

# UAS: UAS Regulation (Delegated Regulation (EU) 2019/945), explained

The UAS Regulation sets the design, class-label (C0 to C6), conformity assessment, CE marking and operator duties for drones placed on the EU market for the open and declared specific categories. It entered into force on 1 July 2019, and since 1 January 2024 a drone flown in the open category generally needs a class identification label.

Reviewed 24 September 2026 by Conphora compliance team · Next review 13 March 2027 · Not legal advice

## Key facts

|            |                                                                                                                                                                                               |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Reference  | Delegated Regulation (EU) 2019/945                                                                                                                                                            | Act type     | Regulation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| In force   | 1 July 2019                                                                                                                                                                                   | Applies from | 1 July 2019                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Amended by | Commission Delegated Regulation (EU) 2020/1058, Commission Delegated Regulation (EU) 2022/851, Commission Delegated Regulation (EU) 2024/1108, Commission Delegated Regulation (EU) 2025/1130 | Enforced by  | Member States organise market surveillance of UAS placed on the Union market and control of UAS entering it, and their market surveillance and border control authorities must cooperate with the competent authorities designated under Article 17 of Implementing Regulation (EU) 2019/947; Article 35(1) still cites Article 15(3) and Articles 16 to 26 of Regulation (EC) No 765/2008 for surveillance of products placed on the market, Article 35(2) cites Article 15(5) and Articles 27, 28 and 29 for control of products entering it, Article 35(3) cites the information systems of Articles 22 and 23, and Article 36(1) cites Article 21; all of those are read as Regulation (EU) 2019/1020 since 16 July 2021, when Chapter III of Regulation (EC) No 765/2008, containing Articles 15 to 29, was deleted by Article 39(1), point (4), of that regulation, while Article 30 on the general principles of the CE marking, cited in Article 15 and Article 39(1)(a), sits in Chapter IV and survives. |

## Key dates

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| <b>1 July 2019</b> | Entry into force of Delegated Regulation (EU) 2019/945, the twentieth day after publication in OJ L 152 of 11 June 2019; the Part 15 sound power limits for classes C1 and C2 run from this date | Art. 42, the OJ reference and Annex, Part 15 |
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| <b>9 August 2020</b> | Delegated Regulation (EU) 2020/1058 in force: classes C5 and C6 and class C5 accessories kits are added, Chapter II is extended to declared operations in the specific category, and Article 4(1) to (4) of Regulation (EU) 2019/1020 is made applicable from 16 July 2021 | Art. 1 and Art. 2 |
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| <b>31 December 2020</b> | Implementing Regulation (EU) 2019/947 applies, so the open, specific | Art. 23(1) |
|-------------------------|----------------------------------------------------------------------|------------|

and certified  
categories,  
operator  
registration,  
the UAS  
geographical  
zones and the  
class-to-  
subcategory  
mapping take  
effect

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**1 January 2021**

Danish  
executive  
order nr. 1735  
of 24  
November  
2020 on  
market  
surveillance of  
the drone area  
in force,  
making  
Trafikstyrelsen  
the  
supervisory  
authority for  
the product  
requirements  
of Delegated  
Regulation  
(EU)  
2019/945 and  
giving it  
inspection,  
sampling,  
order and  
publication  
powers

§ 1, § 3 to § 10 and § 13

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**16 July 2021**

Regulation  
(EU)  
2019/1020  
applies:  
Chapter III,  
Articles 15 to  
29, of  
Regulation  
(EC) No  
765/2008  
cited by  
Article 35 is

Art. 4, Art. 39(1), Art. 44 and Annex I point 70; Art. 5(3)

deleted,  
Regulation  
(EU)  
2018/1139 is  
point 70 of  
Annex I as  
regards  
unmanned  
aircraft, and  
Article 5(3) of  
the UAS  
Regulation  
makes Article  
4(1) to (4)  
apply, so  
every UAS  
placed on the  
market needs  
an economic  
operator  
established in  
the Union

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| 21 June 2022 | Delegated<br>Regulation<br>(EU)<br>2022/851 in<br>force,<br>correcting the<br>Portuguese<br>language<br>version of<br>Article 17(4),<br>Article 40(1)<br>(d) and Part 8<br>of the Annex<br>with<br>retroactive<br>application<br>from 9 August<br>2020; the<br>other<br>language<br>versions are<br>not affected | recitals 1 to 3 and Art. 2 |
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| 31 December 2023 | End of the<br>transitional<br>period of<br>Article 22 of<br>Implementing<br>Regulation | Art. 22 |
|------------------|----------------------------------------------------------------------------------------|---------|

(EU)  
2019/947,  
during which  
UAS not  
complying  
with Parts 1 to  
5 of the Annex  
to Delegated  
Regulation  
(EU)  
2019/945  
could still be  
used in the  
open category  
under mass-  
based  
conditions of  
500 g, 2 kg  
and 25 kg

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**1 January 2024**

The class  
identification  
label becomes  
the gate to the  
open  
category: a  
UAS placed on  
the market  
from this date  
must belong  
to one of the  
classes or be  
privately built  
to be flown  
there, while  
UAS placed on  
the market  
before it may  
still be flown  
in subcategory  
A1 below 250  
g or A3 below  
25 kg;  
operational  
declarations  
under  
standard  
scenarios  
apply; Danish  
executive  
order nr. 1649  
of 12

Art. 4(1)(a), Art. 20, Art. 22 and Art. 23(2); § 3 and § 34

December  
2023 in force,  
repealing nr.  
2253 of 29  
December  
2020

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12 June 2024

Delegated  
Regulation  
(EU)  
2024/1108 in  
force,  
redefining  
unmanned  
aircraft  
system around  
the control  
and  
monitoring  
unit, rewriting  
the Article 40  
certification  
conditions and  
adding the  
low-battery  
warning to  
classes C1, C2  
and C3

Art. 2, Art. 3 and Annex II

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1 May 2025

Delegated  
Regulation  
(EU)  
2024/1108  
applies, so the  
certified-  
category  
conditions,  
the research  
and  
experimental  
derogation  
and the low-  
battery  
warning in  
Parts 2, 3 and  
4 take effect  
together with  
the new initial  
airworthiness  
rules for  
certified UAS

recital 10 and Art. 3

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| 24 June 2025   | Delegated Regulation (EU) 2025/1130 in force, correcting the Dutch language version of Part 17 on class C6; it is the cut-off date of the consolidated text this guide is written from                                                                                                                              | recital 1 and Art. 2                 |
| 1 July 2025    | Danish executive order nr. 527 of 20 May 2025 in force, amending the drone order: tethered drones with a propulsion system follow the drone rules whatever their take-off mass, operator registration is valid for three years and the insurance minimum is lifted for micro drones below 250 g used only privately | § 1, nr. 4, nr. 7 and nr. 8, and § 2 |
| 1 January 2026 | Declarations made under national standard scenarios accepted by Member States until 31 December                                                                                                                                                                                                                     | Art. 23(4)                           |

2023 cease to  
be valid, so  
operations in  
the specific  
category  
under  
declaration  
need a  
standard  
scenario of  
Appendix 1  
and a class C5  
or C6 UAS

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|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
| 20 January 2027 | Directive<br>2006/42/EC<br>on machinery<br>is repealed<br>and<br>Regulation<br>(EU)<br>2023/1230<br>applies in full,<br>so the<br>reference in<br>Article 4(2) to<br>the machinery<br>health and<br>safety<br>requirements<br>for non-toy<br>UAS is read<br>against the<br>Machinery<br>Regulation<br>and its Annex<br>XII correlation<br>table;<br>machinery<br>placed on the<br>market in<br>conformity<br>with the<br>directive<br>before that<br>date may still<br>be made<br>available, and<br>EC type-<br>examination<br>certificates<br>issued under | Art. 51(2), Art. 52(1) and (2) and Art. 54, as corrected by corrigendum 32023R1230R(01), |
|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|

Article 12 of  
the directive  
remain valid  
until they  
expire

1 August 2030

Directive  
2009/48/EC  
on the safety  
of toys is  
repealed and  
Regulation  
(EU)  
2025/2509  
applies in full,  
so the three  
references to  
the toy  
directive in  
the UAS  
Regulation, in  
Article 4(2),  
Article 13(2)  
(c) and point  
(10) of Part 1  
of the Annex,  
are read as  
references to  
the Toy Safety  
Regulation  
under its  
Annex VIII  
correlation  
table; toys  
placed on the  
market in  
conformity  
with the  
directive  
before that  
date may still  
be made  
available, and  
EC type-  
examination  
certificates  
issued under  
Article 20 of  
the directive  
remain valid  
until 1

Art. 56, Art. 57(1) and (3) and Art. 59

February  
2031

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Obligations by role

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## Manufacturer (including brand owners and modifiers)

- Decide which class the UAS is designed for and meet every requirement of that Part: for class C0 a maximum take-off mass below 250 g including payload, a maximum level-flight speed of 19 m/s, a height limited to 120 m above the take-off point, safe controllability, minimised injury and sharp edges, exclusively electric power and a follow-me range of no more than 50 m; for class C1 below 900 g or less than 80 J transmitted to a human head at terminal velocity, plus mechanical strength, a lost-link recovery or flight termination method, lights including at least one green flashing light for night conspicuity and a low-battery warning; for class C2 below 4 kg with a selectable low-speed mode of no more than 3 m/s and a command and control link protected against unauthorised access; for class C3 below 25 kg and less than 3 m in characteristic dimension; for class C4 below 25 kg with no automatic control modes beyond flight stabilisation and lost-link assistance; for class C5 the class C3 requirements without the height limitation and geo-awareness duty, plus flight termination, a 5 m/s low-speed mode and link quality monitoring; and for class C6 the class C3 requirements plus a 50 m/s ground speed limit, programmable operational volume limits, trajectory programming and flight termination.

Art. 4(1) and Annex, Parts 1 to 5, 16 and 17

- Build in the identification and awareness functions the class requires: a direct remote identification system that accepts and integrity-checks the UAS operator registration number and broadcasts in real time, over an open and documented protocol receivable by ordinary mobile devices, the registration number and verification code, the unique serial number, the time stamp, the geographical position and height, the course measured clockwise from true north, the ground speed, the remote pilot position or take-off point and the emergency status, while resisting tampering; and, for classes C1, C2 and C3, a geo-awareness function with an interface to load and update the UAS geographical zone data, a warning when a breach of airspace limitations is detected and a warning when positioning or navigation cannot support the function. Annex, Part 2, points (12) and (13), Part 3, points (14) and (15), and Part 4, points (9) and (10)
- Measure and declare noise where the class requires it: determine the A-weighted sound power level of classes C1, C2, C3, C5 and C6 by the Part 13 noise test code based on EN ISO 3744:2010, hovering at maximum take-off mass over a reflecting plane with a hemispherical microphone array, repeating the measurement until two values differ by no more than 1 dB; keep non fixed-wing class C1 and C2 aircraft within the Part 15 limits, which since 1 July 2023, four years after entry into force, are 81 dB for a class C1 aircraft with a maximum take-off mass of 250 g or more and below 900 g, and  $81 + 18,5 \lg(m/900)$  dB for a class C2 aircraft with a maximum take-off mass  $m$  of 900 g or more and below 4 000 g, where  $\lg$  is the base 10 logarithm, so the limit runs from 81 dB at 900 g to about 93 dB at 4 000 g; and affix the guaranteed sound power indication of Part 14, the number in dB with the LWA sign and the pictogram, on the aircraft and its packaging.

Annex, Part 2, points (8) and (9), Part 3, points (10) and (11), Part 4, point (6), Part 13, Part 14 and Part 15

- Determine the A-weighted sound power level of classes C1, C2, C3, C5 and C6 by the Part 13 noise test code (EN ISO 3744:2010), and keep non fixed-wing class C1 and C2 aircraft within the Part 15 limits (81 dB for C1;  $81 + 18,5 \lg(m/900)$  dB for C2).

Annex, Part 2, points (8) and (9), Part 3, points (10) and (11), Part 4, point (6), Part 13 and Part 15

- Affix the guaranteed sound power indication of Part 14, the number in dB with the LWA sign and the pictogram, on the aircraft and its packaging. Annex, Part 14
- Draw up the Part 10 technical documentation before placing the product on the market and keep it updated: a complete product description with photographs or illustrations of external features, markings and internal layout, the versions of all software and firmware involved in compliance, the manufacturer's and installation instructions, conceptual design and manufacturing drawings and schemes with the

explanations needed to understand them, the list of harmonised standards applied in full or in part and the solutions adopted where they were not, a copy of the EU declaration of conformity, the EU-type examination certificate where Part 8 was used, design calculations, examination results and test reports, copies of what was submitted to the notified body, supporting evidence for the design solution and the addresses of the places of manufacture and storage; draw it up in an official language of the notified body's Member State or a language that body accepts. Art. 17 and Annex, Part 10

- Run the conformity assessment that fits the product: internal production control under Part 7 only for products assessed against Parts 1, 5, 6, 16 or 17, that is classes C0, C4, C5 and C6 and remote identification add-ons, and only where harmonised standards have been applied for every requirement for which such standards exist; otherwise EU-type examination by a notified body followed by conformity to type based on internal production control under Part 8, or conformity based on full quality assurance under Part 9, which may not be used for a toy. Classes C1, C2 and C3 therefore always involve a notified body, and the assessment must take account of all intended and foreseeable operating conditions. Art. 13 and Annex, Parts 7, 8 and 9
- Draw up the EU declaration of conformity to the Part 11 model, stating that compliance with Parts 1 to 6, 16 and 17 has been demonstrated and identifying the class of the UAS and, for non fixed-wing aircraft, the guaranteed sound power level, keep it continuously updated, translate it into the languages the Member State of placing or making available requires, and issue a single declaration where several Union acts apply; supply each product with a copy of it or with a simplified declaration under Part 12 giving the exact internet address of the full text. By drawing it up you assume responsibility for the product's compliance. Art. 6(8), Art. 14 and Annex, Parts 11 and 12
- Mark the product before placing it on the market: the CE marking visibly, legibly and indelibly on the product or its data plate, or on the packaging where size does not allow it, followed by the notified body's identification number where Part 9 was applied; the class identification label at least 5 mm high, visibly, legibly and indelibly on the aircraft and its packaging, and on every accessory of a class C5 accessories kit, with no misleading markings or signs; the sound power indication where applicable; a type within the meaning of Decision No 768/2008/EC on every UA, plus a unique serial number to standard ANSI/CTA-2063-A-2019 for the aircraft of classes C1, C2, C3, C5 and C6 and for remote identification add-ons, and, for a class C5 accessories kit, a type and a unique serial number allowing the kit to be identified, which the Annex does not tie to that standard; in every case the unique serial number is repeated on the EU declaration of conformity or the simplified one; and your name, registered trade name or registered trademark, website address and a single postal contact address, on the product or, where that is not possible, on the packaging or an accompanying document, in a language end-users and market surveillance authorities easily understand.

Art. 6(5) and (6), Art. 15, Art. 16 and Annex, Parts 2 to 4, 6, 16 and 17

- Affix the CE marking visibly, legibly and indelibly on the product or its data plate, or on the packaging where size does not allow it, followed by the notified body's identification number where Part 9 was applied. Art. 15 and Art. 16
- Affix the class identification label, at least 5 mm high, visibly, legibly and indelibly on the aircraft and its packaging, and on every accessory of a class C5 accessories kit, with no misleading markings or signs. Art. 16 and Annex, Parts 2 to 4, 16 and 17
- Mark every UA with a type and, for classes C1, C2, C3, C5 and C6 aircraft and remote identification add-ons, a unique serial number to ANSI/CTA-2063-A-2019, repeated on the EU declaration of conformity or the simplified one. Art. 6(5) and Annex, Parts 2 to 4, 6, 16 and 17

- Indicate your name, registered trade name or registered trademark, website address and a single postal contact address on the product or, where not possible, on the packaging or an accompanying document, in a language end-users and authorities easily understand. Art. 6(6)
- Ship the product with the manufacturer's instructions and information notice the relevant Part requires, in a language consumers and other end users easily understand as determined by the Member State concerned, covering the class, the aircraft mass and maximum take-off mass, the allowed payloads, the control equipment and software, the behaviour on loss of the command and control link and how to recover it, the procedure to upload the operator registration number and the airspace limitations, the transmission protocol reference, the sound power level, operational instructions and limitations, maintenance and troubleshooting and a description of the risks adapted to the user; include the information notice published by EASA on the applicable limitations and obligations. Keep the technical documentation and the EU declaration of conformity for 10 years after placing on the market, keep series production in conformity while taking account of design, characteristics, software and standards changes, sample-test marketed products where the risks warrant it, keep a complaints, non-conformity and recall register and inform distributors, correct, withdraw or recall non-conforming products and inform the market surveillance authorities where the product presents a risk, identify your suppliers and customers for 10 years, notify the market surveillance authority of your principal place of business when placing a class C5 or C6 UAS or a class C5 add-on on the market, and make sure software updates do not affect compliance.

Art. 4(3), Art. 6(3), (4), (7), (9), (10) and (11), Art. 11 and Annex, Part 1, points (8) and (9), Part 2, points (18) and (19), Part 3, point (16)

- Ship the product with the manufacturer's instructions required by the relevant Part and the EASA information notice, in a language consumers and other end users easily understand as the Member State determines.
- Art. 6(7) and Annex, Part 1, points (8) and (9), Part 2, points (18) and (19), Part 3, points (19) and (20), Part 4, points (15) and (16)
- Keep the technical documentation and the EU declaration of conformity for 10 years after the product was placed on the market. Art. 6(3)
  - Keep series production in conformity, taking account of changes in design, characteristics, software and the referenced standards, and make sure software updates do not affect compliance. Art. 6(4)
  - Where the risks warrant it, sample-test products made available, investigate, keep a register of complaints, non-conforming products and recalls, and keep distributors informed. Art. 6(4)
  - Correct, withdraw or recall non-conforming products and, where a product presents a risk, immediately inform the market surveillance authorities of the Member States where you made it available. Art. 6(9)
  - Be able to identify to the market surveillance authorities the economic operators who supplied you and whom you supplied, for 10 years. Art. 11
  - When placing a class C5 or C6 UAS or a class C5 accessories kit on the market, notify the market surveillance authority of the Member State of your principal place of business. Art. 6(10) and (11)

## Authorised representative

- Act under a written mandate that at least allows you to keep the EU declaration of conformity and the technical documentation at the disposal of the national market surveillance authorities for 10 years after the product was placed on the Union market, to provide a market surveillance or border control authority on reasoned request with all information and documentation needed to demonstrate conformity, and to cooperate with those authorities on any action to eliminate the non-conformity of the products in your mandate or the safety risks they pose. Art. 7(2)
- Do not take over the manufacturer's duty to design and manufacture the product in compliance with Parts 1 to 6, 16 and 17 of the Annex or the duty to draw up the technical documentation; neither can form part of the mandate. Art. 7(1)
- Where the mandate specifies it, lodge the application for EU-type examination or for the assessment of the quality system with a single notified body of your choice, giving your name and address alongside the manufacturer's, and where the notified body instructs it affix its identification number after the CE marking; be able to identify the economic operators who supplied you and whom you supplied for 10 years. Art. 11, Art. 16(5) and Annex, Part 8, Module B, point 3, and Part 9, point 3(1)
- Where the mandate specifies it, lodge the application for EU-type examination or for the assessment of the quality system with a single notified body of your choice, giving your name and address alongside the manufacturer's. Annex, Part 8, Module B, point 3, and Part 9, point 3(1)
- Where the notified body instructs it, affix its identification number after the CE marking. Art. 16(5)
- Be able to identify to the market surveillance authorities the economic operators who supplied you and whom you supplied, for 10 years. Art. 11
- Where the manufacturer is not established in the Union and no importer exists, you may be the economic operator established in the Union that Article 4 of Regulation (EU) 2019/1020 requires since 16 July 2021 for every UAS placed on the market: verify that the declaration of conformity and the technical documentation exist, keep the declaration available, provide information on reasoned request, inform the authorities when you believe the product presents a risk and cooperate on corrective action, with your name and contact details indicated on the product, its packaging, the parcel or an accompanying document. Art. 4(1) to (4); Art. 5(3)
- Where the manufacturer is not established in the Union and no importer exists, you may be the economic operator established in the Union that Article 4 of Regulation (EU) 2019/1020 requires for every UAS placed on the market. Art. 4(1) and (2); Art. 5(3)
- As that economic operator, verify that the declaration of conformity and the technical documentation exist, and keep the declaration available to the authorities. Art. 4(3)(a)
- As that economic operator, provide information on reasoned request, inform the authorities when you believe the product presents a risk and cooperate on corrective action. Art. 4(3)(b) to (d)
- As that economic operator, have your name and contact details indicated on the product, its packaging, the parcel or an accompanying document. Art. 4(4)

## Importer

- Place only compliant products on the Union market, and before placing a product on the market verify that the manufacturer carried out the appropriate conformity assessment procedure of Article 13, drew up the Part 10 technical documentation, affixed the CE marking and, where required, the UA class identification label and the sound power indication, applied the type and unique serial number and the name, trade name or trademark, website address and postal address, and that the product is accompanied by the manufacturer's instructions, the information notice and the EU declaration of conformity or a simplified one. Art. 8(1) and (2)
- Do not place a product on the market where you consider or have reason to believe that it does not conform to Parts 1 to 6, 16 and 17 of the Annex until it has been brought into conformity, and where the product presents a risk for the health and safety of consumers and third parties inform the manufacturer and the competent national authorities. Art. 8(2), second subparagraph
- Indicate your own name, registered trade name or registered trademark, website and postal contact address on the product or, where that is not possible, on its packaging or in an accompanying document, in a language end-users and market surveillance authorities easily understand, and make sure the product is accompanied by the manufacturer's instructions and information notice in a language consumers and other end users easily understand as determined by the Member State concerned, clear, understandable and legible. Art. 8(3) and (4)
- Indicate your own name, registered trade name or registered trademark, website and postal contact address on the product or, where not possible, on its packaging or in an accompanying document, in a language end-users and authorities easily understand. Art. 8(3)
- Make sure the product is accompanied by the manufacturer's instructions and information notice in a language consumers and other end users easily understand, as the Member State determines, clear, understandable and legible. Art. 8(4)
- Make sure that storage and transport conditions while the product is under your responsibility do not jeopardise its compliance with Article 4, and where the risks warrant it sample-test products made available on the market, investigate, keep a register of complaints, non-conforming products and recalls where necessary and keep distributors informed. Art. 8(5) and (6)
- Make sure that storage and transport conditions while the product is under your responsibility do not jeopardise its compliance with Article 4. Art. 8(5)
- Where the risks warrant it, sample-test products made available, investigate, keep a register of complaints, non-conforming products and recalls, and keep distributors informed. Art. 8(6)
- Where a product you placed on the market does not conform, immediately take the corrective measures to bring it into conformity, withdraw it or recall it as appropriate, and where it presents a risk immediately inform the market surveillance authorities of the Member States where you made it available, with details of the non-compliance and the corrective measures; when placing a class C5 or C6 UAS or a class C5 add-on on the market, inform the market surveillance authority of the Member State of your principal place of business. Art. 8(7) and (10)
- Where a product you placed on the market does not conform, immediately take corrective measures, withdraw or recall it, and where it presents a risk immediately inform the market surveillance authorities of the Member States where you made it available, with details. Art. 8(7)
- When placing a class C5 or C6 UAS or a class C5 accessories kit on the market, notify the market surveillance authority of the Member State of your principal place of business. Art. 8(10)

- Keep a copy of the EU declaration of conformity at the disposal of the market surveillance authorities for 10 years after the product was placed on the market and make sure the technical documentation can be made available on request, provide conformity information and documentation on reasoned request in a language the authority easily understands, cooperate on risk-elimination action, and identify the economic operators who supplied you and whom you supplied for 10 years. If you place a product on the market under your own name or trademark, or modify a product already placed on the market in a way that may affect compliance, you carry the manufacturer's Article 6 obligations.

Art. 8(8) and (9), Art. 10 and Art. 11

- Keep a copy of the EU declaration of conformity at the disposal of the market surveillance authorities for 10 years after the product was placed on the market, and make sure the technical documentation can be made available on request. Art. 8(8)
- On reasoned request, provide the competent national authority with all information and documentation, in paper or electronic form and in a language it easily understands, needed to demonstrate the product's conformity, and cooperate on any action to eliminate the risks it poses. Art. 8(9)
- Be able to identify to the market surveillance authorities the economic operators who supplied you and whom you supplied, for 10 years. Art. 11
- If you place a product on the market under your own name or trademark, or modify a product already placed on the market in a way that may affect compliance, you carry the manufacturer's Article 6 obligations. Art. 10

### **Distributor (wholesaler, retailer or online seller of drones)**

- Act with due care in relation to Chapter II and, before making a product available on the market, verify that it bears the CE marking and, where applicable, the UA class identification label and the sound power indication, that it is accompanied by the manufacturer's instructions, the information notice and the EU declaration of conformity or a simplified one, and that the manufacturer and the importer applied the type and serial number and their name, trade name or trademark, website address and postal address. Art. 9(1) and (2)
- Make sure the product is accompanied by the manufacturer's instructions and information notice in a language consumers and other end users easily understand as determined by the Member State concerned, and that those documents and any labelling are clear, understandable and legible.  
Art. 9(2), second subparagraph
- Do not make a product available where you consider or have reason to believe that it does not conform to the requirements of Article 4 until it has been brought into conformity, and where it presents a risk inform the manufacturer or the importer and the competent market surveillance authorities; keep storage and transport conditions from jeopardising compliance while the product is under your responsibility. Art. 9(2), third subparagraph, and Art. 9(3)
- Do not make a product available where you consider or have reason to believe that it does not conform to Article 4 until it has been brought into conformity, and where it presents a risk inform the manufacturer or the importer and the market surveillance authorities. Art. 9(2), third subparagraph
- Make sure that storage and transport conditions while the product is under your responsibility do not jeopardise its compliance with Article 4. Art. 9(3)
- Where a product you made available does not conform, make sure the corrective measures to bring it into conformity, withdraw it or recall it are taken, and where it presents a risk immediately inform the market surveillance authorities of the Member States where you made it available, with details of the non-compliance and the corrective measures. Art. 9(4)
- On reasoned request from the competent national authority provide all information and documentation in paper or electronic form needed to demonstrate the product's conformity and cooperate on any action to eliminate the risks it poses, and identify the economic operators who supplied you and whom you supplied for 10 years. If you sell a drone under your own name or trademark or modify one already placed on the market in a way that may affect compliance, you take on the manufacturer's obligations; in Denmark Trafikstyrelsen may also order an online interface to change or remove content referring to a non-compliant drone. Art. 9(5), Art. 10 and Art. 11; § 7, stk. 3
- On reasoned request, provide the competent national authority with all information and documentation, in paper or electronic form and in a language it easily understands, needed to demonstrate the product's conformity, and cooperate on any action to eliminate the risks it poses. Art. 9(5)
- Be able to identify to the market surveillance authorities the economic operators who supplied you and whom you supplied, for 10 years. Art. 11
- If you place a product on the market under your own name or trademark, or modify a product already placed on the market in a way that may affect compliance, you carry the manufacturer's Article 6 obligations. Art. 10

## UAS operator, including third-country UAS operators

- Fly only aircraft that fit the category: in the open category the UAS must belong to one of the seven classes, be privately built or meet the Article 20 legacy conditions, have a maximum take-off mass below 25 kg, be kept in visual line of sight and within 120 metres of the closest point of the surface, be kept at a safe distance from people and never flown over assemblies of people, and carry no dangerous goods and drop no material; class C0 and C1 aircraft fly in subcategory A1, class C2 in A2 and classes C2, C3 and C4 in A3. Art. 4 and Annex, points UAS.OPEN.020, UAS.OPEN.030 and UAS.OPEN.040
- For operations that fall outside the open category, obtain an operational authorisation from the competent authority of the Member State of registration on the basis of a risk assessment with mitigating measures, or submit an operational declaration where the operation complies with a standard scenario of Appendix 1, which since 1 January 2026 means STS-01 with a class C5 aircraft or STS-02 with a class C6 aircraft; a light UAS operator certificate with the appropriate privileges replaces both. Art. 5, Art. 23(2) and (4), and Annex, points UAS.SPEC.020, UAS.STS-01.020 and UAS.STS-02.020
- Register as a UAS operator with the Member State's registration system, upload the registration number into the direct remote identification system of every aircraft you fly and check that the consistency check passes, and keep the aircraft's geo-awareness data current; in Denmark registration is valid for three years and must be renewed. Art. 14 and Annex, points UAS.OPEN.020(5) and UAS.OPEN.040(3); § 1, nr. 8 (§ 4 a)
- If you are established, resident or have your principal place of business in a third country, comply with Implementing Regulation (EU) 2019/947 for operations within the single European sky airspace; the competent authority is that of the first Member State where you intend to operate, and a third-country remote pilot or operator certificate counts only where the third country asked for recognition, the certificate is valid there and the Commission, after consulting EASA, has established an equivalent level of safety. Art. 41
- Fit a Part 6 direct remote identification add-on to a privately built aircraft used in the specific category below 120 metres, install it as the manufacturer's instructions require and upload your operator registration number, and where you install a class C5 accessories kit on a class C3 UAS follow the kit manufacturer's instructions exactly, install every accessory, leave the class C3 software untouched and keep both EU declarations of conformity with the aircraft. Art. 40(5) and Annex, Part 6, point (5), and Part 16, point (8); Annex, point UAS.STS-01.020

## Penalties

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Delegated Regulation (EU) 2019/945 contains no penalty article of its own, because it is a Commission delegated act adopted under Articles 58 and 61 of Regulation (EU) 2018/1139; the duty to penalise sits in the basic regulation instead. Article 131 of Regulation (EU) 2018/1139 requires Member States to lay down the rules on penalties applicable to infringement of that regulation and of the delegated and implementing acts adopted on the basis thereof, and to make those penalties effective, proportionate and dissuasive. Article 41 of Regulation (EU) 2019/1020 does not add to that, because it only covers the Union harmonisation legislation listed in Annex II to that regulation, and neither Regulation (EU) 2018/1139 nor this Regulation is on that list. Everything else runs through the market surveillance chapter and national law. Market surveillance authorities that have sufficient reason to believe a product presents a risk to health or safety or to other public interests evaluate it against all the requirements of Chapter II, require the economic operator without delay to take corrective action, withdraw or recall the product within a period commensurate with the risk, inform the notified body, and where the operator does not act take provisional measures to prohibit or restrict the making available, withdraw or recall it, notifying the Commission and the other Member States; a measure not objected to within three months is deemed justified and the Union safeguard procedure settles disputes, and a compliant product that still presents a risk can be treated the same way. Formal non-compliance must be ended in eleven listed cases: a CE marking affixed in violation of Article 30 of Regulation (EC) No 765/2008 or of Article 15 or 16, a missing CE marking or type, a missing or wrongly affixed notified body number where Part 9 was applied, a missing class identification label, a missing sound power indication where required, a missing serial number or one in the wrong format, a missing manual or information notice, a missing, undrawn or incorrectly drawn EU declaration of conformity, missing or incomplete technical documentation, or missing manufacturer or importer name, trade name, trademark, website address or postal address; where it persists the Member State restricts or prohibits the making available or has the product withdrawn or recalled. Since 16 July 2021 the surveillance powers come from Regulation (EU) 2019/1020, whose authorities can demand documents and supply-chain information, inspect and acquire products, require corrective action, prohibit the making available and have products withdrawn, recalled or destroyed. In Denmark, Trafikstyrelsen supervises the product requirements under executive order nr. 1735 of 24 November 2020 and may demand access without a court order to business books, documents, information, business premises, storage and means of transport, take any product free of charge for testing, order the operator to warn users, stop misleading marketing, remedy the non-compliance, stop sales, withdraw, recall or destroy the product, order an online interface to change or remove content referring to it, act in the operator's place where it cannot be located or made to comply, and publish the measures; a fine is imposed on anyone who refuses access, withholds documents, refuses to hand over a product, fails to comply with an order or fails to report on the measures taken, with corporate liability under chapter 5 of the criminal code. Breaches of the Danish drone order supplementing Implementing Regulation (EU) 2019/947, including insurance, competency, distance and zone requirements, are likewise punishable by fine.

Art. 35, Art. 36, Art. 37, Art. 38 and Art. 39; Art. 4, Art. 14, Art. 16, Art. 39(1), Art. 41, Annex I point 70 and Annex II; § 3 to § 12; § 33

## Checklist

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1. Decide the operating category the product is meant for: the open category and declared operations in the specific category put it under Chapter II and the class regime, while a characteristic dimension of 3 m or more over assemblies of people, carriage of people or of dangerous goods needing high robustness, or a competent authority decision, put it under the certification regime of Article 40.
2. Pick the target class and design to every point of the relevant Part, checking maximum take-off mass, speed, height limitation, mechanical strength, lost-link behaviour, low-speed mode, link protection, flight termination and operational volume limits against Parts 1 to 5, 16 and 17.
3. Build in the class-specific functions: direct remote identification with the integrity check and the full broadcast data set, geo-awareness with the zone data interface and the warning alerts, the low-battery warning, the night lighting with at least one green flashing light, and the ANSI/CTA-2063-A-2019 serial number.
4. Run the noise test of Part 13 for classes C1, C2, C3, C5 and C6, keep non fixed-wing classes C1 and C2 within the Part 15 limits and prepare the Part 14 guaranteed sound power indication.
5. Choose the conformity assessment route: internal production control under Part 7 only for classes C0, C4, C5 and C6 and remote identification add-ons with full harmonised standard coverage, otherwise EU-type examination plus conformity to type under Part 8 or full quality assurance under Part 9, which is closed to toys; engage a notified body for classes C1, C2 and C3.
6. Compile the Part 10 technical documentation with the software and firmware versions, drawings, standards list, test reports and manufacturing and storage addresses, and keep it and the declaration for 10 years.
7. Draw up the Part 11 EU declaration of conformity identifying the class and the guaranteed sound power level, or a Part 12 simplified declaration with the internet address, translated into the languages the Member State requires, as a single declaration where the radio, electromagnetic compatibility, toy or machinery rules also apply.
8. Affix the CE marking, the notified body number where Part 9 was used, the class identification label at least 5 mm high on the aircraft, on every accessory of a C5 kit and on the packaging, the sound power indication, the type and serial number and the manufacturer and importer identification with website and postal address before placing the product on the market.
9. Ship the manufacturer's instructions and the EASA information notice in the language the Member State determines, covering the class, payloads, lost-link behaviour, the registration number and airspace upload procedures, the transmission protocol, maintenance, troubleshooting and the risks.
10. Set up the compliance aftercare: an economic operator established in the Union under Article 4 of Regulation (EU) 2019/1020, notification to the market surveillance authority for classes C5 and C6 and C5 add-ons, 10-year supplier and customer traceability, sample testing and a complaints and recall register, a software update policy that preserves conformity, and a corrective action route to the national authority, in Denmark Trafikstyrelsen.

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