
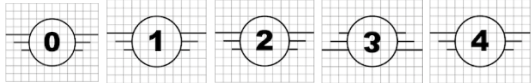




The “Limited Open” transitional category

The new drone regulation stipulates that any drone in the open category must have a CE mark *and* a class mark. Drones that bear none or only one of these markings fall into the “Limited Open” transitional category. Special rules therefore apply. This is an overview of the most important features of the “Limited Open” category:

1. Why does my drone have to have a CE mark *and* a class mark?

My drone must have <i>both</i> of these marks:	
CE mark	Class mark
	
By means of the CE mark, the manufacturer of your drone declares that it meets the applicable technical requirements. In this way the manufacturer ensures that the device complies with the applicable quality and safety standards .	The class mark determines the operating capabilities of your drone as well as the requirements which pilots must meet.

2. My drone has none or only one of these two marks. What impact does this have on my drone flying?

I don't fly my drone in the open category but in the **Limited Open** transitional category. Obviously, I can still fly my drone in this category, but from now on slightly more restrictive rules apply to me (see *left column of the table on page 2*). The Limited Open category runs until the end of **December 2023**.

From January 2024, flying of drones that do not bear *both* marks (both CE mark *and* class mark) is still permitted but under even more restrictive conditions (see *right column of the table on page 2*):



“Limited Open” TRANSITIONAL CATEGORY

Rules until December 2023		Rules from January 2024	
My drone weighs less than 500g		My drone weighs less than 250g	
Requirements	Rules according to A1 I observe the basic rules and complete a certificate of competence (pilot training in open A1 category): registration, online training and online examination with 40 multiple-choice questions.	Requirements	Rules according to A1 I observe the basic rules and complete a certificate of competence (pilot training in open A1 category): registration, online training and online examination with 40 multiple-choice questions.
Distance	Make a reasonable assumption that no uninvolved persons are flown over.	Distance	Make a reasonable assumption that no uninvolved persons are flown over.
My drone weighs less than 2kg		My drone weighs less than 25kg	
Requirements	EITHER: Rules according to A2 I observe the basic rules and acquire a long-distance pilot certificate (pilot training in open category A2): registration, online training and online examination with 70 multiple-choice questions.	Requirements	Rules according to A3 I complete a certificate of competence (pilot training in open A3 category): registration, online training and online examination with 40 multiple-choice questions and observe the basic rules .
Distance	I maintain a horizontal safety distance of 50 m from uninvolved persons.	Distance	I maintain a horizontal safety distance of 150 m from residential, commercial, industrial and recreational areas.
Requirements	OR: Rules according to A3 I complete a certificate of competence (pilot training in open A3 category): registration, online training and online examination with 40 multiple-choice questions and observe the basic rules .		
Distance	I maintain a horizontal safety distance of 150 m from residential, commercial, industrial and recreational areas.		
My drone weighs less than 25kg			
Requirements	Rules according to A3 I complete a certificate of competence (pilot training in open A3 category): registration, online training and online examination with 40 multiple-choice questions and observe the basic rules .		
Distance	I maintain a horizontal safety distance of 150 m from residential, commercial, industrial and recreational areas.		

3. Is it possible to acquire a class mark for my drone retrospectively?

It is in principle possible to provide non-compliant drones with a class mark retrospectively. However, this involves **corresponding costs** and is usually the responsibility of the manufacturer: the class mark cannot be affixed by operators themselves. In any case, it is important to contact the **drone manufacturer for this**.

If a manufacturer intends to provide a non-compliant drone with a class mark retrospectively, the product will be subject to a so-called **conformity assessment**. This confirms that the drone meets the legal requirements. In this case, note that this will create a **new product** which bears a new **serial number** and that it will have to be **re-registered**.

In cases where only a software update is required in order for the drone to comply with the legal requirements, the operator can carry out the subsequent application of a class mark in accordance with the manufacturer's instructions. Here, too, however, the manufacturer will provide instructions and assure itself that the drone can only be operated under the new operating system. At the end of the process, the manufacturer will provide the operator with a sticker with the class mark. This must be affixed to the drone.