

Updated aviation safety rules and new rules on drones approved by the Council

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EU ambassadors (Permanent Representatives Committee) today endorsed the deal concluded with the European Parliament on 29 November on revised common **safety rules for civil aviation** and a new remit for the **European Aviation Safety Agency (EASA)**. The reform includes the first ever EU-wide rules for **civil drones**, that will allow remotely piloted aircraft of all sizes to fly safely in European airspace and will bring legal certainty for this rapidly expanding industry.

The purpose of the new rules is to create the right conditions so that the EU has the capacity to handle the expected air traffic increase of 50% over the next 20 years and to ensure that the EU aviation sector is prepared for tough global competition.

It is our responsibility to ensure that civil aviation safety rules are adapted to take account of new developments, including the increasing use of drones. With this agreement, we have new rules which meet today's need.

Kadri Simson, Estonia's Minister for Economic affairs and Infrastructure

The regulation on EU civil aviation safety covers all key areas of aviation including airworthiness, aircrew, aerodromes, air operations and the provision of air navigation services. It also sets out a division of tasks between the EU and national authorities.

The reform introduces **proportionate and risk-based** rules designed to reduce red tape and encourage innovation. For example, sport and recreational aviation will be subject to simpler and cheaper approval procedures than those applicable for commercial air transport.

The rules on **drones** will provide the basic principles to ensure safety, security, privacy and the protection of personal data. There will also be rules on the noise and emissions generated by drones, as is the case for any

other aircraft. Higher-risk drone operations will require certification, while drones presenting the lowest risk will simply need to conform with the normal EU market surveillance mechanisms. Drone operators must be registered if they operate drones which can transfer more than 80 Joules of kinetic energy upon impact with a person. This threshold can be amended in the future without lengthy procedures by means of delegated act to take account of developments in this area.

In relation to areas other than the registration threshold, the EASA will develop more detailed rules on drones on the basis of the principles laid down in the regulation, and these detailed rules will be enacted through a Commission implementing act. The EASA has already published a 'prototype' regulation for drones.

The agreement extends the EASA's mandate to safety-related aspects of security, such as cyber security, and to the protection of the environment. It establishes a framework for the pooling and sharing of aviation inspectors and other specialists to support member states in certification and oversight tasks. The agreement will also create a new support mechanism for member states that will include technical assistance for certification, oversight and enforcement tasks.

In addition, the text provides new rules for the safe provision of ground-handling services and closes a number of other safety gaps.

How will it become law?

Once the agreed text has undergone legal-linguistic finalisation, it must be formally approved first by the Parliament and then by the Council (agreement at first reading). The procedure is expected to be completed in spring 2018. Following adoption, the regulation will be published in the EU's Official Journal. It will enter into force twenty days after publication.

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