



2024/1110

23.5.2024

COMMISSION IMPLEMENTING REGULATION (EU) 2024/1110

of 10 April 2024

amending Regulation (EU) No 748/2012 as regards the initial airworthiness of unmanned aircraft systems subject to certification and Implementing Regulation (EU) 2019/947 as regards the rules and procedures for the operation of unmanned aircraft

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91⁽¹⁾, and in particular Article 57 and Article 62(14), point (a) thereof;

Whereas:

- (1) An unmanned aircraft system (UAS) includes the control and monitoring unit (CMU) and its components which should be addressed by the safety information analysis system implemented by the European Union Aviation Safety Agency ('the Agency') in order for the relevant authority of the Member States and the Commission to be provided with information, including recommendations or corrective actions to be taken, to react to a safety problem and to an information security incident or vulnerability with a potential impact on aviation safety.
- (2) For the purposes of granting the required operational authorisation in accordance Article 12 of Commission Implementing Regulation (EU) 2019/947⁽²⁾, the competent authority should consider the terms and conditions laid down in the flight conditions established and approved in accordance with Commission Regulation (EU) No 748/2012⁽³⁾ where an unmanned aircraft (UA) which design is certified, does not meet, or has not been shown to meet, the applicable airworthiness requirements.
- (3) In order to ensure a uniform implementation of the airworthiness requirements for the operations of an UAS, and compliance with such requirements, where the risk of operation with an UAS in the 'specific' category, as set out in Article 5 of Implementing Regulation (EU) 2019/947, can only be mitigated by using an UAS that has been issued with a type certificate or a restricted type certificate for the design, then a certificate of airworthiness or restricted certificate of airworthiness for the UA should be required. In addition, a noise certificate should also be required in cases where environmental protection requirements were established by the Agency.
- (4) For the purposes of exchanging safety information in accordance with Article 19 of Implementing Regulation (EU) 2019/947, the UAS operator of an UA which design is certified should report to the design approval holder of the UAS or of the component any safety-related event or condition of the UAS or of the component identified by the organisation in accordance with Regulation (EU) No 376/2014 of the European Parliament and of the Council⁽⁴⁾.

⁽¹⁾ OJ L 212, 22.8.2018, p. 1, ELI: <http://data.europa.eu/eli/reg/2018/1139/oj>.

⁽²⁾ Commission Implementing Regulation (EU) 2019/947 of 24 May 2019 on the rules and procedures for the operation of unmanned aircraft (OJ L 152, 11.6.2019, p. 45, ELI: http://data.europa.eu/eli/reg_impl/2019/947/oj).

⁽³⁾ Commission Regulation (EU) No 748/2012 of 3 August 2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations (OJ L 224, 21.8.2012, p. 1, ELI: <http://data.europa.eu/eli/reg/2012/748/oj>).

⁽⁴⁾ Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) No 1321/2007 and (EC) No 1330/2007 (OJ L 122, 24.4.2014, p. 18, ELI: <http://data.europa.eu/eli/reg/2014/376/oj>).

- (5) In order to contribute towards the improvement of safety, the UAS operator of an UA which design is certified or that uses a certified UAS component should implement any safety measures mandated by the competent authority or relevant mandatory safety information issued by the Agency, including airworthiness directives in accordance with the UAS continuing airworthiness requirements set out in Commission Delegated Regulation (EU) 2024/1107 ⁽⁵⁾.
- (6) Therefore, Regulation (EU) No 748/2012 and Implementing Regulation (EU) 2019/947 should be amended accordingly.
- (7) In order to provide stakeholders with sufficient time to ensure compliance with the new framework for the initial airworthiness of certified UAS, this Regulation should apply from 1 May 2025.
- (8) The Agency prepared draft implementing rules and submitted them with Opinion No 03/2023 ⁽⁶⁾ pursuant to Article 75(2), points (b) and (c) and Article 76(1) of Regulation (EU) 2018/1139.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the committee established by Article 127(1) of Regulation (EU) 2018/1139,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Regulation (EU) No 748/2012

Annex I (Part 21) to Regulation (EU) No 748/2012 is amended in accordance with Annex I to this Regulation.

Article 2

Amendments to Implementing Regulation (EU) 2019/947

Implementing Regulation (EU) 2019/947 is amended as follows:

- (1) the title is replaced by the following:
‘Commission Implementing Regulation (EU) 2019/947 of 24 May 2019 on the rules and procedures for the operation of unmanned aircraft systems’;
- (2) Article 2 is amended as follows:
 - (i) the first paragraph is deleted;
 - (ii) in the second paragraph, the introductory wording is replaced by the following:
‘For the purposes of this Regulation, the following definitions shall apply:’;
 - (iii) point (1) is replaced by the following:
‘(1) “unmanned aircraft system (UAS)” means an unmanned aircraft, as defined in Article 3(30) of Regulation (EU) 2018/1139, and its control and monitoring unit;’;
 - (iv) points (26) and (27) are replaced by the following:
‘(26) “control and monitoring unit (CMU)” means the equipment to control and monitor unmanned aircraft remotely as defined in point (32) of Article 3 of Regulation (EU) 2018/1139;
(27) “C2 link” means the data link between the UA and the CMU for the purpose of managing the flight;’;

⁽⁵⁾ Commission Delegated Regulation (EU) 2024/1107 of 13 March 2024 supplementing Regulation (EU) 2018/1139 of the European Parliament and of the Council by laying down detailed rules for the continuing airworthiness of certified unmanned aircraft systems and their components, and on the approval of organisations and personnel involved in these tasks (OJ L, 2024/1107, 17.4.2024, ELI: http://data.europa.eu/eli/reg_del/2024/1107/oj).

⁽⁶⁾ Opinion No 03/2023 - Introduction of a regulatory framework for the operation of drones — Enabling innovative air mobility with MVCA, the initial airworthiness of UAS subject to certification, and the continuing airworthiness of those UAS operated in the ‘specific’ category | EASA (europa.eu)

(v) the following new point (35) is added:

‘(35) “UAS component” means any engine, propeller or part of the UA, or any element of the control and monitoring unit (CMU);’;

(3) in Article 7, a new paragraph 2a is inserted as follows:

‘2a. The operator of a UAS that meets the conditions specified in point 1(d) of Article 40 of Delegated Regulation (EU) 2019/945 shall obtain the following certificates:

- (i) a certificate of airworthiness or a restricted certificate of airworthiness issued in accordance with Subpart H of Annex I (Part 21) to Commission Regulation (EU) No 748/2012 (*);
- (ii) a noise certificate issued in accordance with Subpart I of Annex I (Part 21) to Commission Regulation (EU) No 748/2012 when the UA is subject to the environmental protection requirements laid down in point 21.B.85 of Regulation (EU) No 748/2012.

(*) Commission Regulation (EU) No 748/2012 of 3 August 2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations (recast) (OJ L 224, 21.8.2012, p. 1, ELI: <http://data.europa.eu/eli/reg/2012/748/oj>);’;

(4) Article 12 is amended as follows:

(i) paragraph 2 is replaced by the following:

‘2. The competent authority shall grant an operational authorisation when:

(a) the evaluation performed pursuant to paragraph 1 concludes that:

- (i) the operational safety objectives take account of the risks of the operation;
- (ii) the combination of mitigation measures concerning the operational conditions to perform the operation, the competence of the personnel involved and the technical features of the unmanned aircraft, are adequate and sufficiently robust to keep the operation safe in view of the identified ground and air risks;

(b) for UAS that are or will be certified pursuant to Article 40, point 1(d) of Delegated Regulation (EU) 2019/945, the UAS have:

- (i) a valid certificate of airworthiness or a restricted certificate of airworthiness and, if the UA is subject to the environmental protection requirements laid down in point 21.B.85 of Regulation (EU) No 748/2012, a valid noise certificate; or
- (ii) if the UA does not meet, or has not been shown to meet, the applicable airworthiness requirements, flight conditions approved according to Subpart P of Annex I (Part 21) to Regulation (EU) No 748/2012;

(c) the UAS operator has provided to the competent authority a statement confirming that the intended operation complies with any applicable Union and national rules relating to it, in particular with regard to privacy, data protection, liability, insurance, security and environmental protection.’;

(ii) in paragraph 4, point (c), the following points (vii) and (viii) are added:

‘(vii) the certificate of airworthiness or restricted certificate of airworthiness and noise certificate, where such certificates have been issued;

(viii) the flight conditions approved in accordance with Regulation (EU) No 748/2012 where the UAS meets the conditions set out in Article 40, point 1(d) of Delegated Regulation (EU) 2019/945 and the UA does not meet, or has not been shown to meet, the applicable airworthiness requirements.’;

(5) in Article 19, the following paragraph 6 is added:

‘6. Notwithstanding Regulation (EU) No 376/2014, the UAS operator of an unmanned aircraft which design is certified shall report to the design approval holder of the UAS or of the UAS component any safety-related event or condition of the UAS or the UAS component identified by the organisation. In particular, the UAS operator shall report any accident or serious incident involving the UAS or the UAS component, which endangers or, if not duly corrected or addressed, could endanger the safety of the UAS or of any natural or legal person.’;

(6) the Annex is amended in accordance with Annex II to this Regulation.

Article 3

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 May 2025.

However, Annex I, point (2) shall apply from 22 February 2026.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 10 April 2024.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Annex I (Part 21) to Commission Regulation (EU) No 748/2012 is amended as follows:

(1) in point 21.B.20, point (b) is replaced by the following:

‘(b) The Agency shall implement a system to appropriately analyse any safety-relevant information received and, without undue delay, provide the relevant authority of the Member States and the Commission with any information, including recommendations or corrective actions to be taken, that is necessary for them to react in a timely manner to a safety problem that involves products, parts, appliances, control and monitoring units (CMUs), CMU components, and persons or organisations that are subject to Regulation (EU) 2018/1139 and its delegated and implementing acts.’;

(2) in point 21.B.20A ⁽¹⁾, point (b) is replaced by the following:

‘(b) The Agency shall implement a system to appropriately analyse any relevant safety-significant information received in accordance with point 21.B.15(c) and, without undue delay, provide the Member States and the Commission with any information, including recommendations or corrective actions to be taken, that is necessary for them to react in a timely manner to an information security incident or vulnerability with a potential impact on aviation safety involving products, parts, control and monitoring units (CMUs), CMU components, non-installed equipment, and persons or organisations that are subject to Regulation (EU) 2018/1139 and its delegated and implementing acts.’;

(3) in point 21.B.120, point (a) is replaced by the following:

‘(a) Upon receiving an application for the issue of a letter of agreement for the purpose of demonstrating conformity of the individual products, parts, appliances, control and monitoring units (CMUs) and CMU components, the competent authority shall verify the applicant’s compliance with the applicable requirements.’;

(4) in point 21.B.125, point (d), the introductory paragraph is replaced by the following:

‘(d) When a finding is detected during oversight or by any other means, the competent authority shall, without prejudice to any additional action required by Regulation (EU) 2018/1139 and its delegated and implementing acts, communicate in writing the finding to the organisation and request corrective action to address the non-compliance(s) identified. Where a level 1 finding directly relates to an aircraft, or to a control and monitoring unit (CMU), the competent authority shall inform the competent authority of the Member State where the aircraft, or the unmanned aircraft (UA) controlled by that CMU, is registered.’;

(5) point 21.B.135 is amended as follows:

(a) the introductory wording and point (a) are replaced by the following:

‘The competent authority shall maintain the letter of agreement for as long as:

(a) the manufacturer properly uses the EASA Form 52 (see Appendix VIII) as a statement of conformity for complete aircraft, and the EASA Form 1 (see Appendix I) for products other than complete aircraft, parts, appliances, control and monitoring units (CMUs) and CMU components; and’;

⁽¹⁾ Applicable from 22 February 2026 – Commission Implementing Regulation (EU) 2023/203 of 27 October 2022 laying down rules for the application of Regulation (EU) 2018/1139 of the European Parliament and of the Council, as regards requirements for the management of information security risks with a potential impact on aviation safety for organisations covered by Commission Regulations (EU) No 1321/2014, (EU) No 965/2012, (EU) No 1178/2011, (EU) 2015/340, Commission Implementing Regulations (EU) 2017/373 and (EU) 2021/664, and for competent authorities covered by Commission Regulations (EU) No 748/2012, (EU) No 1321/2014, (EU) No 965/2012, (EU) No 1178/2011, (EU) 2015/340 and (EU) No 139/2014, Commission Implementing Regulations (EU) 2017/373 and (EU) 2021/664 and amending Commission Regulations (EU) No 1178/2011, (EU) No 748/2012, (EU) No 965/2012, (EU) No 139/2014, (EU) No 1321/2014, (EU) 2015/340, and Commission Implementing Regulations (EU) 2017/373 and (EU) 2021/664 (OJ L 31, 2.2.2023, p. 1, ELI: http://data.europa.eu/eli/reg_impl/2023/203/oj).

- (b) in point (b), point 1. is replaced by the following:
- '1. the agreement covers the product, part, appliance, control and monitoring unit (CMU) or CMU component to be validated, and remains valid;'
- (6) in point 21.B.222, point (b)1.(ii) is replaced by the following:
- '(ii) product audits of a relevant sample of the products, parts, appliances, control and monitoring units (CMUs) and CMU components that are within the scope of the organisation;'
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ANNEX II

The Annex (UAS OPERATIONS IN THE 'OPEN' AND 'SPECIFIC' CATEGORIES) to Implementing Regulation (EU) 2019/947 is amended as follows:

(1) in PART B (UAS OPERATIONS IN THE 'SPECIFIC' CATEGORY), point UAS.SPEC.100 is replaced by the following:

'UAS.SPEC.100 Use of certified equipment and certified unmanned aircraft

- (1) Where the UAS operator uses an unmanned aircraft for which a certificate of airworthiness or a restricted certificate of airworthiness has been issued, the UAS operator shall ensure that the unmanned aircraft system complies with Delegated Regulation (EU) 2024/1107;
- (2) Where the UAS operator uses certified equipment on an unmanned aircraft for which neither a certificate of airworthiness nor a restricted certificate of airworthiness have been issued, the UAS operator shall carry out all of the following tasks:
 - (i) record the operation or service time in accordance with either the instructions or procedures applicable to the certified equipment;
 - (ii) follow the instructions referred to in the equipment certificate, and also comply with any applicable airworthiness directives issued by the Agency;
 - (iii) implement any safety measures mandated by the competent authority in accordance with Article 19(4);
 - (iv) use any relevant mandatory safety information issued by the Agency.;
- (2) Appendix 1 is amended as follows:
 - (a) in point UAS.STS-01.040, point (2), point (f) is replaced by the following:

'(f) shall not hand over the control of the unmanned aircraft to another CMU.;
 - (b) in point UAS.STS-02.040, in point (2), point (e) is replaced by the following:

'(e) shall not hand over the control of the unmanned aircraft to another CMU.;