

# Harmonising Qualified Entities in Commission Implementing Regulations

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## Executive Summary

As accredited third parties, Qualified Entities (QEs) perform specific technical, safety, and oversight tasks on behalf of EASA or national competent authorities. This model is intended to reduce the workload of authorities, provide specialised technical expertise, and improve response times for applicants in any aviation domain.

Although rules for the allocation of tasks to QEs are established in several Commission Implementing Regulations, comprehensive rules on accreditation and privileges of QEs do not exist, nor are provisions on the role and use of QEs present in Regulation (EU) 2019/947, which governs Unmanned Aircraft Systems (UAS) operations. The resulting ambiguities create legal uncertainty and increase the workload for authorities, QEs, and applicants, thereby hindering the wider deployment of UAS operations.

In light of the forthcoming revision of Regulation (EU) 2019/947, we therefore advocate defining a clear scope for QEs through the implementation of a tiered system that distinguishes between different levels of privilege. Under this approach, National Aviation Authorities (NAAs) would accredit tier-1 and tier-2 QEs for advisory and oversight tasks, respectively, while certification privileges would be limited to tier-3 QEs.

Based on Art. 62(14)(e) of Basic Regulation (EU) 2018/1139, we recommend either creating a separate Regulation for QEs or amending the provisions of Regulation (EU) 2019/947, based on the following principles:

### **1) Define and clarify the levels of privilege that may be granted to QEs**

The current framework lacks clear definitions of the activities that a QE may undertake. To enhance efficiency and regulatory clarity, we recommend implementing a tiered system that draws on the Concept of Operations developed a few years ago by the ICAO Global Aviation Safety Oversight System (GASOS). This approach would provide a structured, transparent basis for QE operations, facilitate accreditation by NAAs, and protect applicants from inadequate consultants.

### **2) Rename Designated Assessment Entities as QEs**

Designated Assessment Entities (DAEs) perform independent assessments of the competencies of remote pilots (RPs) on behalf of authorities. In this regard, they are QEs under the terminology of Basic Regulation (EU) 2018/1139. We therefore recommend aligning

terminology by renaming DAEs as QEs in order to ensure greater clarity and consistency with the Basic Regulation.

### **3) Clearly define the relationship between QEs and applicants**

At present, it remains unclear whether applicants may engage QEs directly or whether all interactions must be routed through the allocation of tasks by the NAA. This lack of clarity creates unnecessary delays and operational inefficiencies. We therefore recommend that the regulatory framework explicitly define this relationship and allow applicants to contract QEs directly, thereby enabling more efficient, transparent, and timely processes.

In addition, we recommend clarifying that Recognised Assessment Entities (RAEs) may outsource assessments to QEs, should they wish to do so.

### **4) Formalise the recognition of certificates based on industry standards**

At present, it is unclear whether, and under what conditions, certificates issued by accredited entities will be considered by authorities when granting credits, for instance in relation to the “Specific” category. This uncertainty may discourage the adoption of industry standards and lead to unnecessary duplication of assessments.

In line with the principle of risk-based oversight, we recommend formalising the possibility of granting credits for such certifications where they demonstrate conformity with endorsed standards. A comparable approach already exists for the “Certified” category, based on Part-ARO of Regulation (EU) No 965/2012.

## 0) Gap in Regulation

QEs have found their way into European regulation over the decades and are enshrined in Basic Regulation (EU) 2018/1139, Article 69. Their regulatory integration, however, remains incomplete and the provisions governing them are a patchwork.

The evolution of QEs – initiated in 1927 – is summarised in [Annex I](#).

Commission Delegated Regulation (EU) 2024/1403 covers both **accreditation** and the **allocation of tasks**. (EU) 2024/1403 is a “horizontal” regulation applicable across all aviation domains, but only when the accrediting authority is EASA. Conversely, rules for the allocation of tasks to QEs by NAAs are contained in several “vertical” (i.e. domain-specific) regulations, such as Commission Regulations (EU) No 748/2012 on initial airworthiness, (EU) No 139/2014 on aerodromes and (EU) No 965/2012 on air operations (e.g. ARO.GEN.205 in Annex II). None of these regulations is exhaustive, as they address only the allocation of tasks and not the prior accreditation of the QE.

Basic Regulation (EU) 2018/1139 introduced, in Article 69, the possibility for QEs to obtain specific **privileges**; however, these privileges are still not further clarified. In fact, it establishes QEs as independent organisations accredited to support EASA and NAAs by carrying out certain certification and oversight tasks, provided that compliance with the criteria set out in Annex VI is verified. Once accredited, QEs are subject to continuous oversight by EASA or by the relevant NAA to ensure ongoing compliance, in order for the QE to maintain their privilege to perform oversight tasks on behalf of the authority.

According to Article 69, authorities may grant QEs specific privileges including, but not limited to, the issuance of certificates on behalf of the authority, as defined within the respective scope of accreditation. However, potential levels of privileges are not specified in Basic Regulation (EU) 2018/1139.

Likewise, Implementing Regulation (EU) 2019/947, which governs UAS operations, lacks any provisions addressing the role and use of QEs.

**We recommend implementing QEs with a clearly defined scope and to be accredited by NAAs in accordance with Art. 62(14)(e) of Basic Regulation (EU) 2018/1139 either in Regulation (EU) 2019/947 or to establish a horizontal regulation for the accreditation of QEs not only in relation to UAS, but across all aviation domains.**

## 1) A Tiered System of Privileges for QEs

The current framework does not specify which activities a QE may undertake, resulting in the limited use of QEs. Since a general provision allowing QEs to issue certificates on behalf of the NAA would be excessive, we suggest introducing a tiered system based on the Concept of Operations of GASOS. GASOS identified three possible levels of privilege for Regional Safety Oversight Organisations acting on behalf of the NAA:

- **Level 1** comprises advisory and coordinating functions only. At this level, the entity provides guidance material, develops manuals and checklists, and supports the coordination of inspector pools without issuing any documents to the authority. The entity's value lies in acting as an accredited consultant – effectively a trusted advisor – for applicants, thereby protecting them from low-quality service providers. The simple publication of the list of accredited Level 1 QEs would improve safety, as applicants' choice of consultant would not be driven solely by price.
- **Level 2**, referred to as “operational assistance” in GASOS, allows the entity to conduct reviews, inspections, audits, and training for inspectors, and, crucially, to submit recommendations to the NAA. In this model, an applicant could, for example, submit a full SORA package to a Level 2 QE. The QE would evaluate the package and provide a recommendation to the NAA for the issuance of the operational authorisation. This approach would reduce the time required for the NAA to assess the application and is analogous to the privilege currently held by several Flight Examiners, who do not issue pilot licenses themselves but submit reports with recommendations to the NAA.
- **Level 3** represents the highest privilege level, making use of the provisions of Article 69 of the Basic Regulation. At this level, the QE performs full certification and surveillance activities and is accredited to issue, amend, or revoke certificates, licenses, and approvals on behalf of the NAA, without requiring any additional signature from the authority.

**We recommend clarifying the role of QEs by defining these three levels of privilege in Commission Regulations.**

## 2) Designated vs. Recognised Entities

Two entities independent from the NAA are currently mentioned in Implementing Regulation (EU) 2019/947, but their scope is limited to the assessment of competencies of RPs for UAS:

For the practical skills training under standard scenarios and subsequent independent assessment of achieved competencies, Regulation (EU) 2019/947 identifies **Recognised Assessment Entities (RAEs)**. RAEs also hold the privilege of issuing the final certificate to the candidate RP on behalf of the NAA, provided they can ensure the absence of any conflict of interest between training and assessment.

**Designated Assessment Entities (DAEs)**, on the other hand, are empowered to conduct online theory examinations and issue theoretical knowledge certificates to RPs on behalf of the NAA. Since they provide only examinations and not training, they can effectively be considered QEs, even if their activities are limited specifically to the assessment of RPs.

**We recommend renaming DAEs as QEs, to provide more clarity and consistency with the Basic Regulation. A comparison of the current and the proposed new system can be found in [Annex II](#).**

### **3) The relationship between QEs and applicants**

At present, it is not always clear whether applicants can contract QEs directly or whether all such interactions must be channelled through the NAA via a task-allocation process managed by the authority.

In addition to creating extra workload for the NAA, this ambiguity can lead to delays and inefficiencies, particularly when response times depend on the authority's allocation process, which often follows public procurement procedures.

As is already the case for Notified Bodies (NoBos), once accredited by the NAA, QEs should not only be eligible to receive certification or oversight tasks allocated by the authority but also be able to enter into contracts directly with candidate applicants.

At the same time, the relationship between QEs and RAEs requires clarification. The requirement for RAEs to ensure the absence of any conflict of interest between training and assessment implies that they need to recruit at least one instructor and one assessor. Allowing RAEs to outsource assessments to QEs would reduce their financial burden while enabling QEs to achieve economies of scale through contracts with multiple RAEs. This is already happening in some EU Member States.

**We recommend explicitly recognising both possibilities: direct engagement of QEs by applicants and the allocation of tasks by the NAA. In addition, it should be clarified that RAEs may, if they wish, outsource the assessment and examination of RPs to QEs.**

### **4) Crediting industry certifications**

Finally, we would like to highlight the lack of clarity on crediting industry certifications. At present, it is not always clear whether, and under what conditions, certificates issued by accredited entities, such as NoBos certifying compliance with ISO or CEN standards, will be formally recognised by the authorities. This issue is particularly relevant for the "Specific" category of UAS operations. The resulting uncertainty may discourage the adoption of industry standards and lead to unnecessary duplication of assessments.

Crediting industry certifications is possible in the "Certified" category, based on Annex II to Regulation (EU) 965/2012 and the related criteria described in AMC1 ARO.GEN.305(b);(c);(d);(d1) (Oversight programme). However, this possibility is not yet clearly defined for the less risky "Specific" category.

**In line with the principle of risk-based oversight, we recommend formalising the recognition of certifications issued by accredited entities in Regulation (EU) 2019/947 or other Commission Regulation(s), provided that these certifications demonstrate conformity with endorsed standards such as ISO or CEN. A corresponding AMC should therefore be developed to support this recognition.**

## **5) Conclusion**

In summary, this analysis proposes essential amendments to Implementing Regulation (EU) 2019/947 or to establish a separate regulation for QEs to enhance clarity, efficiency, and consistency in the oversight and certification process. The introduction of three levels of privilege for QEs, as outlined by ICAO, would establish a robust framework for their roles, ranging from advisory functions to full certification and surveillance activities. This stratification would support a risk-based approach to oversight and allow authorities to allocate tasks according to each QE's demonstrated competence and accreditation status.

It is also crucial to clarify within the Regulation that DAEs constitute a form of QE, and that RAEs may subcontract examination and assessment tasks to QEs. Furthermore, QEs should be explicitly permitted to enter into contractual relationships directly with candidate applicants, ensuring a more streamlined and transparent engagement process.

Finally, the development of an Acceptable Means of Compliance (AMC) to formally recognise credits for industry certifications would foster greater alignment with established standards such as ISO and CEN. By adopting clear criteria for the recognition of third-party certifications, authorities can reduce unnecessary duplication of audits and promote consistency across both the Certified and Specific categories.

Taken together, these recommendations will modernise and harmonise regulatory practice, support both innovation and safety within the sector, and ensure that regulation better meets the evolving needs of operators and competent authorities alike.

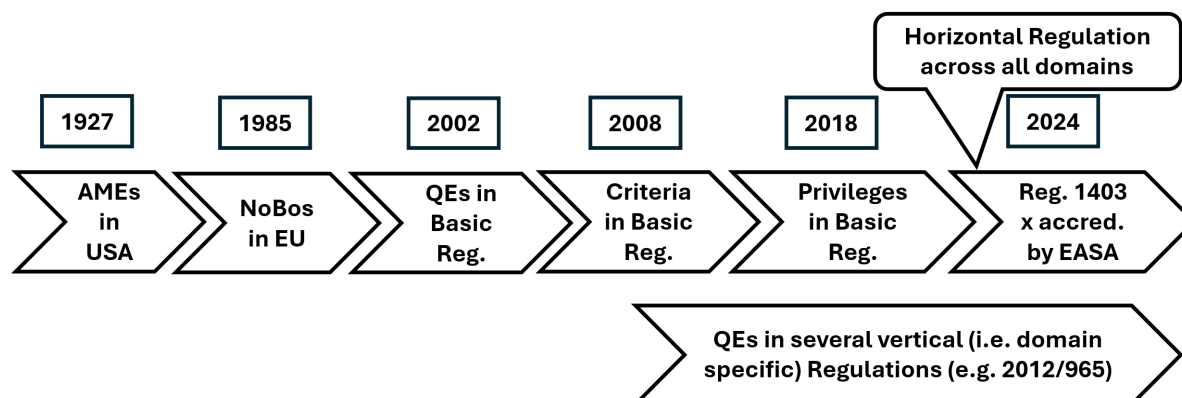
## Annex I

The concept of QEs dates back to 1927, when 50 Aviation Medical Examiners (AMEs), not employed by the Administration but granted the privilege to sign certificates, were accredited in the USA. Since then, the model (i.e. accredited third-party entities signing certificates on behalf of an authority) has progressively evolved through several regulatory and institutional milestones.

In the EU, the first conformity assessment bodies appeared in 1985. These bodies were forerunners of today's Notified Bodies (NoBos), accredited only by national Accreditation Bodies independent of aviation authorities. Consequently, when establishing EASA in 2002, EU legislators introduced the term "Qualified Entity" in Regulation (EC) 1592/2002, also granting EASA the authority to accredit such QEs. However, at that time, QE criteria and privileges were not defined.

A significant step forward occurred in 2008 with the introduction of structured criteria in Annex V of Regulation (EC) 216/2008.

The historical evolution of QEs is summarised in the figure below:



## Annex II

### Current system in EU 2019/947

<b>Accredited by NAA</b>			
Exact privileges granted depend on Member States			
	QE	DAE	RAE
Advisory & coordination tasks	Not clearly defined	n/a	n/a
Oversight tasks	Not clearly defined	n/a	n/a
Certification tasks	Not clearly defined	Only for training	Only for training
<b>Domain-specific case: Training of remote pilots</b>			
Training	Yes – but not for basic qualification or endorsement modules for remote pilots	Only theory	Only practical skills under STS-01 and -02
Theory examination	Not applied	Online examination (A1/A3) or proctored (A2)(STS)	Depending on the terms of approval of the RAE
Theory certification	Not applied	Depending on MS. In some, not all, DAE issues certificate of remote pilot competency in the open category; STS theory; STS refresher training.	Only if compliance with endorsement modules AMC3.UAS.SPEC.050(1)(d)
Practical skills assessment	Not applied	n/a	Practical skills , incl. STS– if absence of conflict of interest between training and assessment is provided
Practical skills certification	Not applied	n/a	Issues certificate of remote pilot competency in the specific category after assessment of practical skills on behalf of the NAA

## Proposed new system

### Accredited by NAA

Based on common EU rules per Article 62.14(e) of EU 2018/1139 inserted in 2019/947  
Exact privileges granted listed by NAA in the Terms of Approval

QE (ToA may span across any domains, including but not limited to training)			RAE
Level 1 Advisory & coordination tasks	Level 2 Oversight tasks	Level 3 Certification tasks	Training of remote pilots and related certification tasks
Accredited consultant. Issues neither recommendations nor certifications	Issues – after verification of compliance – recommendation to authority or RAE for them to issue certifications	Issues certifications (e.g. to U-space service providers) on behalf of the authority	As above. Possibly using QE as external provider of independent assessment (voluntary choice)