

The 2020 amendment to the Air Navigation Order 2016 - Guidance for Unmanned Aircraft users

Introduction

On 31 December 2020, an amendment to the United Kingdom (UK) Air Navigation Order 2016 (ANO) will enter into force. The amendment has been developed by the UK Government to accommodate the introduction of the new UAS regulations¹ within the UK and the European Union on the same day. It is primarily aimed at creating criminal offences for breaches of the new regulations, but it also ensures that there is no conflicting regulation within the text of the ANO.

This amendment has been published as a Statutory Instrument (SI) No. 2020/1555 and entitled “The Air Navigation (Amendment) Order 2020”. It can be located [here](#).

Purpose of this Document

This document explains the amendment and how it relates to the overall regulatory system that relates to unmanned aircraft operations from 31 December 2020 onwards. It has been written with the aim of providing readers, particularly those who are less familiar with the layout and structure of ANO amendments, with guidance on the effect of these changes and with an outline of the revised regulations as they now appear in law. It replaces CAP 1763.

For simplicity within this document,

- The Air Navigation (Amendment) Order 2020 will be referred to as: ‘the 2020 amendment’;
And
- The UAS regulations that will become applicable within the UK and EU on 31 December 2020 (named in footnote 1 below) will be referred to as: ‘the new UAS regulations’.

¹ Regulation (EU) 2019/947 on the rules and procedures for the operation of unmanned aircraft, and Regulation (EU) 2019/945 on unmanned aircraft systems and on third-country operators of unmanned aircraft systems (respectively known as the UAS Implementing Regulation and the UAS Delegated Regulation)

Contents of the Amendment

This section describes each article of the 2020 amendment and how it amends the current articles of the ANO.

Structure of the Amendment

The SI is structured in the form of a series of textual changes that need to be made to the original ANO document, after it has been amended by all previous ANO amendments. While the amendment has introduced six new articles with completely new text, the meaning of some other changes cannot be fully understood by reading the SI on its own. By way of assistance, a consolidated version of the ANO articles that remain directly relevant to unmanned aircraft operations as a result of this amendment can be found at Annex A.

The areas covered by the amendment are relatively few and can be summarised as:

- The removal of any articles that have been superseded by the new UAS regulations (articles 94, 94C, 94D, 94E, 94F, 94G and 95).
- Changes to the text of the remaining articles to ensure that they match the requirements of the new UAS regulations.
- The introduction of articles which create criminal offences if the requirements of the new UAS regulations are not complied with, along with the associated fines (articles 265A, 265B, 265C, 265D and 265F).
- The introduction of a set of rules for the operation of 'tethered small unmanned aircraft' (article 265E).
- A transitional provision which 'converts' a number of documents issued by the CAA under ANO 2016 (permissions, exemptions, 'operator ID' and 'flyer ID') so that they remain valid from 31 December 2020 onwards as if they had been issued under the UAS IR.

Article 7 – meaning of 'commercial operation'

Key point: The text of this article has been reverted to its original (2016) version.

With the removal of the distinction between commercial and non-commercial/leisure operations within the new UAS regulations, the need to make article 7 more closely related to 'small unmanned aircraft' or to an 'SUA operator' is no longer necessary.

Article 20 – application of the Order to the Crown

Key point: This is a simple amendment which replaces the terms 'small unmanned aircraft' and 'SUA operator' (terms that are no longer used) with the terms 'unmanned aircraft' and 'UAS operator', as used within the new UAS regulations.

Article 23 – exceptions from application of provisions of the Order for certain classes of aircraft

Key point: The UAS related elements of this article have been expanded to cover any unmanned aircraft within the Open and Specific categories.

This is an important article, because it exempts the types/classes of aircraft that it lists from the majority of the ANO's provisions, and it then specifies the articles that still apply.

Previously, this article only applied to 'small unmanned aircraft' (20kg or less), but that term no longer applies, and the exception has now been expanded to cover 'any unmanned aircraft other than an unmanned aircraft subject to certification'. The basic effect of this is that:

- Open and Specific category operations are only directly affected by a small number of ANO articles.
- Certified category operations are subject to the whole of the ANO, unless specifically exempted by the CAA.
- Specific category operations which use a UAS that has been certificated are subject to the whole of the ANO, unless specifically exempted by the CAA.

The seven articles that have been **deleted** from the ANO have been removed from the list (94, 94C, 94D, 94E, 94F, 94G and 95).

The six new articles that have been **added** to the ANO as a result of this amendment (265A, 265B, 265C, 265D, 265E and 265F) have been included in the list.

Article 94 - small unmanned aircraft: requirements

Key point: This article has been deleted completely as its requirements are fully covered within the new UAS regulations.

Article 94A - Certain unmanned aircraft: permission for flights that are over or near aerodromes

Key point: The references to a maximum operating height of 400ft above the surface have been deleted as these requirements are fully covered within the new UAS regulations.

The article now only covers the 'flight restriction zone' (FRZ) aspects of protected aerodromes. The following key points should be noted:

- The FRZ limitations now apply to all unmanned aircraft except for 'unmanned aircraft subject to certification':
 - Although this limitation previously only applied to small unmanned aircraft, the equivalent limitation was always included in any exemption issued by the CAA in relation to an unmanned aircraft that had a mass greater than 20kg.
 - Unmanned aircraft that are subject to certification remain subject to the whole of the ANO (in accordance with article 23 above), hence the requirement to comply with the aerodrome traffic zone entry conditions still applies.

- The permission requirements for operation above 400ft (120m) within an FRZ have also been changed. UAS Operators intending to operate above 400ft within an FRZ must now obtain an operational authorisation from the CAA. The air traffic control unit, flight information service unit or aerodrome operator may issue a permission for access to the FRZ, but may not issue authorisation for a UAS to operate above 400ft without a CAA operational authorisation. This is because:
 - The Open category limits all flights to a maximum distance of 400ft (120m) from the closest point of the earth's surface. Therefore, if an unmanned aircraft is flown at a greater distance than this, the flight is no longer in the Open category, and so is in the Specific category;
 - All flights within the Specific category are required to be operated within the conditions of an operational authorisation, which must therefore include a 'height' limitation within its text.

Note: This ANO amendment does not change the reference to 'EASA certified aerodromes' within the meaning of a 'protected aerodrome'. However, from 11pm on 31 December 2020, the references to 'EASA' will be deleted as a result of the EU Exit corrective SIs entering into force, and so the new term will simply be 'certified aerodrome'.

Articles 94C to 94G – certain small unmanned aircraft: registration, competency, meanings

Key point: These articles have been deleted completely as their requirements are now fully covered within the new UAS regulations.

The revocation of article 94C also means that SI 2019/1286, the Air Navigation (Minimum Age for Operators of Small Unmanned Aircraft) Regulations 2019, which introduced a minimum age of 18 years for SUA operators, ceases to have effect. This is instead addressed within the new article 265D.

Article 95 – small unmanned surveillance aircraft

Key point: This article has been deleted completely as its requirements are superseded by the new UAS regulations.

Article 265A – offences: contravention of the UAS Implementing Regulation – UAS operator

Key point: If UAS operators do not comply with the applicable UAS operator requirements of the UAS Implementing Regulation (UAS IR), then an offence has been committed.

Paragraph 1 sets out that a UAS operator must not 'cause or permit' (i.e. require or allow) an unmanned aircraft to be flown unless:

- Open category flights – the Open category requirements in the UAS IR are met;

- Specific category flights – the operator holds a valid operational authorisation, an LUC or the flight can be conducted in accordance with a valid authorisation that has been issued to a model aircraft club or association;
- Certified category flights – the UAS and the UAS operator have been certified in accordance with the UAS IR and those certificates are valid.

Paragraphs 2 and 3 set out what constitutes an offence under this article, and paragraph 4 simply confirms that any other elements of the UAS IR, such as where some form of exemption or derogation can be used, are also relevant.

Paragraphs 5 to 9 then provide a list of the relevant Articles and points within the UAS Implementing Regulation that are applicable; naturally, these cover all of the aspects where the UAS operator is considered responsible.

Article 265B – offences: contravention of the UAS Implementing Regulation – remote pilot

Key point: If remote pilots do not comply with the applicable remote pilot requirements of the UAS Implementing Regulation (UAS IR), then an offence has been committed.

The article is set out in a similar pattern to 265A above.

Paragraph 1 sets out that a remote pilot must not fly an unmanned aircraft unless:

- Open category flights – at the time of take-off, the remote pilot reasonably holds the view that the Open category requirements in the UAS IR can be met;
- Specific category flights – at the time of the flight, there is a valid operational authorisation, an LUC, or the flight can be conducted in accordance with a valid authorisation that has been issued to a model aircraft club or association;
- Certified category flights – the UAS and the UAS operator have been certified in accordance with the UAS IR and those certificates are valid.

Paragraphs 2 and 3 set out what constitutes an offence under this article, and paragraph 4 simply confirms that any other elements of the UAS IR, such as where some form of exemption or derogation can be used, are also relevant.

Paragraphs 5 to 8 then provide a list of the relevant Articles and points within the UAS Implementing Regulation that are applicable; naturally, these cover all of the aspects where the remote pilot is considered responsible.

Paragraph 6 includes a table which links the different types/kinds of UAS that are available for use in the Open category, with the corresponding operating limits that are associated with these UAS types. The table is reproduced below, but with an additional column added, which relates each provision to the subcategory that it corresponds with:

Subcategory	UAS IR Provision that specifies the type of UAS <i>with additional description</i>	'Relevant requirements' (operating limits) found in
A1	Article 22(a) <i>'A1 transitional' (less than 500g)</i>	Point UAS.OPEN.020(1)
A1	Point UAS.OPEN.020(5)(a), (b) or (c) <i>privately built less than 250g, 'legacy' less than 250g, Class C0</i>	Point UAS.OPEN.020(2)
A1	Point UAS.OPEN.020(5)(d) <i>Class C1</i>	Point UAS.OPEN.020(1)
A2	Point UAS.OPEN.040(4)(c) if, at the time of take-off, the remote pilot does not intend to comply with points UAS.OPEN.040(1) and (2) of that Annex <i>Class C2 and the remote pilot is not intending to fly it within subcategory A3</i>	Point UAS.OPEN.030(1)
A2	Article 22(b) <i>'A2 transitional' (less than 2kg)</i>	Article 22(b)
A3	Point UAS.OPEN.040(4)(c) if, at the time of take-off, the remote pilot intends to comply with points UAS.OPEN.040(1) and (2) of that Annex <i>Class C2 and the remote pilot intends to fly it within subcategory A3</i>	Points UAS.OPEN.040(1) and (2)
A3	Point UAS.OPEN.040(4)(a), (b), (d) or (e) <i>Privately built less than 25kg, 'legacy' less than 25kg, Class C3 or C4</i>	Points UAS.OPEN.040(1) and (2)
A3	Article 22(c) <i>'legacy' less than 25kg</i>	Points UAS.OPEN.040(1) and (2)

Article 265C – offences: registration of certified unmanned aircraft

Key point: This article simply states that if a certified unmanned aircraft has not been registered, but is flown, then its owner has committed an offence.

Article 265D – minimum age requirements: UAS operators and remote pilots

Key point: This article sets out the minimum ages for remote pilots in the Open and Specific categories and for UAS operators. It also sets out the associated offence, although this only applies until the end of the transition period (11pm on 31 December 2020).

The article lowers the minimum age for a remote pilot (as permitted by paragraph 3 of Article 9 of the UAS IR) as follows:

- **Open category** – minimum age lowered from 16 to 12 years;
- **Specific category** – minimum age lowered from 16 years to:
 - 14 years; or,
 - when operating under an Article 16 authorisation (model aircraft), any lower age as provided for in that authorisation.

UAS operators must not ‘cause or permit’ an unmanned aircraft to be flown by a remote pilot who does not meet the minimum age requirements above or in the remainder of Article 9 of the UAS IR. Should this happen during the period up to and including 11pm on 31 December 2020 (the end of the EU Exit transition period), the UAS operator has committed an offence.

Finally, the article states that the CAA must not issue an operator registration number (generally referred to as an ‘operator ID’) to an individual who is less than 18 years of age. This replaces SI 2019/1286, the Air Navigation (Minimum Age for Operators of Small Unmanned Aircraft) Regulations 2019, as mentioned in the reference to article 94C above.

Article 265E – offences: tethered small unmanned aircraft

Key point: This article establishes a set of regulations for unmanned aircraft that are less than 1kg in mass and are tethered.

The reason for this article is that ‘tethered aircraft with a MTOM of no more than 1kg’ are not covered by the requirements of the UAS IR², and so need to be covered by the ANO.

A tethered small unmanned aircraft has been defined in the amended Schedule 1 of the ANO as:

an unmanned aircraft:

- (a) having a MTOM, within the meaning of Article 2 of the UAS IR, of not more than 1kg; and*
- (b) which is flown within limits imposed by a restraining device which attaches the aircraft to the surface or to a person on the surface.*

The article itself contains a great deal of ‘legal text’, but the overall effect of the article is that for UAS operators and remote pilots, it ‘equalises’ the operation of tethered small unmanned aircraft with the equivalent Open category ‘untethered’ unmanned aircraft. This is achieved by:

² Annex I, paragraph 2, of REGULATION (EU) 2018/1139 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency (known as the ‘Basic Regulation’) makes these aircraft ‘exempt’.

- If the tethered small unmanned aircraft's mass is:
 - Less than 250g – the requirements for flights conducted in subcategory A1 apply.
 - 250g or more (up to 1kg) – the requirements for flights conducted in subcategory A3 apply.
 - Permission from the CAA is required to operate outside of these requirements.
- When considering the points above, any references to 'unmanned aircraft' or 'UAS' in the UAS IR should be read as if they include a tethered system as well.
- No dropping of materials, or carriage of dangerous goods without permission from the CAA.
- Maximum tether length is 25m, unless in accordance with a permission from the CAA.
- An offence is committed if the above are contravened.

Article 265F – penalties

Key point: This article sets out the penalty levels (fines) for any offences committed under articles 265A-265E.

The general approach for setting the level of fines that has been taken is:

- For 'minor administrative' offences – Level 2 (up to £500)
- For other 'administrative offences' – Level 3 (up to £1000)
- For 'operational/in flight' offences – Level 4 (up to £2500)

Additionally, for offences relating to flights conducted entirely outside of the framework of the UAS IR (see the references to paragraph 1 of articles 265A and 265B above) – an unlimited fine in England and Wales, and a fine up to the statutory maximum in Scotland and Northern Ireland will apply.

This approach equates to the levels of fines that were set in the ANO (at schedule 13) prior to the amendment.

Article 270 – competent authority

Key point: This article makes the CAA the 'competent authority for the new UAS regulations for the period that they are applicable as 'EU regulations'.

As with a number of other EU regulations (Air Ops, Airworthiness, Aircrew, SERA etc), article 270 nominates the CAA as the competent authority for the UAS IR and the UAS Delegated Regulation (UAS DR).

Note: *This is merely a technicality to cover the 23-hour period on 31 December 2020 (until 11pm that night when the EU Exit transition period ends), at which point ANO article 270 is deleted as a result of the Aviation Safety 'corrective SI'. After this point, another corrective SI (The Unmanned Aircraft [Amendment] [EU Exit] Regulations 2020) comes into force and specifically identifies the CAA's responsibilities within the UAS IR and UAS DR (as they are retained in UK domestic law).*

Schedule 1 – interpretation (definitions)

Key point: This definitions section is amended to reflect the updated meanings of ANO terms.

The following superseded terms are deleted:

- Small unmanned aircraft
- SUA operator

The following new terms are added:

- LUC
- Remote pilot
- Tethered small unmanned aircraft
- UAS
- UAS operator
- Unmanned aircraft
- Unmanned Aircraft Delegated Regulation
- Unmanned Aircraft Implementing Regulation
- Unmanned aircraft subject to certification

Transitional provisions

Key point: This article of the amendment SI ‘converts’ a number of documents issued by the CAA under ANO 2016 (permissions, exemptions, ‘operator ID’ and ‘flyer ID’) so that they remain valid from 31 December 2020 onwards as if they had been issued under the UAS IR.

This part does not change any the text within the ANO, but it ensures that certain documents that were issued prior to 31 December 2020 do not suddenly lose their validity. They will continue to be valid until the expiry dates stated on the individual documents. The specific documents affected are:

- Any small unmanned aircraft permission granted under ANO 2016 articles 94(5), 94A(2) or 95(1).
 - these continue to have effect, with the same conditions, as if they were an operational authorisation issued under Article 12 of the UAS IR.
- Any SUA operator certificates of registration issued under ANO 2016 article 94C(1).
 - these may continue to be used as compliance with the UAS operator registration requirements of Article 14(5) of the UAS IR.
- Any remote pilot acknowledgement of competency issued under ANO 2016 article 94E(1).
 - these may continue to be used as compliance with the competency requirements of point UAS.OPEN.020(4)(b) of the UAS IR.

- Any unmanned aircraft exemption granted under ANO 2016 article 266.
 - these continue to have effect, with the same conditions, as if they were an operational authorisation issued under Article 12 of the UAS IR
 - but this does not apply to any unmanned aircraft that are required to be certified under Article 40(1)(a), (b) or (c) of the UAS DR.

Further information

For further general information on UAS matters, visit www.caa.co.uk/uas or read [CAP 722](#)

CAP 722 will be revised in the near future to accommodate these changes and to provide updated CAA policy and guidance to the UAS community. Once completed, this will be communicated through SkyWise and the CAA website.

Annex A - Consolidated ANO UAS Articles

(as applicable from 11pm 31 December 2020)

This section contains a consolidated version of all ANO articles which are applicable to UAS. Articles are either already in force, or come into force on 31 December 2020 and are subsequently amended by 'The Unmanned Aircraft (Amendment) (EU Exit) Regulations 2020' at 11pm on the same day.

Note: Amended/new text is underlined in red but where a whole article has been inserted, only the title has been underlined.

Meaning of “commercial operation”

7. For the purposes of this Order, “commercial operation” means any operation of an aircraft other than for public transport—
- (a) which is available to the public; or
 - (b) which, when not made available to the public, is performed under a contract between an operator and a customer, where the latter has no control over the operator,

in return for remuneration or other valuable consideration.

Application of the Order to the Crown

20. (1) Subject to the provisions of this article and article 22, the provisions of this Order apply to or in relation to aircraft belonging to or exclusively employed in the service of Her Majesty as they apply to or in relation to other aircraft.
- (2) For the purposes of such application, the Department or other authority for the time being responsible on behalf of Her Majesty for the management of the aircraft is deemed to be the operator of the aircraft or, in the case of an unmanned aircraft, to be the UAS operator and, in the case of an aircraft belonging to Her Majesty, to be the owner of the interest of Her Majesty in the aircraft.
- (3) Nothing in this article renders liable to any penalty any Department or other authority responsible on behalf of Her Majesty for the management of any aircraft.

Exceptions from application of provisions of the Order for certain classes of aircraft

23. (1) This article applies to—

- (a) any small balloon;
- (b) any kite weighing not more than 2kg;
- (c) any unmanned aircraft other than an unmanned aircraft subject to certification; and
- (d) any parachute including a parascending parachute.

(2) Subject to paragraphs (3) and (4), nothing in this Order applies to or in relation to an aircraft to which this article applies.

(3) Articles 2, 91, 92, 93, 94A, 94B, 239, 241 and 257 (except 257(2)(a)) apply to or in relation to an aircraft to which this article applies, and articles 253, 265, 266 and 269 apply in relation to those articles.

(4) Articles 265A, 265B, 265C, 265D, 265E and 265F apply to or in relation to an aircraft to which this article applies, and article 265(3) applies in relation to those articles.

Certain unmanned aircraft: permission for flights that are over or near aerodromes

94A. (1) If the permission that is required under paragraph (4) of this article for a flight, or a part of a flight, by an unmanned aircraft has not been obtained—

- (a) the UAS operator must not cause or permit the unmanned aircraft to be flown on that flight or that part of the flight; and
- (b) the remote pilot must not fly the unmanned aircraft on that flight or that part of the flight.

(2) *Omitted.*

(3) *Omitted*

(4) Subject to paragraph (4A) permission for a flight, or a part of a flight, by an unmanned aircraft in the flight restriction zone of a protected aerodrome is required—

- (a) from any air traffic control unit at the protected aerodrome, if the flight, or the part of the flight, takes place during the operational hours of the air traffic control unit;
- (b) from any flight information service unit at the protected aerodrome, if the flight, or the part of the flight, takes place during the operational hours of the flight information service unit and either—
 - (i) there is no air traffic control unit at the protected aerodrome, or
 - (ii) the flight, or the part of the flight, takes place outside the operational hours of the air traffic control unit at the protected aerodrome;

- (c) from the operator of the protected aerodrome, if—
 - (i) there is neither an air traffic control unit nor a flight information service unit at the protected aerodrome; or
 - (ii) the flight, or the part of the flight, takes place outside the operational hours of any such unit or units at the protected aerodrome.

(4A) Permission is not required under paragraph (4) for a flight, or a part of a flight, by an unmanned aircraft subject to certification.

(5) In this article, “operational hours”, in relation to an air traffic control unit or flight information service unit, means the operational hours—

- (a) notified in relation to the unit, or
- (b) set out in the UK military AIP in relation to the unit.

(6) In this article and article 94B, “protected aerodrome” means—

- (a) a certified aerodrome,
- (b) a Government aerodrome,
- (c) a national licensed aerodrome, or
- (d) an aerodrome that is prescribed, or of a description prescribed, for the purposes of this paragraph.

(7) The “flight restriction zone” of a protected aerodrome is to be determined for the purposes of this article in accordance with the following table—

<i>Type of protected aerodrome</i>	<i>The “flight restriction zone”</i>
A protected aerodrome which is— (a) <u>a certified</u> aerodrome, (b) a Government aerodrome, or (c) a national licensed aerodrome, and which has an aerodrome traffic zone.	The flight restriction zone consists of— (a) the aerodrome traffic zone at the aerodrome, (b) any runway protection zones at the aerodrome, and (c) any additional boundary zones at the aerodrome.
A protected aerodrome which is— (a) <u>a certified</u> aerodrome, (b) a Government aerodrome, or	The flight restriction zone consists of the airspace extending from the surface to a height of 2,000 feet above the level of the aerodrome within the area bounded by a circle

<i>Type of protected aerodrome</i>	<i>The “flight restriction zone”</i>
(c) a national licensed aerodrome, but which does not have an aerodrome traffic zone.	centred on the notified mid-point of the longest runway and having a radius of two nautical miles. But if the longest runway does not have a notified mid-point, the mid-point of that runway is to be used instead for the purposes of determining the flight restriction zone.
A protected aerodrome that is prescribed, or of a description prescribed, under paragraph (6)(d).	The flight restriction zone consists of the zone that is prescribed for the purposes of this paragraph.

Interpretation of expressions used in the definition of “flight restriction zone”

94B. (1) This article makes provision about the meaning of expressions used in the definition of “flight restriction zone” in article 94A that applies in relation to a protected aerodrome which is—

- (a) a certified aerodrome,
- (b) a Government aerodrome, or
- (c) a national licensed aerodrome,

and which has an aerodrome traffic zone.

(2) Subject to paragraph (4), there is one runway protection zone for each runway threshold of each runway at the aerodrome.

(3) A “runway protection zone”, in relation to a runway threshold at the aerodrome, is the airspace extending from the surface to a height of 2,000 feet above the level of the aerodrome within the area bounded by a rectangle—

- (a) whose longer sides measure 5 km;
- (b) whose shorter sides measure—
 - (i) 1 km (except in the case of Heathrow Airport);
 - (ii) 1.5 km, in the case of Heathrow Airport; and
- (c) which is positioned so that—
 - (i) one of the shorter sides of the rectangle (“side A”) runs across the runway threshold, and

- (ii) the two longer sides of the rectangle are parallel to, and equidistant from, the extended runway centre line as it extends from side A out to, and beyond, the runway end to which the runway threshold relates.

(4) There is no runway protection zone—

- (a) for any runway threshold at the London Heliport;
- (b) for any runway threshold that is prescribed, or of a description prescribed, for the purposes of this paragraph.

(5) The “runway threshold” of a runway at the aerodrome is the location that, for the purpose of demarcating the start of the portion of the runway that is useable for landing, is—

- (a) notified as the threshold of the runway, or
- (b) set out as the threshold of the runway in the UK military AIP.

(6) The “extended runway centre line”, in relation to a runway at the aerodrome, is an imaginary straight line which runs for the length of the runway along its centre and then extends beyond both ends of the runway.

(7) An “additional boundary zone” is the airspace extending from the surface to a height of 2,000 feet above the level of the aerodrome within any part of the area between—

- (a) the boundary of the aerodrome, and
- (b) a line that is 1 km from the boundary of the aerodrome (the “1 km line”),
that is neither within the aerodrome traffic zone nor within any runway protection zone at the aerodrome.

(8) The 1 km line is to be drawn so that the area which is bounded by it includes every location that is 1 km from the boundary of the aerodrome, measured in any direction from any point on the boundary.

Power to prohibit or restrict flying

239.—(1) If the Secretary of State decides it is necessary in the public interest to restrict or prohibit flying by reason of—

- (a) the intended gathering or movement of a large number of persons;
- (b) the intended holding of an aircraft race or contest or of a flying display; or
- (c) national defence or any other reason affecting the public interest,

the Secretary of State may make regulations prohibiting, restricting or imposing conditions on flights by aircraft specified in paragraph (2) flying in the circumstances specified in paragraph (2).

(2) The aircraft and circumstances are—

(a) aircraft, whether or not they are registered in the United Kingdom, in any airspace over the United Kingdom or in the neighbourhood of an offshore installation; and

(b) aircraft which are registered in the United Kingdom, in any other airspace, being airspace for which the United Kingdom has, under international arrangements, undertaken to provide navigation services for aircraft.

(3) Regulations made under this article may apply either generally or in relation to any class of aircraft.

(4) It is an offence to contravene, permit the contravention of or fail to comply with any regulations made under this article.

(5) If the pilot in command of an aircraft becomes aware that the aircraft is flying in contravention of any regulations which have been made for any reason referred to in paragraph (1)(c) the pilot in command must, unless otherwise instructed under paragraph (6), cause the aircraft to leave the area to which the regulations relate by flying to the least possible extent over such area and the aircraft must not begin to descend while over such an area.

(6) The pilot in command of an aircraft flying either within an area for which regulations have been made for any reason referred to in paragraph (1)(c) or within airspace notified as a Danger Area must immediately comply with instructions given by radio by the appropriate air traffic control unit or by, or on behalf of, the person responsible for safety within the relevant airspace.

Endangering safety of an aircraft

240.—A person must not recklessly or negligently act in a manner likely to endanger an aircraft, or any person in an aircraft.

Endangering safety of any person or property

241.—A person must not recklessly or negligently cause or permit an aircraft to endanger any person or property.

Offences: Contravention of Commission Implementing Regulation (EU) 2019/947 on the rules and procedures for the operation of unmanned aircraft – UAS operator

265A.—(1) A UAS operator must not cause or permit an unmanned aircraft other than a tethered small unmanned aircraft to be flown unless—

(a) the requirements in Article 4(1) of, and Part A of the Annex to, the Unmanned Aircraft Implementing Regulation are met for that flight (an ‘open’ category flight);

(b) at the time of the flight, one of the following is valid for the flight (a ‘specific’ category flight)—

(i) an operational authorisation issued to the UAS operator under Article 12 of the Unmanned Aircraft Implementing Regulation;

- (ii) a LUC with appropriate privileges granted to the UAS operator in accordance with point UAS.LUC.060 of the Annex to that Regulation;
 - (iii) an authorisation issued in accordance with Article 16 of that Regulation; or
 - (c) the UAS and the UAS operator have been certified as required by Article 6(1) or (2) of the Unmanned Aircraft Implementing Regulation (a 'certified' category flight).
- (2) A UAS operator who contravenes paragraph (1) is guilty of an offence.
- (3) A UAS operator who contravenes a relevant requirement imposed in the Unmanned Aircraft Implementing Regulation is guilty of an offence.
- (4) For the purposes of paragraphs (1)(a) and (3), a requirement in any provision of the Unmanned Aircraft Implementing Regulation is to be read together with any other provision of that Regulation that contains any exception, derogation or qualification relating to that requirement.
- (5) For the purposes of paragraph (3), a "relevant requirement" in relation to a flight conducted in the circumstances referred to in paragraph (1)(a) is a requirement in any of the following provisions of the Unmanned Aircraft Implementing Regulation—
- (a) Article 14(5) (registration);
 - (b) Article 14(8) (display of registration number);
 - (c) Article 19(2) (reporting of safety occurrences);
 - (d) in Part A of the Annex—
 - (i) point UAS.OPEN.050(3) (designation of remote pilot);
 - (ii) point UAS.OPEN.050(4)(a) (competency of remote pilot);
 - (iii) point UAS.OPEN.050(5) (geo-awareness updates).
- (6) For the purposes of paragraph (3), a "relevant requirement" in relation to a flight conducted in the circumstances referred to in paragraph (1)(b)(i) is a requirement in any of the following provisions of the Unmanned Aircraft Implementing Regulation—
- (a) Article 14(5) (registration);
 - (b) Article 14(8) (display of registration number);
 - (c) Article 19(2) (reporting of safety occurrences);
 - (d) in Part B of the Annex—
 - (i) point UAS.SPEC.050(1)(a) (operational procedures and limitations);
 - (ii) point UAS.SPEC.050(1)(b) (designation of remote pilot or allocation of responsibilities for autonomous operations);
 - (iii) point UAS.SPEC.050(1)(d)(i) (competency of remote pilot);
 - (iv) point UAS.SPEC.050(1)(d)(v) (operations manual);
 - (v) point UAS.SPEC.050(1)(f) (authorised limitations and conditions);
 - (vi) point UAS.SPEC.050(1)(g) (record-keeping);

- (vii) point UAS.SPEC.090 (access to records);
- (viii) point UAS.SPEC.100 (use of certified equipment).

(7) For the purposes of paragraph (3), a “relevant requirement” in relation to a flight conducted in the circumstances referred to in paragraph (1)(b)(ii) is a requirement in any of the following provisions of the Unmanned Aircraft Implementing Regulation—

- (a) Article 14(5) (registration);
- (b) Article 14(8) (display of registration number);
- (c) Article 19(2) (reporting of safety occurrences);
- (d) in Part B of the Annex—
 - (i) point UAS.SPEC.050(1)(a) (operational procedures and limitations);
 - (ii) point UAS.SPEC.050(1)(b) (designation of remote pilot or allocation of responsibilities for autonomous operations);
 - (iii) point UAS.SPEC.050(1)(d)(i) (competency of remote pilot);
 - (iv) point UAS.SPEC.050(1)(d)(v) (operations manual);
 - (v) point UAS.SPEC.050(1)(f) (authorised limitations and conditions);
 - (vi) point UAS.SPEC.050(1)(g) (record-keeping);
 - (vii) point UAS.SPEC.100 (use of certified equipment).
- (e) in Part C of the Annex—
 - (i) point UAS.LUC.020(2) (scope and privileges of the LUC);
 - (ii) point UAS.LUC.020(3) (operational control system);
 - (iii) point UAS.LUC.020(4) (operational risk assessment);
 - (iv) point UAS.LUC.020(5) (LUC record-keeping);
 - (v) point UAS.LUC.090 (access to records).

(8) For the purposes of paragraph (7), the holder of a LUC who, in accordance with a privilege granted under point UAS.LUC.060(2) of Part C of the Annex to the Unmanned Aircraft Implementing Regulation, authorises a flight without applying for an operational authorisation is to be taken as having complied with any requirement in a provision referred to in paragraph (7)(d) relating to an operational authorisation.

(9) For the purposes of paragraph (3), a “relevant requirement” in relation to a flight conducted in the circumstances referred to in paragraph 1(b)(iii) is a requirement of any of the following provisions of the Unmanned Aircraft Implementing Regulation—

- (a) Article 14(5) (registration), subject to Article 16(4);
- (b) Article 14(8) (display of registration number);
- (c) Article 19(2) (reporting of safety occurrences),

and any condition of a kind referred to in Article 16(3) of the Unmanned Aircraft Implementing Regulation that is imposed on the UAS operator in the authorisation.

Offences: Contravention of Commission Implementing Regulation (EU) 2019/947 on the rules and procedures for the operation of unmanned aircraft – remote pilot

265B.—(1) A remote pilot must not fly an unmanned aircraft other than a tethered small unmanned aircraft unless—

- (a) at the time of take-off, the remote pilot reasonably holds the view that the requirements in Article 4(1) of, and Part A of the Annex to, the Unmanned Aircraft Implementing Regulation will be met in respect of the planned flight (an ‘open’ category flight);
- (b) at the time of the flight, one of the following is valid for the flight (a ‘specific’ category flight)—
 - (i) an operational authorisation issued to the UAS operator under Article 12 of the Unmanned Aircraft Implementing Regulation;
 - (ii) a LUC with appropriate privileges granted to the UAS operator in accordance with point UAS.LUC.060 of the Annex to that Regulation;
 - (iii) an authorisation issued in accordance with Article 16 of that Regulation; or
- (c) the UAS and the UAS operator have been certified as required by Article 6(1) or (2) of the Unmanned Aircraft Implementing Regulation (a ‘certified’ category flight).

(2) A remote pilot who contravenes paragraph (1) in relation to a flight, and who was not also the UAS operator in relation to that flight, is guilty of an offence.

(3) A remote pilot who contravenes a relevant requirement imposed in the Unmanned Aircraft Implementing Regulation is guilty of an offence.

(4) For the purposes of paragraphs (1)(a) and (3), a requirement in any provision of the Unmanned Aircraft Implementing Regulation is to be read together with any other provision of that Regulation that contains any exception, derogation or qualification relating to that requirement.

(5) For the purposes of paragraph (3), a “relevant requirement” in relation to a flight conducted in the circumstances referred to in paragraph (1)(a) is a requirement imposed in any of the following provisions of Part A of the Annex to the Unmanned Aircraft Implementing Regulation—

- (a) point UAS.OPEN.010(2) (maximum operating height);
- (b) point UAS.OPEN.060(1)(a), insofar as it relates to having the appropriate competency in the intended subcategory of flight;
- (c) point UAS.OPEN.060(1)(a), insofar as it relates to carrying proof of competency;
- (d) point UAS.OPEN.060(1)(d) (certain safety checks);
- (e) point UAS.OPEN.060(1)(e) (MTOM check);
- (f) point UAS.OPEN.060(2)(a) (fitness to fly);
- (g) point UAS.OPEN.060(2)(b), insofar as it requires the remote pilot to keep the unmanned aircraft in visual line of sight;

- (h) point UAS.OPEN.060(2)(b), insofar as it relates to discontinuing the flight in certain circumstances;
- (i) point UAS.OPEN.060(2)(c) (geographical zones);
- (j) point UAS.OPEN.060(3) (flights close to emergency response).

(6) For the purposes of paragraph (3), in the case of a flight conducted in the circumstances referred to in paragraph (1)(a) with a UAS of a kind specified in a provision of the Unmanned Aircraft Implementing Regulation listed in column 1 of Table 1 below, a “relevant requirement” also includes a requirement imposed in a provision of that Regulation specified in column 2 of that table (where “point” refers to a point in the Annex to that Regulation).

Table 1

<i>Provision specifying the kind of UAS</i>	<i>Provision containing “relevant requirements”</i>
Article 22(a)	Point UAS.OPEN.020(1)
Point UAS.OPEN.020(5)(a), (b) or (c)	Point UAS.OPEN.020(2)
Point UAS.OPEN.020(5)(d)	Point UAS.OPEN.020(1)
Point UAS.OPEN.040(4)(c) if, at the time of take-off, the remote pilot does not intend to comply with points UAS.OPEN.040(1) and (2) of that Annex	Point UAS.OPEN.030(1)
Article 22(b)	Article 22(b)
Point UAS.OPEN.040(4)(c) if, at the time of take-off, the remote pilot intends to comply with points UAS.OPEN.040(1) and (2) of that Annex	Points UAS.OPEN.040(1) and (2)
Point UAS.OPEN.040(4)(a), (b), (d) or (e)	Points UAS.OPEN.040(1) and (2)
Article 22(c)	Points UAS.OPEN.040(1) and (2)

(7) For the purposes of paragraph (3), a “relevant requirement” in relation to a flight conducted in the circumstances referred to in paragraph (1)(b)(i) or (ii) is a requirement imposed in any of the following provisions of Part B of the Annex to the Unmanned Aircraft Implementing Regulation—

- (a) point UAS.SPEC.060(1)(a) (fitness to fly);
- (b) point UAS.SPEC.060(1)(b), insofar as it relates to having the appropriate competency;

- (c) point UAS.SPEC.060(1)(b), insofar as it relates to carrying proof of competency;
- (d) point UAS.SPEC.060(2)(c) (certain safety checks);
- (e) point UAS.SPEC.060(3)(a) (authorised limitations and conditions);
- (f) point UAS.SPEC.060(3)(b) (risk avoidance);
- (g) point UAS.SPEC.060(3)(c) (geographical zones);
- (h) point UAS.SPEC.060(3)(d) (operator's procedures);
- (i) point UAS.SPEC.060(3)(e) (flights close to emergency response).

(8) For the purposes of paragraph (3), a “relevant requirement” in relation to a flight conducted in the circumstances referred to in paragraph (1)(b)(iii) is any condition of a kind referred to in Article 16(3) of the Unmanned Aircraft Implementing Regulation that is imposed on the remote pilot in the authorisation.

Offence: registration of certified unmanned aircraft

265C.—(1) The owner of an unmanned aircraft required by Article 6(1) or (2) of the Unmanned Aircraft Implementing Regulation to be certified must not cause or permit that aircraft to be flown unless the owner has first registered that aircraft in accordance with Article 14(7) of that Regulation.

(2) Any person who contravenes paragraph (1) is guilty of an offence.

Minimum age requirements

265D.—(1) In accordance with Article 9(3)(a) of the Unmanned Aircraft Implementing Regulation, the minimum age for remote pilots operating a UAS in the ‘open’ category is lowered from 16 years to 12 years.

(2) The minimum age of 16 years for remote pilots operating a UAS in the ‘specific’ category is lowered—

- (a) to 14 years in accordance with Article 9(3)(b) of the Unmanned Aircraft Implementing Regulation; or
- (b) when operating in the framework of model aircraft clubs or associations, to 14 years or any lower minimum age provided for in an authorisation issued in accordance with Article 16 of that Regulation.

(3) A UAS operator must not cause or permit an unmanned aircraft other than a tethered small unmanned aircraft to be flown by a remote pilot who does not meet the minimum age for operating a UAS required by Article 9 of the Unmanned Aircraft Implementing Regulation, subject to paragraphs (1) and (2).

(4) A UAS operator who contravenes paragraph (3) is guilty of an offence.

(5) Paragraphs (3) and (4) cease to have effect on IP completion day³.

³ IP Completion day is defined in Schedule 1 to the Interpretation Act (c. 30) by reference to section 39 of the European Union (Withdrawal Agreement) Act 2020 (c. 1), as 11:00pm on 31 December 2020

(6) In the case of an individual, the CAA must not issue a unique digital registration number to a UAS operator in accordance with Article 14(6) of the Unmanned Aircraft Implementing Regulation unless the UAS operator is at least 18 years of age.

(7) In this article—

- (a) 'open' category means a category of UAS operations that is defined in Article 4 of the Unmanned Aircraft Implementing Regulation;
- (b) 'specific' category means a category of UAS operations that is defined in Article 5 of the Unmanned Aircraft Implementing Regulation.

Offences: tethered small unmanned aircraft

265E.—(1) A UAS operator must not cause or permit a tethered small unmanned aircraft to be flown, unless the following requirements of the Unmanned Aircraft Implementing Regulation are complied with in relation to the tethered small unmanned aircraft—

- (a) Article 14(5) (registration);
- (b) Article 14(8) (display of registration number);
- (c) Article 19(2) (reporting safety occurrences);
- (d) point UAS.OPEN.050(3) of Part A of the Annex (designation of remote pilot);
- (e) point UAS.OPEN.050(5) of Part A of the Annex (geo-awareness updates).

(2) Subject to paragraph (3), a remote pilot must not fly a tethered small unmanned aircraft unless the following requirements of the Unmanned Aircraft Implementing Regulation are complied with in relation to the tethered small unmanned aircraft—

- (a) where the tethered small unmanned aircraft has a MTOM of less than 250g, the following provisions of Part A of the Annex to that Regulation—
 - (i) point UAS.OPEN.010(2) (maximum operating height);
 - (ii) point UAS.OPEN.020(2) (overflight of people);
 - (iii) point UAS.OPEN.060(1)(d) (certain safety checks);
 - (iv) point UAS.OPEN.060(2)(a) (fitness to fly);
 - (v) point UAS.OPEN.060(2)(b), insofar as it requires the remote pilot to keep the unmanned aircraft in visual line of sight;
 - (vi) point UAS.OPEN.060(2)(b), insofar as it relates to discontinuing the flight in certain circumstances;
 - (vii) point UAS.OPEN.060(2)(c) (geographical zones);
 - (viii) point UAS.OPEN.060(3) (flights close to emergency response);
- (b) where the tethered small unmanned aircraft has a MTOM 250g or more, the following provisions of Part A of that Annex—
 - (i) point UAS.OPEN.010(2) (maximum operating height);
 - (ii) point UAS.OPEN.020(4)(b) (competency);

- (iii) point UAS.OPEN.040(1) (overflight of people);
- (iv) point UAS.OPEN.040(2) (horizontal distances);
- (v) point UAS.OPEN.060(1)(a) insofar as relates to carrying proof of competency;
- (vi) point UAS.OPEN.060(1)(d) (certain safety checks);
- (vii) point UAS.OPEN.060(2)(a) (fitness to fly);
- (viii) point UAS.OPEN.060(2)(b), insofar as it requires the remote pilot to keep the unmanned aircraft in visual line of sight;
- (ix) point UAS.OPEN.060(2)(b), insofar as it relates to discontinuing the flight in certain circumstances;
- (x) point UAS.OPEN.060(2)(c) (geographical zones);
- (xi) point UAS.OPEN.060(3) (flights close to emergency response).

(3) A remote pilot may fly a tethered small unmanned aircraft in a manner not in compliance with the requirements specified in paragraphs (2)(a)(i), (2)(a)(ii), (2)(a)(v), (2)(b)(i), (2)(b)(iii), (2)(b)(iv) and (2)(b)(viii) provided that flight or that part of that flight is in accordance with a permission issued by the CAA to the UAS operator.

(4) For the purposes of paragraphs (1) and (2), any reference to an “unmanned aircraft” or “UAS” in the Unmanned Aircraft Implementing Regulation is to be read as if it includes a tethered small unmanned aircraft or a system that includes such an aircraft.

(5) The UAS operator or a remote pilot of a tethered small unmanned aircraft must not cause or permit—

- (a) any material to be dropped from, or dangerous goods to be carried on, the aircraft during flight;
- (b) the aircraft to be flown where the limit imposed by the restraining device is more than 25m long,

other than in accordance with a permission issued by the CAA to the UAS operator.

(6) The UAS operator must not cause or permit a small tethered unmanned aircraft to be flown unless the UAS operator has reasonably formed the view that the remote pilot of the aircraft complies with the requirement specified in paragraph (2)(b)(ii) in relation to that flight.

(7) Any person who contravenes paragraph (1), (2), (5) or (6) is guilty of an offence.

(8) In this article, “dangerous goods” and “MTOM” have the meanings assigned to them in Article 2 of the Unmanned Aircraft Implementing Regulation.

Penalties

265F.—(1) Any person guilty of an offence under article 265A(2) or article 265B(2) is liable on summary conviction—

- (a) in England and Wales to a fine; or
- (b) in Scotland or Northern Ireland to a fine not exceeding the statutory maximum.

(2) Any person guilty of an offence under article 265A(3) is liable on summary conviction to a fine—

- (a) not exceeding level 3 on the standard scale if the offence relates to contravention of a relevant requirement referred to in—
 - (i) article 265A(5)(a) (registration);
 - (ii) article 265A(5)(b) (display of registration number);
 - (iii) article 265A(5)(d)(i) (designation of remote pilot);
 - (iv) article 265A(5)(d)(ii) (competency of remote pilot);
 - (v) article 265A(5)(d)(iii) (geo-awareness updates);
 - (vi) article 265A(6)(a) (registration);
 - (vii) article 265A(6)(b) (display of registration number);
 - (viii) article 265A(6)(d)(ii) (designation of remote pilot or allocation of responsibilities for autonomous operations);
 - (ix) article 265A(6)(d)(iii) (competence of remote pilot);
 - (x) article 265A(6)(d)(iv) (operations manual);
 - (xi) article 265A(6)(d)(vi) (record-keeping);
 - (xii) article 265A(6)(vii) (access to records);
 - (xiii) article 265A(7)(a) (registration);
 - (xiv) article 265A(7)(b) (display of registration number);
 - (xv) article 265A(7)(d)(ii) (designation of remote pilot or allocation of responsibilities for autonomous operations);
 - (xvi) article 265A(7)(d)(iii) (competency of remote pilot);
 - (xvii) article 265A(7)(d)(iv) (operations manual);
 - (xviii) article 265A(7)(d)(vi) (record-keeping);
 - (xix) article 265A(7)(e)(iv) (LUC record-keeping);
 - (xx) article 265A(7)(e)(v) (access to records);
 - (xxi) article 265A(9)(a) (registration); or
 - (xxii) article 265A(9)(b) (display of registration number);
- (b) not exceeding level 4 on the standard scale in any other case.

(3) Any person guilty of an offence under article 265B(3) is liable on summary conviction to a fine—

- (a) not exceeding level 2 on the standard scale if the offence relates to contravention of a relevant requirement referred to in article 265B(5)(c) or (7)(c) (requirements for remote pilot to carry proof of competency);

- (b) not exceeding level 3 on the standard scale if the offence relates to contravention of a relevant requirement referred to in article 265B(5)(b), (5)(e) or (7)(b) (requirements for remote pilot to have appropriate competency and verify MTOM);
 - (c) not exceeding level 4 on the standard scale in any other case.
- (4) Any person guilty of an offence under article 265C(2) or 265D(4) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (5) Any person guilty of an offence under article 265E(7) is liable on summary conviction to a fine—
- (a) not exceeding level 2 on the standard scale if the offence relates to the requirement in article 265E(2)(b)(v) (requirement for remote pilot to carry proof of competency);
 - (b) not exceeding level 3 on the standard scale if the offence relates to a requirement referred to in—
 - (i) article 265E(1)(a) (registration);
 - (ii) article 265E(1)(b) (display of registration number);
 - (iii) article 265E(1)(d) (designation of remote pilot);
 - (iv) article 265E(1)(e) (geo-awareness updates);
 - (v) article 265E(2)(b)(ii) (competency); or
 - (vi) article 265E(6) (remote pilot competency);
 - (c) not exceeding level 4 on the standard scale in any other case.

CAA's power to prevent aircraft flying

257.—(1) If it appears to the CAA or an authorised person that any aircraft is intended or likely to be flown in any of the circumstances specified in paragraph (2), the CAA or that authorised person may direct in accordance with paragraph (3).

(2) The circumstances referred to in paragraph (1) are—

- (a) where any provision of article 24, 32, 33, 66, 97, 98, 99, 101, 102, 103, 122, 136, 137, 231 or 242(2) would be contravened in relation to the flight;
- (b) where the flight would be in contravention of any other provision of this Order, of any regulations made under this Order, of an EASA Regulation or of EU-OPS and be a cause of danger to any person or property whether or not in the aircraft; or
- (c) where the aircraft is in a condition unfit for the flight, whether or not the flight would otherwise be in contravention of any provision of this Order, of any regulations made under this Order, of an EASA Regulation or of EU-OPS.

(3) If paragraph (1) applies, the CAA or that authorised person may direct the operator or the pilot in command of the aircraft not to permit the aircraft to make the particular flight or any other flight of such description as may be specified in the direction, until the direction has been revoked by the CAA or by an authorised person.

(4) If the CAA or an authorised person has directed under paragraph (3), the CAA or an authorised person may take such steps as are necessary to detain the aircraft.

(5) For the purposes of this article, the CAA or any authorised person may enter and inspect any aircraft.

Schedule 1

“**LUC**” refers to a light UAS operator certificate, which means a certificate issued to a UAS operator by the CAA under point UAS.LUC.050 of Part C of the Annex to the Unmanned Aircraft Implementing Regulation;”;

“**remote pilot**” means an individual responsible for safely conducting the flight of an unmanned aircraft by operating its flight controls, either manually or, when the unmanned aircraft flies automatically, by monitoring its course and remaining able to intervene and change the course at any time;”;

“**Small unmanned aircraft**” definition is deleted;

“**SUA operator**” definition is deleted;

“**tethered small unmanned aircraft**” means an unmanned aircraft—

(a) having a MTOM, within the meaning of Article 2 of the Unmanned Aircraft Implementing Regulation, of not more than 1kg; and

(b) which is flown within limits imposed by a restraining device which attaches the aircraft to the surface or to a person on the surface.”;

“**UAS**” refers to an unmanned aircraft system, and means an unmanned aircraft and the equipment to control it remotely;

“**UAS operator**” means any person operating or intending to operate one or more UAS;”;

“**unmanned aircraft**” means any aircraft operating or designed to operate autonomously or to be piloted remotely without a pilot on board;

“**Unmanned Aircraft Delegated Regulation**” means Commission Delegated Regulation (EU) 2019/945 of 12 March 2019 on unmanned aircraft systems and on third-country operators of unmanned aircraft systems;

“**Unmanned Aircraft Implementing Regulation**” means Commission Implementing Regulation (EU) 2019/947 of 24 May 2019 on the rules and procedures for the operation of unmanned aircraft;

“**unmanned aircraft subject to certification**” means any unmanned aircraft forming part of a UAS required to be certified under Article 40(1)(a), (b) or (c) of the Unmanned Aircraft Delegated Regulation;”.