

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 placed on the market before 31 December 2023 and bears no class identification label as mentioned 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.

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<https://www.easa.europa.eu/de/faq/116450>

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 canmarks 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.

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I bought a DJI Mini (weight 249g) how can I operate it?

Answer

DJI Mini is a drone with a weight of 249g, has a camera and it is not a toy (meaning that it does not comply with the toy directive). Therefore, the following actions have to be taken in order to

comply with Regulation (EU) 2019/947:

- As a drone operator/owner, you must register yourself with the [National Aviation Authority \(NAA\) of the Member State you reside in](#).
- Once registered, you receive a 'drone operator registration number' that needs to be displayed with a sticker on all the drones you own, including those privately built. You must also upload it into the 'Drone's remote identification system', if the drone has this function;
- When operating the drone, always comply with the [A1 sub-category requirements](#).

A remote pilot training certificate is not needed to operate a drone of this kind, however is highly recommended to conduct the A1/A3 online training. Moreover, most of EASA Member States mandate a third party insurance. Please consult the national regulation for further information about the insurance for drones. For further inquiries related to the operations in the A1 sub-category and in the Open category in general, please consult [our related FAQs](#)

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