



FAQ: Requirements and expectations of stakeholders in the Swiss drone ecosystem

"In Germany, extensive changes had to be made to the national framework before Regulations (EU) No 2019/945 and (EU) No 2019/947 could be implemented, causing a delay in their coming into force. What national regulations will be necessary for implementation in Switzerland?"

The process of adopting and implementing the EU drone regulation in Switzerland is less complicated than in Germany. Current UAS regulations here are more liberal and less complex than in Germany, so adapting them to the EU drone regulation will take less time. Germany already had numerous UAS regulations in place prior to adopting the new EU drone regulation. These had to be amended or repealed before Regulations (EU) No 2019/945 and (EU) No 2019/947 could come into force. This involved adapting various laws and standardising the existing administrative processes.

"In view of the forthcoming amendments to the DETEC Ordinance on Special Category Aircraft (OSCA), the 'safety gain' with regard to the police, correctional facilities or airports is probably more or less irrelevant. Are there any statistics regarding the safety gain for the population, especially since Regulation (EU) No 2019/947 is primarily aimed at reducing the ground risk?"

There are currently no statistics on the safety gain for the population, mainly as there is not yet sufficient experience or data for such statistics to be compiled.

The upcoming amendment to the OSCA will introduce important provisions to promote safety in connection with unmanned aircraft systems. In particular, the new concept of geo zones (no-fly zones) will allow for better protection of critical infrastructures such as wind turbines or nuclear power plants as well as other sensitive areas such as prisons, hospitals or airports ([map](#)). Furthermore, the EU drone regulation is not aimed solely at reducing the risk of drone operations; it also contains elements to give the fast-growing and complex drone industry a better framework for its future development. Of particular note here is the increased transparency of drone operations brought about by the obligation to register. This point has been raised several times in parliamentary initiatives over the past few years (Postulate 18.3245; Motion 18.3371; Interpellation 20.3982; Interpellation 20.4017).

"If implementation becomes likely: a) how will this be communicated and b) what is the lead time until definitive implementation?"

As preparations for adopting the EU drone regulation were already ongoing prior to Parliament's acceptance of Motion 20.3916, the FOCA believes that the administrative work required for adopting the regulation would be relatively minor. The FOCA will provide regular information on its website and in the 'Innovation and Digitalisation' newsletter about further developments concerning adoption of the EU drone regulation.



"Is the FOCA already seeing a decrease in licence applications as a result of manufacturers moving to the EU? And does the FOCA believe that Switzerland's position as a drone location has been weakened by not adopting the EU drone regulation?"

This is difficult to say for certain as a change in the number of licence applications could be attributed to various factors (e.g. COVID-19, current legal uncertainty, the individual situation of the companies concerned). Currently, the number of applications for authorisation is still growing, but at a slower pace than in previous years. Furthermore, according to various answers given in the survey, projects are currently being postponed or cancelled altogether on account of planning uncertainty. At the same time, it was reported that more and more innovative projects and operations are being relocated abroad. Companies are thus now concentrating more on the EU market than the comparatively small domestic market. This, in turn, has a negative impact on innovation.

"The problem of standard scenarios concerns not only measurement flights but many different operations (or companies). For some commercial drone operators, scenarios that are already well established will simply no longer be possible."

The surveying industry was chosen here only by way of example to illustrate the current situation. However, other companies and industries may face similar challenges. The answer in relation to measurement flights also applies to all other sectors facing similar constraints on their operations.

As mentioned in the survey report, a uniform authorisation procedure for measurement flights (and similar operations) is difficult to implement in practice, particularly given the individual nature of this type of operation and its different characteristics and risk profiles (altitude, distance to the object of measurement, airspace, operational area, etc.).

However, one advantage of the new EU drone regulation is that it introduces a set of standardised and individualised 'instruments'. These will make it easier and quicker for experienced UAS operators to obtain a flight approval. These instruments are explained in detail in the survey report and on the FOCA website ([report](#) and [website](#)).

"When will the FOCA start accepting declarations as a recognised entity?"

It is not yet possible to say when entities interested in becoming a recognised entity for assessing standard scenarios (STS) will be able to submit their declarations to the FOCA. More information will be available after the situation on adoption of the EU drone regulation has been clarified. Furthermore, the European Commission has postponed application of the standard scenarios by two years. The date from which the FOCA will accept declarations from entities will be communicated on the FOCA website in due course.

"If the EU drone regulation is adopted, would those cantons which impose a drone flight restriction in certain circumstances have to lift their restrictions?"

The flight restrictions currently in place in some cantons generally correspond to the concept of UAS geo zones in the EU regulation, which may be designated for safety, security, privacy or environmental reasons. The EU regulation also requires that the information on the geographical zones be made publicly available in a common, unique digital format. In practice, this means that the geographical zones designated by the cantons must be indicated on the [RPAS map](#) available on the federal geoportal.

"Given that the current legal situation is not even clear to police bodies, how does the FOCA envisage credible supervision of the new, more complex regulation under its supervisory mandate?"

The EU regulation itself provides the mechanisms needed to disseminate its rules. In particular, the requirement to register and undergo basic training in order to fly in the 'open' category will help to improve operators' understanding of the legal framework and thus enhance safety in general.