EXPLANATORY MEMORANDUM TO

THE UNMANNED AIRCRAFT (AMENDMENT) REGULATIONS 2025

2025 No. 1106

1. Introduction

1.1 This Explanatory Memorandum has been prepared by Department for Transport and is laid before Parliament by Command of His Majesty.

1.2 This memorandum contains information for the Joint Committee on Statutory Instruments and the Secondary Legislation Scrutiny Committee.

2. Declaration

2.1 Keir Mather MP, Parliamentary Under Secretary of State (Minister for Aviation, Maritime and Decarbonisation) at the Department for Transport confirms that this Explanatory Memorandum meets the required standard.

2.2 David Silk, Director for Aviation Safety, Innovation and Skills, at the Department for Transport confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Babatunde Alebiosu at the Department for Transport can be contacted by email at the following address with any queries regarding the instrument: futureofflight@dft.gov.uk Alternatively, the Department can be contacted by telephone: 0300 330 3000.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 This instrument makes various changes to the rules that apply to unmanned aircraft systems (UAS), including drones and model aircraft. These changes aim to improve the clarity of the regulatory regime and the product safety of UAS, and to ensure that UAS are operated safely. This instrument also includes measures which will allow UAS users and the industry to transition smoothly into compliance with new requirements. Overall, the reforms are essential to support a growing drone industry while keeping UK skies safe and secure.

4.2 A related instrument, the Unmanned Aircraft (Offences and Consequential Amendments) Regulations 2025 ("the 2025 Offences Regulations"), will update the offences which underly the rules on UAS, ensuring that the requirements remain enforceable.

4.3 The market surveillance authority plays a role in ensuring that UAS products which are placed on the market comply with product safety rules. The Civil Aviation Authority (CAA) will be appointed as market surveillance authority via a separate instrument.

4.4 A further related instrument will update the operational requirements which apply to tethered small unmanned aircraft, a type of unmanned aircraft which fall outside the

scope of the main regulatory regime, so that they are consistent with the rules which apply to other unmanned aircraft.

Where does the legislation extend to, and apply?

4.5 The extent of this instrument (that is, the jurisdiction(s) which the instrument forms part of the law of) is England and Wales, Scotland and Northern Ireland.

4.6 The territorial application of this instrument (that is, where the instrument produces a practical effect) is England and Wales, Scotland and Northern Ireland.

5. Policy Context

What is being done and why?

5.1 The widespread availability of UAS and advances in UAS technology can pose threats to the safety and security of our airspace. This instrument updates the rules for UAS to make them simpler, safer, and better suited to how UAS are used today and in the future. This includes changes to product and operational requirements, and improvements to safety and security rules.

5.2 These changes follow a review and public consultation led by the Civil Aviation Authority (CAA). Following this, the Department for Transport (DfT) worked closely with the CAA, the Home Office, the Department for Business and Trade, the British Standards Institution and the police to develop a balanced set of proposals that support innovation in the sector while maintaining high safety and security standards.

5.3 As a result of this instrument, more UAS will be required to be equipped with remote identification (RID), a system which allows drones to be tracked and identified, functioning like a digital registration plate. Additionally, UAS operators will be required to obtain information about areas where legal restrictions on flight apply before beginning a flight. UAS will also be required to operate with a green flashing light at night.

5.4 The consultation highlighted that pilots of UAS can find the current rules difficult to understand. This lack of understanding can lead to problems with compliance. This instrument introduces descriptive headings for the categories of permitted UAS operations, giving users an indication of how they are allowed to fly their UAS. This instrument will require pilots of UAS from 100g to take a free online ‘Flyer ID’ test to enhance awareness of the rules.

5.5 In order to give users and industry time to adapt to the new rules, this instrument brings more onerous requirements into force on 1st January 2028 (i.e. the requirements for UAS to be equipped with remote ID and geo-awareness). Additionally, this instrument permits the continued use of UAS which were placed on the market prior to the introduction of new requirements.

5.6 These reforms require legislation, in order to amend two of the pieces of legislation which set out rules applying to UAS: Commission Delegated Regulation (EU) 2019/945 on unmanned aircraft systems and on third-country operators of unmanned aircraft systems (“the Delegated Regulation”), and Commission Implementing Regulation (EU) 2019/947 of 24 May 2019 on the rules and procedures for the operation of unmanned aircraft (“the Implementing Regulation”).

What was the previous policy, how is this different?

Delegated Regulation - Prefix of UAS classes to be changed from “C” to “UK”

5.7 Under the Delegated Regulation, the names of UAS classes used a “C” prefix, which did not distinguish between compliance with UK or EU product requirements. The prefixes will be changed to “UK” (e.g. from “C0” to “UK0”). Class identification labels, which are affixed to UAS which belong to a class, will also be changed so that the labels include the new “UK” prefix. This will enable clear differentiation as UK and EU standards diverge. This provides a practical and future-proof solution while maintaining broad alignment with the existing class-marking framework.

Delegated Regulation - Exemption for UAS with a maximum-take off mass of less than 100g

5.8 Currently there are exemptions for UAS classified as “toys”. This classification will be replaced through this amendment with a classification based on maximum take-of mass (“MTOM”). UAS which have a MTOM of less than 100g will not have to comply with the product requirements in the legislation. MTOM is the maximum mass, including payload and fuel at which the UAS can be operated. Providing an exemption based on weight rather than a classification of “toys” is simpler, gives clarity to industry and users and will make compliance easier. Additionally, the MTOM of 100g is a low-risk category and makes this approach proportionate and allows recreational users to still benefit from this technology whilst ensuring higher risk categories have stricter production and operating requirements.

Delegated Regulation - Changes relating to the Market Surveillance Authority

5.9 The CAA will take over the role of approving conformity assessment bodies (i.e. bodies which have a role in assessing the conformity of UAS with product requirements). This will simplify delivery of the product standards framework by consolidating responsibilities within a single organisation.

5.10 An additional requirement on manufacturers to provide information (including the name of the manufacturer and the code assigned to the product type) to the market surveillance authority when they first place a product of a particular product type on the market will be imposed. This will improve the market surveillance authority’s ability to oversee compliance, understand the market, and issue guidance to users.

5.11 The Department intends for a statutory instrument appointing the Civil Aviation Authority as market surveillance authority to be made (paragraph 4.3).

Delegated Regulation - Use of EU conformity assessments

5.12 Manufacturers are required to conduct conformity assessment procedures for class-marked UAS. There are three methods available: internal production control, type examination by a conformity assessment body and full quality assurance.

5.13 Certain types of UAS class markings (UK1-3) require internal production control methods, these are not currently available in the UK as we do not currently have the appropriate conformity assessment bodies to conduct this. As an interim and proportionate alternative this amendment allows for the use of EU conformity assessments of certain types of UAS class markings.

5.14 This transitional flexibility supports market access, avoids duplicative testing, and ensures supply of compliant UAS while UK infrastructure matures.

Delegated Regulation - Changes to product specifications for UAS classes

5.15 This instrument requires UAS of certain classes to have additional features and updates some of the details of certain product specifications.

5.16 A direct remote identification system (“direct RID”) allows a UAS to broadcast identification and location data over local networks (e.g. Wi-Fi or Bluetooth),

enabling enforcement agencies to distinguish between compliant and non-compliant operators. A geo-awareness system alerts remote pilots when a UAS approaches or enters restricted airspace (i.e. airspace where legal prohibitions or restrictions on flying a UAS apply), helping to reduce inadvertent airspace infringements.

5.17 This instrument will require more UAS to be equipped and operated with direct RID, with exceptions for lowest-risk UAS. Where direct RID is required, this instrument requires that it must be functioning to allow a UAS to take off.

5.18 In relation to geo-awareness, amendments will incorporate airspace restrictions under UK legislation (the Air Navigation Order 2016 and the National Security Act 2023). This ensures geo-awareness requirements function effectively in the UK regulatory environment.

Implementing Regulation - Descriptions of subcategories of the 'open' category of operations

5.19 Previously, the operational sub-categories for unmanned aircraft flights were labelled as A1, A2, and A3, but these titles provided lack of clarity for users, particularly those new to UAS operations. This instrument renames these categories to 'Over people (A1)', 'Near people (A2)', and 'Far from people (A3)', making their purpose more immediately understandable and helping users better recall and comply with the rules.

Implementing Regulation - Exception for operations in an enclosed area

5.20 Operations conducted in an area which is wholly or mainly enclosed and where no uninvolved person is present will not be subject to the operational requirements in the Implementing Regulation.

Implementing Regulation – Changes to registration requirements

5.21 Article 14 of the Implementing Regulation is amended so that UAS operators will be required to register themselves when operating in the 'open' category with a UAS which is equipped with a camera and has a MTOM of 100g or more.

5.22 Another amendment to Article 14 will mean that the CAA shall only issue a digital registration number to persons who are at least 18 years of age. This reflects the minimum age requirement in article 265D of the Air Navigation Order 2016, which is omitted by the 2025 Offences Regulations.

Implementing Regulation - UAS with a maximum take-off mass of less than 100g

5.23 The instrument permits the operation of these UAS in the Over People (A1) subcategory of the open category.

5.24 As mentioned above, the sub-100g category is a simple framework for low-risk UAS and gives clarity to industry and users and will make compliance easier.

Implementing Regulation - Use of UAS complying with EU product requirements

5.25 Before 1st January 2028, the Implementing Regulation will apply to EU UAS (UAS which comply with product requirements in the Delegated Regulation as it has effect in EU) as if they were UAS complying with the UK Delegated Regulation. This will allow EU UAS to be operated in the 'open' category. The operation of EU UAS in the 'open' category may also be permitted under the 'legacy' UAS provisions, where the UAS was placed on the market before 1st January 2026 (explained further below).

5.26 This will allow a smoother transition to UK class-marked UAS by giving users more time to adapt.

Implementing Regulation - Use of "legacy UAS"

5.27 This instrument omits Articles 20 and 22 from the Implementing Regulation. Article 20 allowed UAS to be flown under specified conditions, provided that they were placed on the market before 1st January 2026. Article 22 allowed UAS to be flown under specified conditions before 1st January 2026.

5.28 This instrument will allow the continued use of UAS placed on the market before 1st January 2026, which did not comply with class-marking requirements ("legacy UAS"). When using legacy UAS, operators and pilots will have to comply with the relevant requirements in Part A of the Annex to the Implementing Regulation.

Implementing Regulation - Changes to the Over People (A1) subcategory of operations

5.29 This instrument amends the Over People (A1) subcategory to allow UK1 class marking UAS (less than 900g) to fly over people who are not involved in the operation, but not assemblies of people. This creates alignments with other UAS permitted to operate in the Over People (A1). This simplifies the rules and unlocks new low-risk use-cases for lighter drones, such as urban inspection or media coverage.

5.30 This instrument amends the Over People (A1) subcategory to require pilots of all UAS other than UAS with an MTOM of less than 100g to pass an online examination covering various topics related to UAS and air safety. This is aimed at ensuring more pilots demonstrate a basic understanding of the rules through this free, online competency test. This change aims to improve safety, security, and compliance by increasing awareness of regulatory requirements among a broader group of UAS users.

Implementing Regulation – Changes to the Near People (A2) subcategory of operations

5.31 This instrument creates a new operational requirement which applies to legacy UAS operating in the Near People (A2) subcategory. These UAS are required to be operated at a safe horizontal distance of at least 50 metres from uninvolved persons.

Implementing Regulation - Changes to the Far from People (A3) subcategory of operations

5.32 This instrument amends the Far from People (A3) subcategory to require operations to be conducted at a distance of at least 50 metres horizontally from uninvolved people, clarifying that flight near or over such people is not permitted.

5.33 This instrument also amends the Far from People (A3) subcategory to require operations to be conducted at a distance of at least 50 metres horizontally from any building. This change improves safety, simplifies compliance, and reflects existing user guidance.

Implementing Regulation - Green flashing light requirement

5.34 UK3 class (less than 25kg) UAS are required under the Delegated Regulation to be equipped with a green flashing light for night operations, in line with current legislation, but the Implementing Regulation does not currently require the light to be switched on because the relevant provisions were never brought into force in the UK. The new policy will mandate that flashing lights must be actively used during night-time operations. This closes a regulatory gap, addresses safety and security concerns raised in consultation, and aligns operational rules with existing product standards.

6. Legislative and Legal Context

How has the law changed?

6.1 Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency ("the Basic Regulation"), as amended, establishes a framework and essential requirements in respect of aviation safety regulation.

6.2 Article 57 of the Basic Regulation confers a power on the Secretary of State to make regulations concerning the operation of unmanned aircraft to ensure compliance with the essential requirements referred to in Article 55. Paragraph 1 of Article 58 of the Basic Regulation confers a power on the Secretary of State to make regulations regarding the design, production and maintenance of unmanned aircraft.

6.3 This instrument is made in reliance on these powers. The detail of the amendments made by this instrument is set out in section 5 above.

6.4 Offences for contravention of the requirements in the Implementing Regulation are provided for in a separate instrument, the 2025 Offences Regulations. That instrument will largely omit and replace articles 265A to 265D and 265F of the Air Navigation Order 2016.

6.5 The Department intends to make two other related instruments: one under the power in Article 3B of the Delegated Regulation, to prescribe the Civil Aviation Authority as a market surveillance authority, and another will be made to amend the offences relating to tethered small unmanned aircraft in the ANO 2016.

Why was this approach taken to change the law?

6.6 This is the only possible approach to make the necessary changes.

7. Consultation

Summary of consultation outcome and methodology

7.1 The Civil Aviation Authority (CAA), sponsored by the Department for Transport (DfT), carried out a public consultation on proposed reforms to Unmanned Aircraft Systems (UAS) Regulation in the UK. The consultation, titled "Review of UK UAS Regulations (CAP 2610)", ran from 22 November 2023 to 10 January 2024 and was conducted via an online survey and email submissions.

7.2 It received 3,499 responses—3,477 via the online form and 22 via email. Respondents included recreational and commercial drone operators, manufacturers, service providers, and aviation sector organisations. 77.1% of responses (2,681) came from model aircraft flyers; 5.2% (182) were from organisations.

7.3 The consultation tested support for a broad package of proposals to simplify and modernise UAS regulation, improve safety, and support sector growth. There was broad support for simplification and improved guidance, but major objections were raised to proposed limits on legacy UAS and the short transition period for Remote ID, with many citing cost and disproportionate impact on low-risk users. These concerns were addressed by introducing a longer transition period for the most onerous requirements (see paragraph 5.5) and for UAS purchased before 1st January 2026.

7.4 The CAA reviewed all responses and worked closely with DfT, the Home Office, Department for Business and Trade, British Standard Institute and policing partners.

The final consultation response was published on 8 May 2025[1].Appendix B of that document provides a full quantitative breakdown of responses by proposal.

7.5 The content of this instrument does not include devolved matters, and therefore DfT did not need to conduct a formal consultation with the devolved administrations. However, DfT consulted Northern Ireland and Scotland offices on the offence provisions relevant to their devolved administrations in the 2025 Offences Regulations. The 2025 Offences Regulations Explanatory Memorandum provides further information on this consultation.

Applicable guidance

7.6 The CAA is due to publish Acceptable Means of Compliance (AMC) and Guidance Material (GM) to accompany the legislation before the new requirements come into force on 1 January 2026. The AMC[2] and GM[3] will be available on the CAA Regulatory Library.

Part Two: Impact and the Better Regulation Framework

8. Impact Assessment

8.1 A full Impact Assessment has not been prepared for this instrument because the impact on businesses falls below the Better Regulation Framework's de minimis exemption threshold. Instead, a series of light touch appraisals have been undertaken to assess the impacts of the measures. This will be published alongside the Statutory Instruments.

Impact on businesses, charities and voluntary bodies

8.2 The impact on business, charities or voluntary bodies is a net saving of £10.2m over the appraisal period (2025 prices, 2025 present values) compared to existing legislation. This comprises savings of £10.1m by extending the period in which some legacy UAS can be operated in the Over people (A1), Near people (A2) and Far from people) A3 sub-categories until 2028 and £1.3m related to relaxed requirements for conformity assessments, and additional costs of £0.2m due to additional pilot competency requirements, £0.6m for familiarisation, and £0.3m related to Direct Remote ID.

8.3 Whilst the legislation does impact small and micro businesses exemptions are not appropriate as they would undermine the safety and security benefits, for instance, exempting them from the Direct Remote ID requirements would allow criminals wishing to avoid being tracked to simply purchase from those manufacturers. However, measures have been taken to minimise the impact on businesses, including the adoption of a transition period and a more flexible approach to conformity assessment for some UAS. Without these measures, businesses would face higher costs from immediate compliance and scrapping legacy UAS. The chosen approach allows continued use and phased adaptation, supporting both safety and sector growth.

8.4 There is no significant impact on the public sector as the key costs, related to the development and running of the Market Surveillance Authority would be incurred in any case under existing legislation.

[1] https://www.caa.co.uk/our-work/publications/documents/content/cap3105/
[2] https://regulatorylibrary.caa.co.uk/2019-947/Content/UAS947_1.htm
[3] https://regulatorylibrary.caa.co.uk/2019-945/Content/UAS945_Title.htm

9. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

9.1 Unmanned Aircraft legislation is subject to regular review, which allow necessary and appropriate amendments to be identified. These reviews take place on a more frequent basis than the five-year interval required under the Post Implementation Review clause. The Aviation Legislation, Policy and Sponsorship Group also review the impacts of any regulatory changes multiple times a year. More regular reviews are appropriate, as legislation may need to be updated on a more frequent basis including in response to changes in the Standard and Recommendation Practices and other developments. Regulatory impact is considered as part of this process, and advice given by the CAA takes into account the Growth Duty on regulators, which requires regulators to "consider the economic consequences of their actions; be proportionate in their decision making; and to keep regulatory burdens to a minimum".

9.2 The instrument does not include a statutory review clause and, in line with the requirements of the Small Business, Enterprise and Employment Act 2015, Keir Mather MP, Parliamentary Under Secretary of State (Minister for Aviation, Maritime and Decarbonisation), has made the following statement:

9.3 "In my view, in line with the requirements of the Small Business, Enterprise and Employment Act 2015, the provisions of the Unmanned Aircraft (Offences and Consequential Amendments) Regulations 2025 are such that a statutory review clause would be inappropriate, for reasons, given the costs associated with such a review ."

Part Three: Statements and Matters of Particular Interest to Parliament

10. Matters of special interest to Parliament

10.1 This instrument relates to the 2025 Offences Regulations. That instrument makes various amendments to the Air Navigation Order 2016 necessary to maintain enforceability of unmanned aircraft regulatory requirements. It sets out criminal offences for breaches of the regulatory framework established under Commission Implementing Regulation (EU) 2019/947, as amended by the Unmanned Aircraft (Amendment) Regulations 2025. The offences largely replicate those previously found in the ANO 2016 (with adjustments to take account of the amended requirements) which are now being removed and re-made through this instrument to align with the updated regulatory structure.

10.2 Article 6(4)(b) of this instrument corrects an internal cross reference in Article 18 of the Implementing Regulation. The Department consulted the SI Registrar in regard to use of the free issue procedure. The SI Registrar's view was that it is not necessary to apply the procedure, because this is a longer instrument which only contains one minor correction.

11. European Convention on Human Rights

11.1 As the instrument is subject to the negative procedure and does not amend primary legislation, no statement is required.

12. The Relevant European Union Acts

12.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 ("relevant European Union Acts). It does however relate to the withdrawal of the United Kingdom from the European Union because the Basic Regulation, which includes the enabling powers for the instrument, and the Implementing Regulation and Delegated Regulation, which are amended by the instrument, are all assimilated EU legislation.