



## **Consultation: Draft implementing regulation amending Regulation 2015/1018 regarding the reporting of safety occurrences by UAS**

### **Response by Europe Air Sports, Transparency Register No. 83743954330-47**

Europe Air Sports, the association representing sports and recreational aviation at EU level, appreciates the opportunity to respond to this consultation regarding the reporting of safety occurrences by UAS. The activities represented by Europe Air Sports are very wide-ranging and include many non-powered flying activities. They comprise, gliding, hang and paragliding, aeromodelling, microlight aircraft, powered flying, parachuting, ballooning, as well as light experimental and vintage aircraft. The majority of these activities is carried out according to the Visual Flight Rules. The community represented comprises approximately 700.000 active sport and recreational airspace users.

#### Europe Air Sports' contribution to Regulation 2015/2018

We would like to recall that over a decade ago, EAS contributed proactively to the Commission's work regarding the Occurrence Reporting Regulation 2015/2018 and in particular the content of Annex V of that regulation, spelling out detailed reporting requirements for "Occurrences related to manned aircraft other than complex motor-powered aircraft, including sailplanes and lighter than air vehicles". We are pleased to contribute again during the current revision.

#### Relevance of the present revision to include UAS-specific safety occurrences

The Commission's proposal to amend the list of occurrences that must be reported to include UAS-specific safety occurrences has the potential to affect different segments of the community of airspace users represented by EAS.

#### Safety as the number one priority for our membership

Safety is the number one priority for our membership and the introduction of new types of UAS into airspace commonly used by sports and recreational aviation is a major concern. Safe, free and simple access of our aircraft to U-Space Airspace has been a key demand of EAS and is becoming a reality amid the arrival of low-power, low-cost and low-weight electronic conspicuity technology, including the use of mobile phones as a means of compliance.

In general terms we support the detailed list of occurrences that will become mandatory for UAS under the proposed revision of the annexes to Regulation 2015/2018.

## **1.) Manned aircraft**

Of particular relevance to the manned aircraft in our community are the proposed revisions to Annex V on “Occurrences related to manned aircraft other than complex motor-powered aircraft, including sailplanes and lighter than air vehicles”, in particular point 1.6 Information Security and point 1.7 U-space related occurrences, as well as point 2.6 the analogy to point 1.7 with respect to sailplanes.

### Specific comments regarding point 1.6:

The risk of abnormal behaviour due to an information security incident would appear to be very low for the vast majority of our members, especially in the non-powered sports, such as gliding, hang gliding, paragliding and parachuting, which are typically not equipped with technology that might be affected. Clarification is required in this paragraph to specify exactly what kind of systems are referred to.

### Specific comments regarding points 1.7 and 2.6:

Subparagraphs (2) and (3) also require clarification. From the perspective of the pilot or operator it is unclear what amounts to a “significant malfunction, reliability issue, recurrent quality issue affecting e-conspicuity devices or installations”. Similarly, it is unclear what will be considered an encounter of an unmanned aircraft while transiting in U-space Airspace. In airspace shared by both manned and unmanned aircraft it would not seem to be safety critical to encounter – to see – an unmanned aircraft. Perhaps the legislator’s intention is to report safety critical encounters, such as near misses or the unexpected encounter of unmanned aircraft (e.g. flying in U-Space Airspace without making themselves electronically conspicuous).

## **2.) Unmanned aircraft (in particular model flying)**

Of particular relevance to the unmanned aircraft in our community (model flying) is the new Annex VI on “Occurrences related to the operation of the unmanned aircraft system (UAS)”.

Our understanding is that all operations under an Authorisation issued pursuant to Article 16 of Regulation 2019/947 (operations in the framework of model aircraft clubs and associations) are not considered operations that “present a significant risk to aviation safety operations and for which a certificate or declaration for the design is required pursuant to Article 56 (1) and (5) of Regulation (EU) 2018/1139”. These operations will thus continue to be required to report all occurrences that resulted in a fatal or serious injury to a person or involved aircraft other than unmanned aircraft.

### Specific comment regarding point 6:

Under Annex VI, 6 (10): this point introduces the term “non-cooperative unmanned aircraft”. We are not aware of a definition of this term and propose that it be elaborated to describe that this means “an unmanned aircraft that is not complying with applicable regulatory requirements, including those related to electronic conspicuity”.

We are available for a meeting and pleased to provide any further information.

Andrea Anesini, President

A handwritten signature in black ink, appearing to read "Andrea Anesini", written over a thin horizontal line.

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