

COMMISSION IMPLEMENTING REGULATION (EU) 2021/1166**of 15 July 2021****amending Implementing Regulation (EU) 2019/947 as regards postponing the date of application for standard scenarios for operations executed in or beyond the visual line of sight****(Text with EEA relevance)**

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 216/2008 and (EC) No 552/2004 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 ⁽¹⁾, and in particular Article 57 thereof,

Whereas:

- (1) Pursuant to Article 23(4) of Commission Implementing Regulation (EU) 2019/947 ⁽²⁾, as from 2 December 2021, Member States may only accept declarations made by UAS operators in accordance with Article 5(5) of that Implementing Regulation for an operation complying with one of the two standard scenarios set out in Appendix 1 to the Annex of that Implementing Regulation.
- (2) Harmonized standards are considered by UAS manufacturers as an important instrument to enable them to place compliant UAS on the market.
- (3) However, some of the harmonised standards addressing the requirements applicable to UAS of classes C5 and C6 will not be available by 2 December 2021.
- (4) It is therefore necessary to postpone the date of application in order to ensure that the harmonised standards addressing the requirements applicable to UAS of classes C5 and C6 are available before Member States may only accept declarations for operations compliant with the standard scenarios established by Appendix 1 to the Annex of Implementing Regulation (EU) 2019/947. Until then Member States should be able to accept declarations made by UAS operators in accordance with Article 5(5) of that Implementing Regulation, based on national standard scenarios or equivalent.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the committee established by Article 127 of Regulation (EU) 2018/1139,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 23 of Implementing Regulation (EU) 2019/947, paragraphs 2, 3 and 4 are replaced by the following:

‘2. Article 5(5) shall apply from 3 December 2023.

3. Point (2)(g) of point UAS.OPEN.060 of the Annex and point (1)(l) of point UAS.SPEC.050 of the Annex shall apply from 1 July 2022.

⁽¹⁾ OJ L 212, 22.8.2018, p. 1.

⁽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).

4. Without prejudice to Article 21(1), until 2 December 2023 Member States may accept declarations made by UAS operators in accordance with Article 5(5), based on national standard scenarios or equivalent, if those national scenarios meet the requirements of point UAS.SPEC.020 of the Annex.

Such declarations shall cease to be valid from 2 December 2025.'

Article 2

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

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

Done at Brussels, 15 July 2021

For the Commission
The President
Ursula VON DER LEYEN
