



“PARTICULARLY HOSTILE TO MEDIUM-SIZED COMPANIES”

My Analysis: Dr. Klaus Scho, CEO of Germandrones

Since 31st December 2020, the approval procedure for the use of unmanned aerial systems (UAS) has been mandatory in Germany for drones with a minimum weight of 250 g, which is directly related to the implementing regulation 2019/948 dated 24th May 2019 of the European Union (EU). Its various paragraphs have consequences for our business activities; they restrict us. And that's what the legislative authorities want.

All things considered, we currently have to conclude that the effects of the approval procedures are detrimental to enterprises and, in particular, to medium-sized companies. We wonder whether the legislators are aware of the consequences the transposition of a European directive into national law will entail. A standardised framework will at best be established which offers the same competitive opportunities to tradesmen from Warsaw to Lisbon and from Flensburg to Palermo. At worst, we won't even make it across the border of Berlin, the federal capital, without having to accept a distortion of competition due to the different application of the same approval procedure by federally responsible authorities.

And it worked. Although the application process for the use of unmanned aerial systems is based on the same legal frame conditions, it is applied very differently in the federal states. A waiting period of

nine to more than twelve months is rather common. And this happens in a field well-known for its opportunities for growth. In cooperation with a partner, we were one of the first companies that obtained an operating licence for BVLOS flights in Baden-Württemberg within six months only. In other countries, such as Switzerland or the UK, applications are quickly processed and approved upon consultation and tied to conditions. We hope to be now allowed to use some aspects of this operating licence to apply them to other similar cases. Our hope is based on the federal structure being networked beyond fax machines, being able to think and thus being able to come up with logical instructions how to act.

If the Federal Government wishes to be internationally resilient and competitive in the field of aerial robotics, a harmonised implementation of the approval procedure is imperative. Companies that register a place of business in another federal state in order to obtain a licence more quickly or companies that accept high costs for an external service provider to enforce the licensing procedure will face the question of their business location – a fact all political decision-makers must be aware of.

A look eastwards from Kiev reveals how important a stable aviation robotics industry can be for a nation. Consequently, there is an urgent need to review the feasibility of transposing European requirements into German law. If the federal structure unnecessarily complicates the approval procedures, the legislators are request to obtain a federal regulation with effect on the federal states. Otherwise, it is to be feared that also this industrial field will move abroad.



Since 2016, Dr. Klaus Scho has been the founder and CEO of Germandrones.