

*COMMISSION IMPLEMENTING REGULATION (EU) 2019/947 of 24 May 2019  
on the rules and procedures for the operation of unmanned aircraft*

*Article 20:*

Particular provisions concerning the use of certain UAS in the ‘open’ category

UAS types within the meaning of Decision No 768/2008/EC of the European Parliament and of the Council <sup>(9)</sup>, which do not comply with Delegated Regulation (EU) 2019/945 and which are not privately-built are allowed to continue to be operated under the following conditions, when they have been placed on the market before 1 July 2022:

(a) (b)

in subcategory A1 as defined in Part A of the Annex, provided that the unmanned aircraft has a maximum take-off mass of less than 250 g, including its payload;

**in subcategory A3 as defined in Part A of the Annex, provided that the unmanned aircraft has a maximum take-off mass of less than 25 kg, including its fuel and payload.**

*UAS.OPEN.040 UAS operations in subcategory A3*

UAS operations in subcategory A3 shall comply with all of the following conditions:

- (1) be conducted in an area where the remote pilot reasonably expects that no uninvolved person will be endangered within the range where the unmanned aircraft is flown during the entire time of the UAS operation;
- (2) be conducted at a safe horizontal distance of at least 150 metres from residential, commercial, industrial or recreational areas;
- (3) be performed by a remote pilot who has completed an online training course and passed an online theoretical knowledge examination as defined in point (4)(b) of point UAS.OPEN.020;
- (4) be performed with an unmanned aircraft that:
  - **(a) has an MTOM, including payload, of less than 25 kg, in the case of a privately built UAS, or**
  - **(b) meets the requirements defined in point (b) of Article 20;**

- (c) is marked as class C2 and complies with the requirements of that class, as defined in Part 3 of the Annex to Delegated Regulation (EU) 2019/945 and is operated with active and updated direct remote identification and geo-awareness systems or;
- (d) is marked as class C3 and complies with the requirements of that class, as defined in Part 4 of the Annex to Delegated Regulation (EU) 2019/945 and is operated with active and updated direct remote identification and geo-awareness systems; or
- **(e) is marked as class C4 and complies with the requirements of that class, as defined in Part 5 of the Annex to Delegated Regulation (EU) 2019/945.**

As long as you operate in A3 sub cat., no RID is required even for over the counter drones it appears:

#### *PART 5*

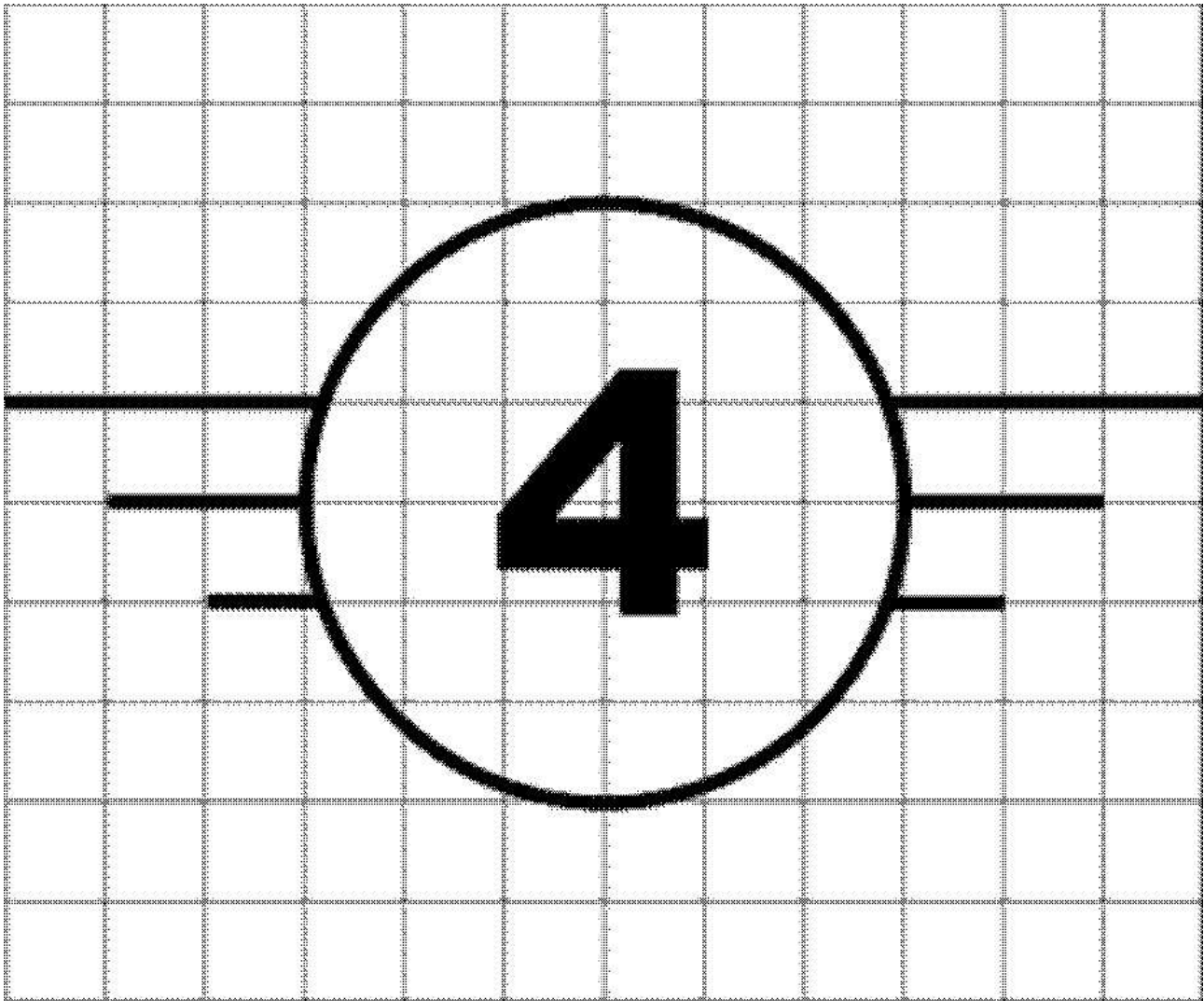
##### *Requirements for a class C4 Unmanned aircraft system*

(16)

A class C4 UAS bears the following label on the UA in a visible manner:

A class C4 UAS shall comply with the following:

- (1) have an MTOM of less than 25 kg, including payload;
- (2) be safely controllable and manoeuvrable by a remote pilot following the manufacturer's instructions, as necessary under all anticipated operating conditions including following the failure of one or, if appropriate, more systems;



11.6.2019 EN Official Journal of the European Union L 152/31

---

(3) not be capable of automatic control modes except for flight stabilisation assistance with no direct effect on the trajectory and lost link assistance provided that a pre-determined fixed position of the flight controls in case of lost link is available;

(4) be placed on the market with a user's manual providing:

- (a) the characteristics of the UA including but not limited to the:
  - — class of the UA
  - — UA mass (with a description of the reference configuration) and the maximum take-off mass (MTOM);
  - — general characteristics of allowed payloads in terms of mass dimensions, interfaces with the UA and other possible restrictions;

- — equipment and software to control the UA remotely;
- — and a description of the behaviour of the UA in case of a loss of data link;
  
- (b) clear operational instructions;
  
- (c) maintenance instructions;
  
- (d) troubleshooting procedures;
  
- (e) operational limitations (including but not limited to meteorological conditions and day/night operations); and
  
- (f) appropriate description of all the risks related to UAS operations;

(5) include an information notice published by EASA providing applicable limitations and obligations under EU law;