


Irish Aviation Authority The Times Building 11-12 D'Olier Street Dublin 2, Ireland www.iaa.ie Safety Regulation Division	Údarás Eitlíochta na hÉireann Foirgneamh na hAmanna 11-12 Sráid D'Olier Baile Átha Cliath 2, Éire Rannán na Rialachán Sábháilteachta	UAS ADVISORY MEMORANDUM (UAM) NO. UAM 006 ISSUE 1 DATE 21.02.2022	
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Guidance on the Exemption from Distances from Uninvolved Persons for Open Category, Subcategory A2 Commercial UAS Operations

1. Change Record

Date	Issue	Revision Description
21.02.2022	1	Initial publication.

2. References

- Commission Implementing Regulation (EU) 2019/947¹
- Delegated Regulation (EU) 2019/945¹
- Regulation (EU) 2019/1139²

3. Purpose

The purpose of this document is to provide guidance on exemption, from distances from uninvolved persons for open category, subcategory A2 commercial Unmanned Aircraft Systems (UAS) operations, issued by the Irish Aviation Authority (IAA), under Reg (EU) 2019/1139 Article 71(1).

This is a guidance document only, please refer to Aeronautical Notice U.10 for more information.

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<https://www.easa.europa.eu/sites/default/files/dfu/Easy%20Access%20Rules%20for%20Unmanned%20Aircraft%20Systems%20%28Revision%20from%20September%202021%29.pdf>

² <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018R1139&from=EN>

4. Definitions

For the purposes of this guidance document, the definitions in Regulation (EU) 2018/1139, Regulation (EU) 2019/945 & Regulation (EU) 2019/947 apply.

5. Rationale

Class C2 marked Unmanned Aircraft (UA) are not available and are expected mid-2022 at the earliest.

Without Class C2 marked UA, and until the end of the transitional provisions in Dec 2022, operations in the Open A2 category must maintain a minimum of 50m from uninvolved persons.

- Reg (EU) 2019/947, Article 22 - Transitional provisions

“Without prejudice to Article 20, the use of UAS in the ‘open’ category which do not comply with the requirements of Parts 1 to 5 of the Annex to Commission Delegated Regulation (EU) 2019/945 1 shall be allowed for a transitional period of 30 months starting one year after the date of entry into force of this Regulation, subject to the following conditions: ...

(b) unmanned aircraft with a take-off mass of less than 2 kg is operated by keeping a minimum horizontal distance of 50 meters from people and the remote pilots have a competency level at least equivalent to the one set out in point UAS.OPEN.030(2) of Part A of the Annex;”

The regulation takes no account of currently available slow flight modes to reduce the minimum distance to uninvolved persons. This limits operations in the open category within urban areas, unnecessarily forcing operators into the specific category.

To facilitate commercial operators, with currently available UAS to continue, an exemption to the distances from uninvolved persons is required.

6. Exemption

6.1. Specifics

The IAA are issuing an exemption from Reg (EU) 2019/947, article 22 (b), distances from uninvolved persons, until 13th October 2022, specifying new minimum distances as follows.

A minimum horizontal distance of 30 meters must be maintained from uninvolved persons. If the UAS is operated in a slow flight mode, the operator ensures that a maximum speed of 5 m/s is not exceeded, and after evaluation of weather conditions, performance of the UA, and segregation of the overflow area, the minimum horizontal distance may be reduced to 10 meters.

6.2. Limitations

The exemption is subject to the following limitations:

- Commercial UAS operations.
- UA with a Minimum Take-Off Mass (MTOM) of less than 1kg.
- Open A2 category operations.
- UAS which do not comply with Delegated Regulation (EU) 2019/945 (i.e. drones without a class identification label), which are not privately built, and are placed on the market before 1st January 2023.

6.3. Validity

Valid from 14th February to 13th October 2022.

7. Mitigations

The exemption is limited to commercial UAS operations only, as these are regarded as operationally urgent, and to limit the number of operations that deviate from the EU framework.

The exemption also limited to UA with a MTOM of less than 1kg to limit the kinetic energy.

The amended distances from uninvolved persons correspond to those of the open category, sub-category A2 for Class C2 marked UA.

Although existing slow flight modes are not classified in the sense of Delegated Regulation (EU) 2019/945, they are similar in their mode of operation. Therefore, with a limitation to 3 m/s, there is a sufficient level of safety until Class C2 marked UA are introduced to the European market.