of Annex I of Regulation (EU) 2023/2117:

Approvals	
Permit to fly - approval of flight conditions	A C
Permit to fly	A C

response

- 2) Accepted
- 3) Accepted. On the need to start a rulemaking task, EASA will investigate and assess the feasibility and need to amend the referenced Regulation.
- 4) Accepted. The information objects 'Permit to fly — approval of flight conditions' and 'Permit to fly' will be categorised under priority group 'C' (instead of 'A').

comment

comment by: Switzerland

Many thanks also from our side to EASA for the opportunity to comment on this NPA. Following internal consultation with the relevant technical experts, we would like to express our general support for it. **We would also like to echo the comments made by AT, which we also support.**

response

Noted

comment

comment by: Latvia

NPA 2024-103 Section 2.3. (1)

Currently, in Regulation 2023/2117 Annex 1 the information object is defined as Registration of UAS certified device in the NPA 2024-103 Registration of certified UAS. Is it planned to change the title of this information object?

NPA 2024-103 Section 2.3. (4)

Operator confirmation of acceptability of the updated mitigation measures and compliance of local conditions in case of cross border operations

It is important to note that this information object (Operator confirmation of acceptability of the updated mitigation measures and compliance of local conditions in case of cross-



border operations) applies not only to operational authorization, but also to operational declarations and LUCs (Reg.2019/947 Article 13). It is not specifically intended to exchange information (UAS operator shall provide the determined information) between the national competent authority (of the Member State of intended operation) to the other competent authority (that of the Member State where the operator is registered) in case a UAS operator (holds an LUCs or operational declaration) who intends to conduct an operation in the 'specific category' taking place partially or entirely in the airspace of a Member State other than the Member State of registration. By removing this object from Annex 1 access to essential information can be lost.

In addition, could we have an explanation of what will be the content of the information object (Regulation 2023/2117 Annex 1) :

- Certificate of Remote Pilot Theoretical Training.  
Reg.2019/947 also foresees the possibility of obtaining proof of completion of an online theoretical knowledge examination (A1/A3), which is not a Certificate of remote pilot theoretical training and an A2 certificate of competence that covers both – theoretical knowledge and practical skills.
- Operator declaration as provider of technical training STS.  
Reg.2019/947 foresees that an entity recognized by the competent authority and which has submitted an appropriate declaration can also provide practical (STS) skill training.

response

Section 2.3(1): Noted. Indeed, the title of the information object 'Registration of UAS certified device' shall be changed to 'Registration of certified UAS'. The justification will be included in the Opinion.

Section 2.3(4): Noted. The confirmation of acceptability is just evidence collected by the NAA issuing the operational authorisation in case there is a need to amend it. Once the operational authorisation is amended, there is no need to further share the document. In accordance with Article 13 of Commission Implementing Regulation (EU) 2019/947, the Member State of registration shall record the updated mitigation measures in the operational authorisation. For this reason, the confirmation of acceptability may be deleted from Annex I.

- Certificate of Remote Pilot Theoretical Training: Noted. The referenced information object refers to all certificates of competency for remote pilots. It should potentially also include the new certificate for the 'specific' category, currently under discussion in the 'UAS TEB training TF'.
- Operator declaration as provider of technical training STS: Noted. It is proposed to amend the information object title to 'Declaration as provider of training for UAS operators' to include potential additional declarations that may be defined in the future, including practical STS skill trainings.

comment

comment by: Germany

Many thanks to EASA for the preparation of the NPA. Following internal consultation, **Germany would like to echo the comments of our Austrian colleagues** which we fully support.





response

Noted

comment

comment by: France

We thank you for giving us the opportunity to comment on this NPA.

As a general matter, this NPA perfectly reflects the presentation made during May 2024 MAB meeting for which we, like the majority of MS, supported the change process and the first five proposed changes in the list of Repository information objects. We therefore support this proposed amendment to R(EU) 2023/2117.

During this last MAB we also proposed that the information objects “Registration of UAS certified device” (which would become “Registration of certified UAS” according to the NPA?) but also those linked to exemptions should be finally deprioritize to Group C. This should be considered by the Agency for the next change to R(EU) 2023/2117.

France also supports the Austrian proposal to take advantage of this change to deprioritize “Permit to fly” and “Permit to fly – approval of flight conditions” from Group A to Group C.

response

Noted

With regard to the exemptions, the EASA working paper presented at the MAB 02-2024 meeting in May 2024 underlined that ‘for efficiency reasons, and knowing that the information is already exchanged, it makes sense to postpone this object for the moment to Priority B.’ EASA also stressed that ‘at a later stage, it may be considered to change the priority for all FlexTool data to Priority C.’

comment

comment by: Belgium

Thank you for this consultation and sorry to have just missed the deadline. Belgium supports the NPA in general and would like to echo the comments made by France and Austria, which we support too.

response

Noted

comment

comment by: Sweden

We appreciate overall the changes proposed. Furthermore we agree with AT in their analysis and suggestions regarding how to handle Permit to Fly.

response

Noted

comment

comment by: Croatia



	<p>Paras 1., 2. and 3.</p> <p>We agree.</p> <p>Para 4.</p> <p>First of all, the title of the document referred in the Para, as stated in AMC1 Article 13(2) Cross-border operations or operations outside the State of registration, is: „Confirmation of acceptability of a cross-border UAS operation in the ‘specific’ category“. We suggest the use of correct title in order to avoid possible confusion.</p> <p>Furthermore, we do not agree on removal of this Confirmation from the repository as it does not necessarily initiate the update of e.g. generic Operational Authorisation. Article 13., Para 1., of the Regulation (EU) 2019/947 states: „...the UAS operator shall provide the competent authority of the Member State of intended operation... the location(s) of the intended operation including the updated mitigation measures, if needed,...“ it continues in Para 2. „...and the Member State of registration shall record the updated mitigation measures that the UAS operator has to apply in the operational authorisation...“.</p> <p>If the update of mitigation measures is not needed, no update of generic Operational Authorisation will occur.</p> <p>All this is valid for generic Operational Authorisations.</p> <p>Para 5.</p> <p>We agree. However, it is not clear to us what does „...the UAS operational authorisation will also include approvals for cross-border operations...“ mean? As for now, no indication of Cross Border Operations is included in the Operational Authorisation form as prescribed in AMC1 UAS.SPEC.040(1). Also, we suggest the use of correct terminology here as well. There is no such term as „cross border approval“ recognized in the Regulation (EU) 2019/947. Regulation uses the term „Confirmation of acceptability of a cross-border UAS operation in the ‘specific’ category“.</p>
response	<p>Noted</p> <p>Para 4:</p> <ul style="list-style-type: none"> <li>• Noted. Whereas the comment is correct, this information object is proposed to be deleted and, therefore, no change is needed.</li> <li>• Not accepted.</li> </ul> <p>The confirmation of acceptability is just evidence collected by the NAA issuing the operational authorisation in case there is a need to amend it. Once the operational authorisation is amended, there is no need to further share the document. In accordance with Article 13 of Commission Implementing Regulation (EU) 2019/947, the Member State of registration shall record the updated mitigation measures in the operational authorisation. For this reason, the confirmation of acceptability may be deleted from Annex I.</p> <p>Para 5: Noted</p>