

FAQ n.19236**FAQs:**

[EASA as competent Authority](#), [The Agency](#)

Question:

Which types of aircraft or activities are excluded from EASA's competence?

Answer:

Pursuant to Article 2(3) of [Regulation 2018/1139](#) (The Basic Regulation), that regulation shall NOT apply to:

- a) aircraft, and their engines, propellers, parts, non-installed equipment and equipment to control aircraft remotely, while carrying out military, customs, police, search and rescue, firefighting, border control, coastguard or similar activities or services under the control and responsibility of a Member State, undertaken in the public interest by or on behalf of a body vested with the powers of a public authority, and the personnel and organisations involved in the activities and services performed by those aircraft;
- b) aerodromes or parts thereof, as well as equipment, personnel and organisations, that are controlled and operated by the military;
- c) ATM/ANS, including systems and constituents, personnel and organisations, that are provided or made available by the military;
- d) the design, production, maintenance and operation of aircraft the operation of which involves low risk for aviation safety, as listed in Annex I, and to the personnel and organisations involved therein, unless the aircraft has been issued, or has been deemed to have been issued, with a certificate in accordance with [Regulation \(EC\) No 216/2008](#).

In addition Member States may decide, on a voluntary basis, to:

- a) exempt from the provisions of the Basic Regulation the design, maintenance and operation of an aerodrome, and the safety-related equipment used at that aerodrome, where that aerodrome handles no more than 10 000 commercial air transport passengers per year and no more than 850 movements related to cargo operations per year, and provided that Member States concerned ensure that such exemption does not endanger compliance with the essential requirements for aerodromes (Article 2(7) of the Basic Regulation);
- b) exempt from the provisions of the Basic Regulation design, production, maintenance and

operation activities in respect of certain categories of light aeroplanes, helicopters and sailplanes, which have not been previously certified by EASA (Article 2(8) of the Basic Regulation).

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Link:

<https://www.easa.europa.eu/pl/faq/19236>