REPUBLIC OF CYPRUS

A Member of the European Union

DEPARTMENT OF CIVIL AVIATION

The ‘Open’ Category (FAQs)

Understanding the ‘Open’ Category

How do I determine I fall under the ‘open’ category?

ANSWER

A drone can be operated in the “Open “category when it:

- bears one of the class identification labels 0, 1, 2, 3 or 4; or
- is privately built and its weight is less than 25 kg; or
- it is purchased before 1 January 2023, with no class identification label as above;
- will not be operated directly over people, unless it bears a class identification label or is lighter than 250 g. (Please refer to subcategories of operations: A1, A2 and A3 to find out where you can fly with your drone);
- will be maintained in visual line of sight (VLOS) or the remote pilot will be assisted by a UA observer;
- is flown at a height of no more than 120 metres;

- will not carry any dangerous goods and will not drop any material.

Regulatory reference: Article 4 and article 20 of EU Regulation 2019/947; Annex part A and Article 5(1) of EU Regulation 2019/947, Part1 to 5 Annex of EU regulation 2019/945.

I fall under the 'open' category, how do I determine which subcategory I can fly under?

ANSWER

The Subcategory is determined either by:

- the label showing the class identification label (0, 1, 2, 3 or 4), affixed to your drone; or
- the weight of your drone, for a privately built drone or for a drone without class identification label (called legacy drones);

Caveat: in order to facilitate the transition, drones without class identification labels may fly until 1st of January 2023 according to the requirements defined in article 22 of EU regulation 2019/947 (please refer to FAQ on flying without CE Class Markings for additional information).

Applying the instructions above, please refer to the table below to determine the subcategory you must fly under. For instance, drones with CE class 2 marks can be only be flown under subcategory A2 (close to people) or A3 (far from people).

'Open' - Subcategory	class identification label type of drone
A1 **Urban areas but not over crowds or outside of urban areas**	class identification label 0, 1
	Privately built drone with MTOM < 250 g and Speed < 19 m/s
	Drone without class identification label with MTOM < 250 g incl. fuel and payload. As of 1 January 2023
A2 **Urban areas keeping at least 5 m (or 30 m depending on the features of your drone) from people, or outside of urban areas**	2
A3 **Outside of urban areas**	class identification label 2, 3, 4
	Privately built drone with MTOM < 25 kg Speed < 19 m/s
	Drone without class identification label with MTOM < 25 kg incl. fuel and payload. As of 1 January 2023

Please consider that your state may publish geographical zones that may restrict the use of your drone.

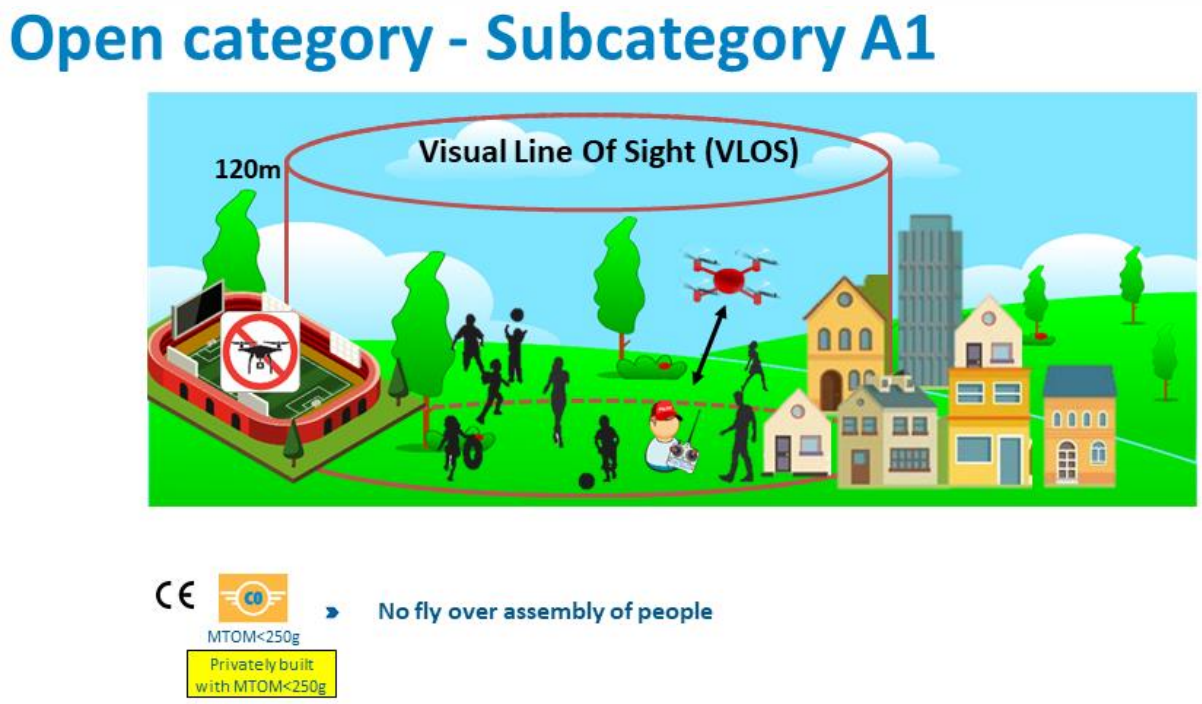
Requirements under the ‘Open’ Category

What are the requirements under the subcategories of the ‘open’ category?

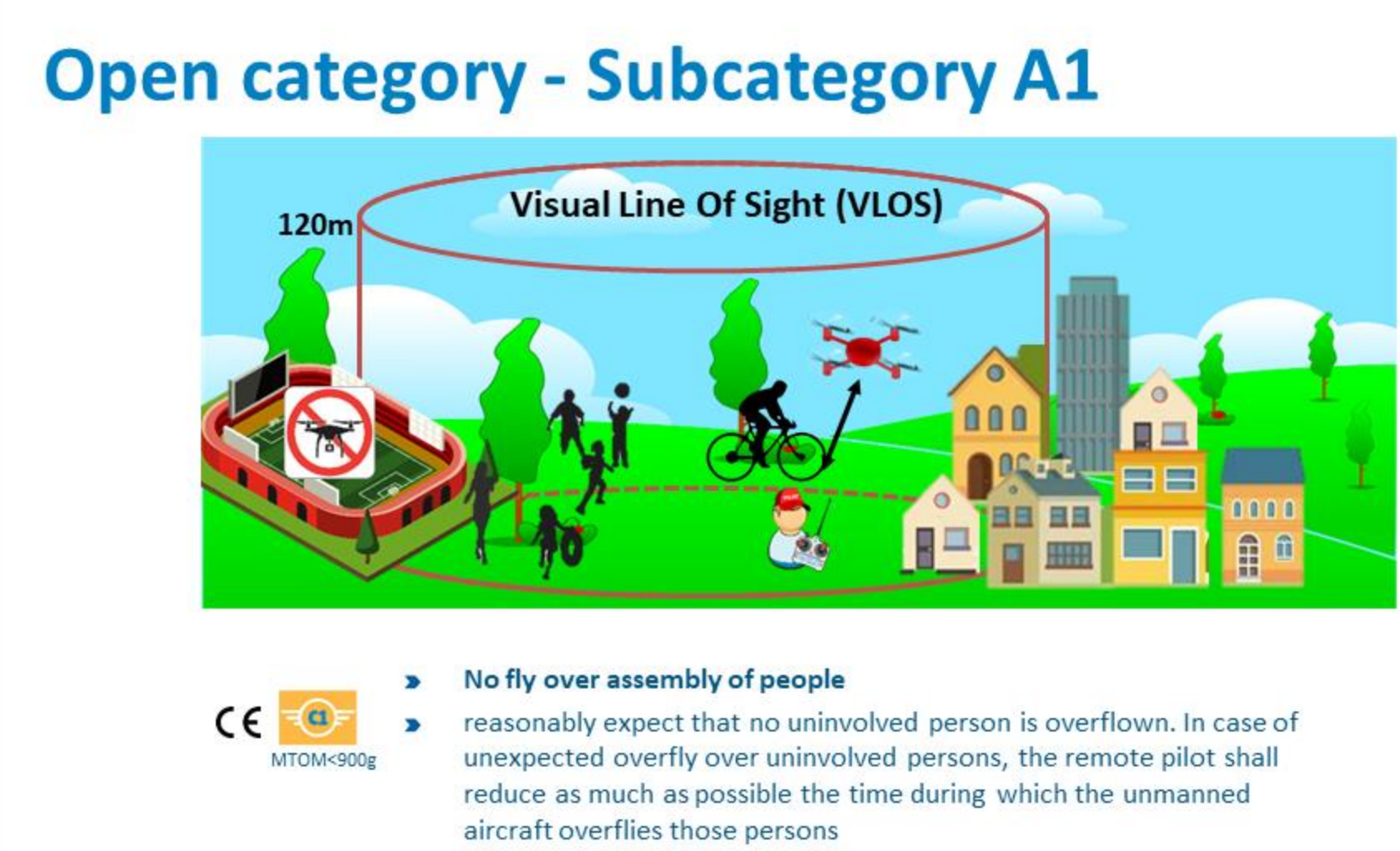
ANSWER

According to the class identification label of the drone or the weight, in the case of privately built drones, they can be operated in different conditions as described below:

Drones bearing a CE class 0 mark or that are privately built and weigh up to 250 g can fly in subcategory A1, which means almost everywhere, except over assemblies of people, or areas that the state has forbidden by imposing a restriction on the flight of drones (please consult the website of your National Aviation Authority. See https://www.easa.europa.eu/domains/civil-drones/naa).

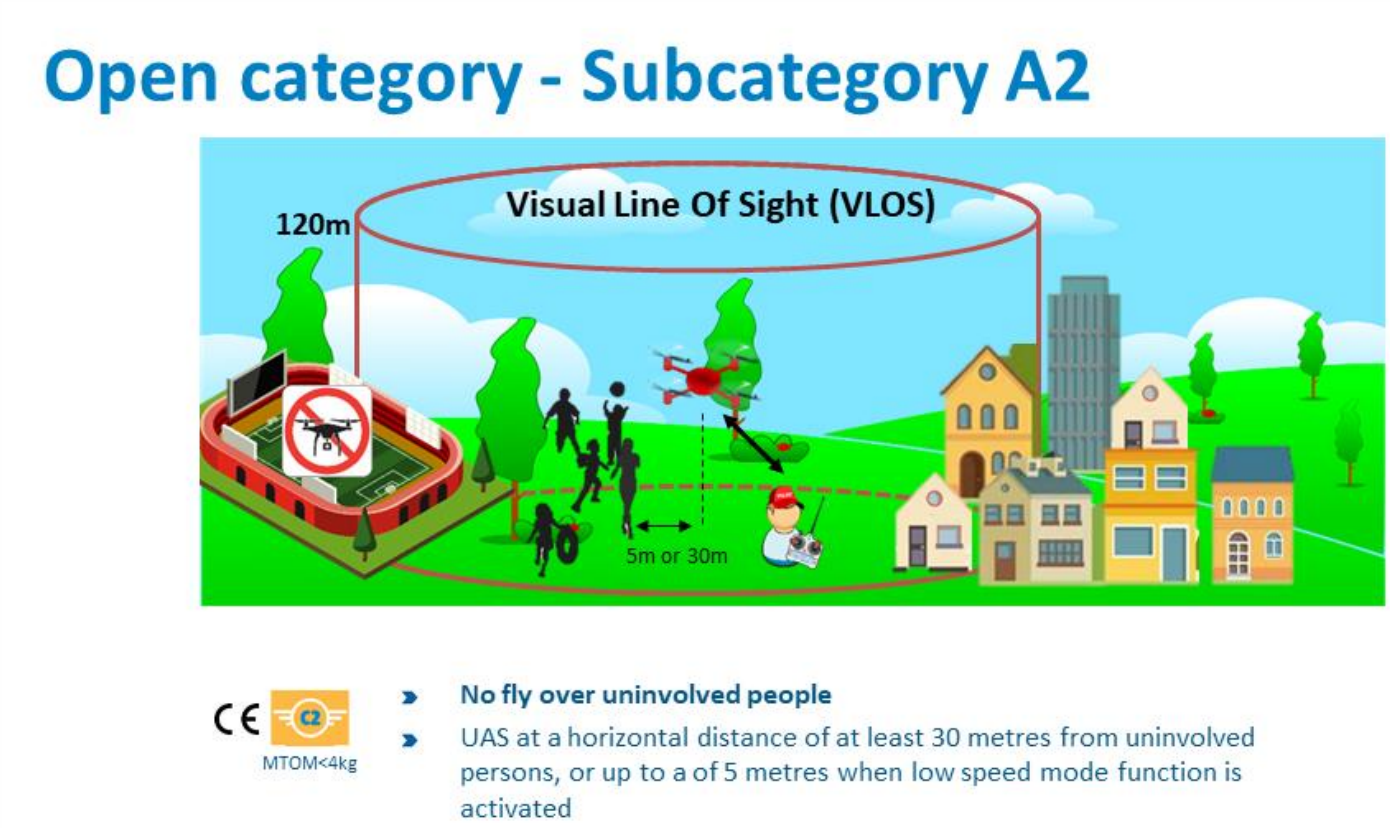


Drones bearing a class identification label 1 can also be operated in subcategory A1 with the difference that you are required to minimise flying over uninvolved people.

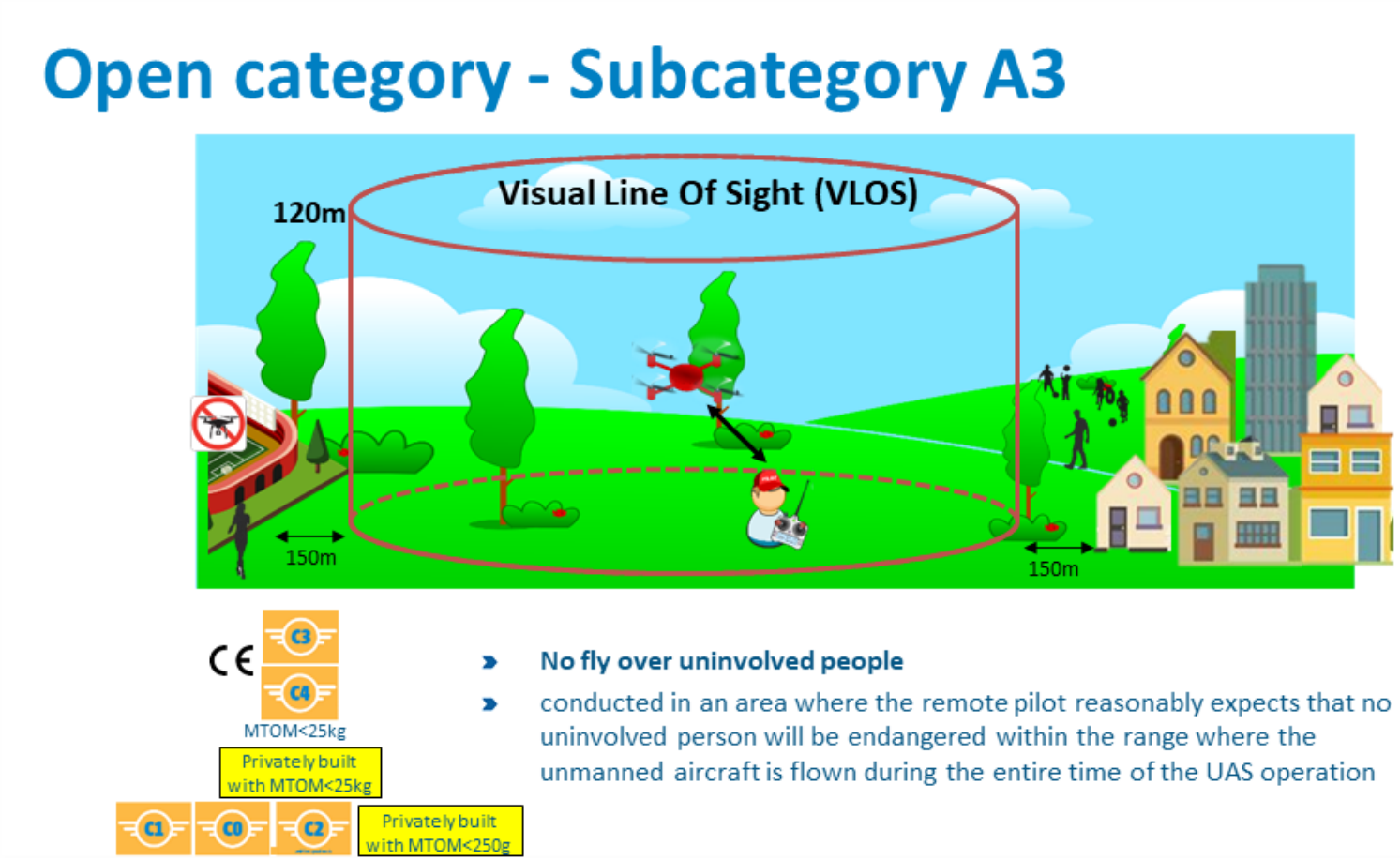


Drones bearing a class identification label 2 can be operated in subcategory A2, which means in urban environments, however, you are required to keep a safe distance from any uninvolved people. As a rule,

this minimum distance should be equal to the height at which the drone is flying (e.g. if you are flying at a height of 30 m, make sure that the closest uninvolved person is at least 30 m from the position where the drone would vertically fall in the event of an incident). In any case, this distance must never be less than 5 m. In addition, you can also fly in the conditions defined for subcategory A3. Finally, you must avoid flying in areas that the state has forbidden by imposing a restriction on the flight of drones. (Please consult the website of your National Aviation Authority for additional information. See https://www.easa.europa.eu/domains/civil-drones/naa).



Drones bearing a class identification label 3 or 4 , or that are privately built and weigh up to 25 kg, can be operated in subcategory A3. That means that they can never be operated in urban environments that you need to keep the drone at least 150 m from residential, commercial or industrial areas, and to only operate in areas where no uninvolved people are present in the range where the drone can be operated. In any case, you must avoid flying in areas that the state has forbidden by imposing a restriction on the flight of drones (please consult the website of your National Aviation Authority for additional information, see https://www.easa.europa.eu/domains/civil-drones/naa)



For the full image of requirements and limitations applicable to different classes of drones and conducted operations, please refer to the table below:

<table>
<tr><th colspan="2">UAS</th><th colspan="2">Operation</th><th colspan="3">Drone Operator/pilot</th></tr>
<tr><th>Class</th><th>MTOM</th><th>Subcategory</th><th>Operational restrictions</th><th>Drone Operator registration</th><th>Remote pilot competence</th><th>Remote pilot minimum age</th></tr>
<tr><td>Privately built</td><td rowspan="3">< 250 g</td><td rowspan="3">A1
(can also fly in subcategory A3)</td><td rowspan="2">- may fly over uninvolved people (should be avoided when possible)
- no fly over assemblies of people</td><td rowspan="3">No, unless camera / sensor on board and a drone is not a toy</td><td>- no training needed</td><td>No minimum age</td></tr>
<tr><td>0</td><td rowspan="2">- read user's manual</td><td>16*,
no minimum age if drone is a toy</td></tr>
<tr><td>Legacy drones (art. 20)</td><td>16*</td></tr>
<tr><td>1</td><td>< 900 g</td><td>- No expected fly over uninvolved people (if happens, should be reduced)
- no fly over assemblies of people</td><td>Yes</td><td>- read user's manual
- complete online training
- pass online theoretical exam</td><td>16*</td></tr>
<tr><td>2</td><td>< 4 kg</td><td>A2

(can also fly in subcategory A3)</td><td>- no fly over uninvolved people
- keep horizontal distance of 30 m from uninvolved people
(it can be reduced to 5 m if low speed function is activated)</td><td>Yes</td><td>- read user's manual
- complete online training
- pass online theoretical exam
- conduct and declare a self-practical training
- pass a written exam at the CAA (or at recognized entity)</td><td>16*</td></tr>
<tr><td>3</td><td rowspan="3">< 25 kg</td><td rowspan="3">A3</td><td rowspan="3">- fly away from people
- fly outside of urban area (150 m distance)</td><td rowspan="3">Yes</td><td rowspan="3">- read user's manual
- complete online training
- pass online theoretical exam</td><td rowspan="3">16*</td></tr>
<tr><td>4</td></tr>
<tr><td>Privately built
Legacy drones (art. 20)</td></tr>
</table>

* The minimum age can be lowered by the state to 12, in which case, this new threshold will be valid only in that state.

Training Requirements under the ‘Open’ Category

Are all remote pilots required to train to fly a drone?

ANSWER

Yes, in general, you need to have training that is proportionate to the category of drone you are going to operate.

Training is not required only if you are using very light drones:

a. if the drone bears a CE class mark 0, **you only must be familiar with the manufacturer’s instructions**; or b. with privately built drones with a weight less than 250g, you are not required to undergo any training.

However, **all other** remote pilots must undergo the required training.

This means that, in the **‘open’ category, all remote pilots** flying in subcategories A1, A2 and A3 are **required** to:

1. be familiar with the manufacturer’s manual;

2. complete an online training course provided by the National Aviation Authority (please consult their website); and
3. successfully complete an online theoretical knowledge examination (provided at the end of the online training) before they can fly the drone.

The test consists of 40 multiple choice questions testing your knowledge as a pilot.

Once completed the national National Aviation Authority will issue a **certificate of completion of the online training.** It enables you to fly in the in **A1 and A3 subcategories**.

Regulatory reference: Annex part A (DRONE.OPEN.020) of EU regulation 2019/947.

However, if you intend to operate **in A2 subcategory**, you must **in addition** to the above:

1. Complete practical training of yourself in order to familiarise yourself with the drone and ensure you reach a good level of control. This must be conducted in an area where you do not pose a risk to other people; and

2. Undergo an additional theoretical knowledge examination that will be provided in a facility identified by the National Aviation Authority;

The test consists of 30 multiple choice questions testing the pilot's knowledge on mitigation of ground risks, meteorology and the drone's flight performance.

On completion, the National Aviation Authority issues a **'certificate of remote pilot competency'**. With this certificate, you can fly in the **A2 subcategory**.

Regulatory reference: UAS.OPEN.030 Annex Part A of EU regulation 2019/947.

Who issues the remote pilot competency certificate for the 'open' category and how long is it valid for?

ANSWER

For the 'open' category or standard scenarios, the National Aviation Authority or an entity designated by the National Aviation Authority is responsible for issuing the certificates. A certificate for Remote Pilot competency **is valid for 5 years**. If the revalidation is conducted before the certificate expires, the remote pilot may attend a seminar provided by the National Aviation Authority or by an entity recognised by it, otherwise competencies need to be re-demonstrated.

Regulatory reference: DRONE.OPEN.070 (1) of EU regulation 2019/947.

Will the competency certificate for the 'open' category be recognised throughout Europe?

ANSWER

Yes, training conducted in one EASA member state will be recognised in all others.

Operational Authorisation Requirements ‘Open’ Category

Do I need to obtain an authorisation before flying my drone? ('open' category)

ANSWER

No prior authorisation is needed for operations in the '**open' category.**

Responsibilities for Drone Operators and Remote Pilots in ‘Open’ Category

What are my responsibilities as a drone operator in the 'open' category?

ANSWER

As a drone operator flying in the ’open’ category, you **must**:

- ensure that the drone displays the drone operator registration number (e.g. with a sticker) and the same number is uploaded into the remote identification;
- develop operational procedures (written procedures are required when the drone operator employs more than one remote pilot, otherwise it is enough that the remote pilot follows the procedures defined by the manufacturer in the user’s manual);
- ensure that there is no radio interference that may affect the command and control link of the drone;

- designate a remote pilot for each operation; it is important that it is clear who is the person responsible for each flight;
- ensure that the remote pilot and the personnel supporting the operation of the drone are familiar with the user's manual and with the drone operator's procedures, have appropriate competency, and are provided with the relevant information concerning any geographical zones published by the MS;
- ensure that the maps in the geo-awareness system of the drone are up to date, unless you are flying in a geographical zone where geo-awareness is not required;
- ensure that, unless you are using a privately built drone, it has a declaration in conformity to the CE class mark and its class label (0 to 4) is affixed to the aircraft; and
- ensure that the persons involved in the operation of the drone is aware of the risks involved in operations under subcategories A2 and A3.

Regulatory reference: UAS.OPEN.050 under Annex 1 and art.19 (2)

What are my responsibilities as a remote pilot in the 'open' category?

ANSWER

As a remote pilot you **must**:

Before the flight:

- complete the training and examination required for the type of operation you will be involved in;
- have relevant up-to-date information about any geographical zones published by the National Aviation Authority;

- check for obstacles and the presence of people not involved in the operation of the drone (unless operating in the A1 subcategory with a privately built drone or a drone with a CE class 0 mark;
- check that the drone is fit for flight and the operation it will undertake;
- check that the remote control works properly (if applicable); and
- ensure that the weight of the drone is within the limit of the category or subcategory of the intended operation.

During the flight in the 'open' category, you must:

- not operate the drone when you are unfit either due to the consumption of psychoactive/ hallucinogenic substances or alcohol, or unfit due to sickness;
- keep the drone at a distance such that you can clearly see it; you may use a UA observer to scan the airspace when you want to fly in first person view. UA observers must be located alongside you such that they can immediately communicate in case they see an obstacle and give you instructions such as to immediately land the drone.
- if you or the UA observer see a manned aircraft, give way to it, and make sure you are far away from it. If you have any doubt about the operation, you should land the drone immediately.
- comply with the limitation of the geographical zones;
- operate the drone according to the manufacturer's user manual;
- comply with the operator's procedure; and
- do not operate where an emergency response service is ongoing (e.g. in the case of an accident, keep away from that location since an emergency helicopter may be required to be used);

Regulatory reference: UAS.OPEN.060 under Annex part A EU regulation 2019/947.

Drones without Class Identification in the ‘Open’ Category

I fall under the 'open' category will I be able to fly my old drone after 31 December 2020 ?

ANSWER

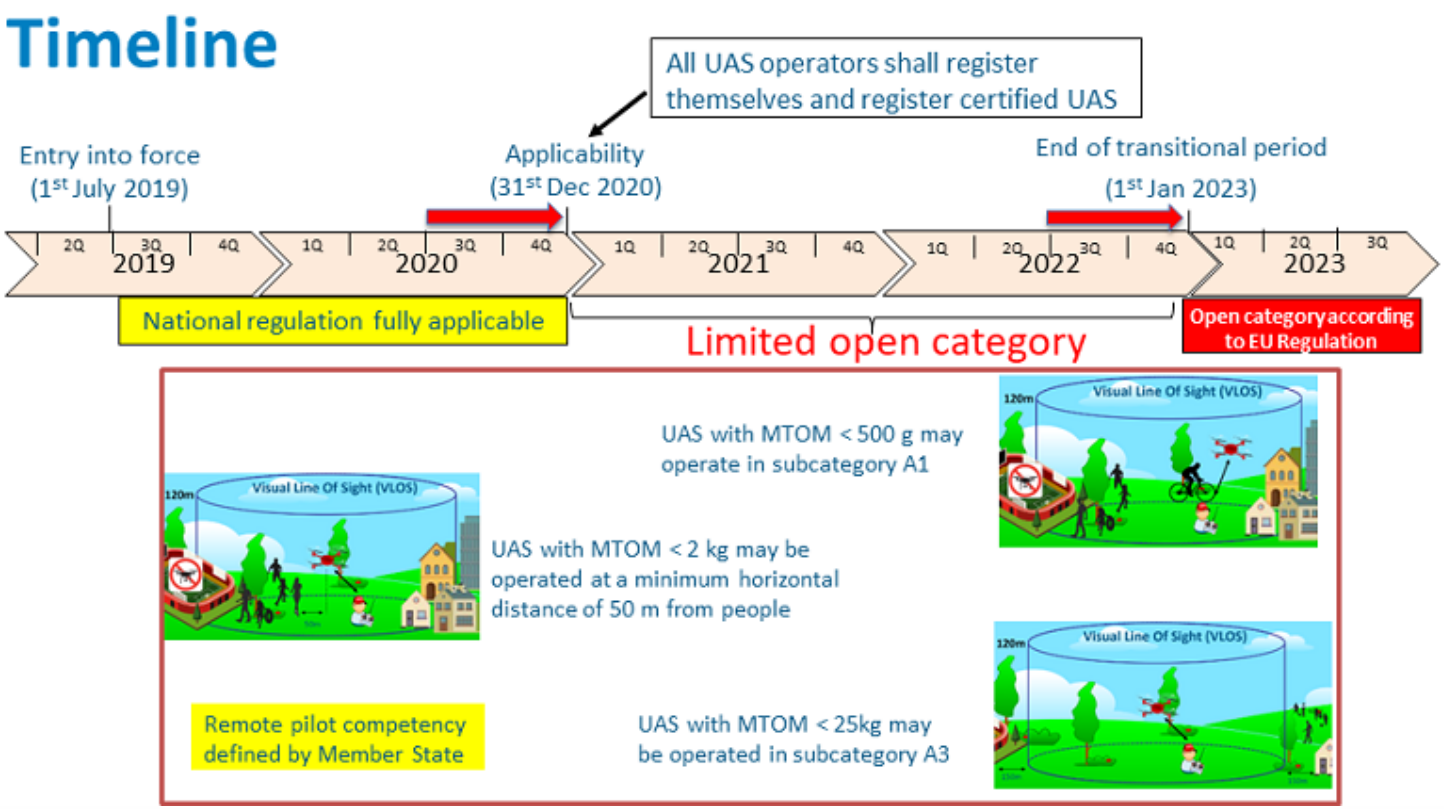
Yes, from 31 December 2020 to 1 January 2023, you may fly your drone without class Identification label in the ’open’ category under the following conditions:

- drones with less than 500 g MTOM cannot fly over people, and pilot competency is determined by your National Aviation Authority;
- drones with less than 2 kg MTOM can fly 50 metres or more (horizontally) from people and the pilot must undergo training equivalent to subcategory A2 (see the FAQ section on training);
- drones with less than 25 kg MTOM, can fly in areas free from people, 150 metres or more away from properties, and the pilot must undergo training equivalent to subcategory A3 (see the FAQ section on training).

After 1 January 2023, you can still fly your drone without class identification labels, however, only under the following subcategories of operation, for which you have to fully comply with:

- Subcategory A1 when the drone’s maximum take-off weight (MTOM) is less than 250 g; or
- Subcategory A3 when the drone’s maximum take-off weight is less than 25 kg.

You **will not need to apply any retrofit/sticker** to the drone in subcategories A1 or A3.



Regulatory reference: Article 20 and Annex part A of EU regulation 2019/947 and EU regulation 2019/945.

Under the 'open' category do I still need training, given that I was flying drones before the rules became applicable?

ANSWER

Any certificates of remote pilots' competency issued by national authorities will remain valid until 1 January 2022, after which your National Aviation Authority will have to convert your national certificate(s) to new one(s) that comply with this Regulation.

Whether or not you have to undergo more training after that date will depend on the conversion process that your National Aviation Authority decides to put in place.

As of 31 December 2020, if you do not have a national certificate for your remote pilot competency, you will have to undergo the required competency training as required for the 'open' category.

Regulatory reference: Article 21 and Annex part A (UAS.OPEN.020) and (UAS.OPEN.040) of EU regulation 2019/947.

I am into Drone Racing and/or flying drones with goggles (FPV)

As a drone racer, which category and subcategory of operation do I fall under?

ANSWER

Normally drone races are organised by clubs and associations. In such cases, they may have received operational authorisations from their National Aviation Authorities in accordance with Article 16 of Regulation (EU) 2019/947, which also covers the organisation of such events.

If, instead, you want to conduct a race that is not within a club or association and with no spectators (in this context meaning uninvolved persons, see the definition above) present, you will fall under the **'open' category** and you can operate under subcategory A3.

Is flying with goggles (first person view) authorised in the 'open' category?

ANSWER

The Regulation allows you to fly without keeping direct eye contact with the drone, provided you have a person next to you, a UA observer, keeping direct visual contact with the drone, scanning the airspace to make sure that you do not endanger other parties (e.g. aircraft or buildings or persons). **The UA observer must be located alongside you so they can immediately communicate with you** in case they see an obstacle, and give you instructions, such as to immediately land the drone.

Regulatory reference: Article 4(d) of EU regulation 2019/947.

Are spectators allowed in the 'open' category?

ANSWER

When operating in the 'open' category, **flying over uninvolved people is not allowed,** so there must not be any spectators. See also the explanation on uninvolved persons under **'understanding EU Regulations 2019/947 and 2019/945'.**

I build my own drones (privately built) 'Open' Category

Does my drone fall under the 'open' category?

ANSWER

Yes, privately built drones can be used, and depending on their weight, operated in the 'open' category or the 'specific' category. You, as the drone operator, need to fulfil all the requirements of the Regulation, and in the 'open' category, you can only operate under subcategory:

- A1 when the drone's maximum take-off weight (MTOM) including its payload is less than 250 g and you fly it at a speed of less than 19 m/s; or in
- A3 when the drone's MTOM including its payload is less than 25 kg.

Regulatory reference: UAS.OPEN.020 (5) (a) and UASOPEAN.040 (4)(a) Annex part A of EU regulation 2019/947.

I plan to provide services (commercial and other) with drones

How do I determine which category I can operate under, 'open' or 'specific'?

ANSWER

You can operate your services whether commercial or not, under the 'open' category, if you meet all the requirements defined for the 'open' category.

See Question on subcategory under "understanding EU regulation 2019/947 and 2019/945".

Regulatory reference: Article 4 of EU Regulation 2019/947; Annex part A and Article 5(1) of EU Regulation 2019/947.

What is meant by the requirement for Operational procedures?

ANSWER

The drone operator should develop procedures adapted to the type of operations and to the risks involved. Therefore, **written procedures should not be necessary if the drone operator is also the remote pilot, or employs just one remote pilot. In this case the remote pilot** may use the procedures defined by the manufacturer's manual.

If a drone operator employs more than one remote pilot, the drone operator should:

(a) develop procedures for drone operations in order to coordinate the activities between its employees; and (b) establish and maintain a list of their personnel and their assigned duties.

Regulatory reference: UAS.OPEN.50 under annex part A 2019/947.

Im a non-EU visitor / drone operator in the 'Open' Category

I am a Non-EU resident visiting Europe and I plan to fly my drone in the 'open' category, do I need to register?

ANSWER

All drone operations conducted in the EASA Member States must comply with the Drone Regulation, no matter what the nationality of the operator or remote pilot is. Therefore, as a non-EU resident, you are also required to register with the National Aviation Authority of the first EU country where you intend to operate.

You will then be issued with a **'drone operator registration number'** that needs to be **displayed** with a sticker **on all the drones you own**. You **must also upload it into** the **'remote identification system'** of your drone(s).

Once registered in the host country, the drone operator's registration **will be valid** across Europe and the operator will be required to follow all the provisions of the Drone Regulation.

If you intend to operate in the ‘specific’ category, you must submit a declaration for a standard scenario or apply for an operational authorisation to the National Aviation Authority of the EU Member State(s) where you registered.

If you want to conduct operations in a Member State different from the one in which you registered, you need to follow the same procedure as all other national citizens of the Member State where you registered. Refer to question ‘I plan to provide services (commercial and other) with drone(s)‘.

Regulatory reference: Art.41 (1) and (2) of EU regulation 2019/945.

As a non-EU resident, are my competencies for the 'open' category recognised in the EU?

ANSWER

Given that there is not yet any mutual recognition established between EASA and other countries, in the domain of drones, the training or qualification obtained in your country of residence will not be accepted in the EU. Therefore, you will have to undergo the required training before you can fly your drone. In the meantime, other nations may develop regulations that may be considered by the EU commission as equivalent to those in Europe. Information on future recognition will be published on the EU Commission website as soon as it is finalised.