

Message 001

Communication from the Commission - TRIS/(2025) 3768

Directive (EU) 2015/1535

Notification: 2025/0789/FR

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késések - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20253768.EN

1. MSG 001 IND 2025 0789 FR EN 23-12-2025 FR NOTIF

2. France

3A. Ministères économiques et financiers

Direction générale des entreprises

SCIDE/SQUALPI/PNRP

Bât. Sieyès -Teledoc 143

61, Bd Vincent Auriol

75703 PARIS Cedex 13

d9834.france@finances.gouv.fr

3B. Ministère de la transition écologique, de la biodiversité et des négociations internationales sur le climat et la nature

DGAMPA/SFM/STEN

Tour Séquoïa

1 Pl. Carpeaux, 9

92800 Puteaux

4. 2025/0789/FR - T20T - Sea and river and navigation on inland waterways

5. Order issued pursuant to Decree No 2024-461 of 22 May 2024 on the conditions for operating maritime drones

6. Maritime drones

7.

8. Decree No 2024-461 of 22 May 2024 on the navigation conditions of maritime drones has made it possible to remove the obstacles to the navigation of these autonomous or remotely controlled floating craft. This legislative and regulatory framework authorises, inter alia, the operation of a new category of floating craft – maritime drones – which is distinct from vessels and intended mainly for scientific surveys and the monitoring of maritime installations.

The purpose of the Order issued pursuant to Decree No 2024-461 of 22 May 2024 on the navigation conditions of maritime drones is to define the technical, operational and administrative conditions applicable to the navigation, registration and operation of maritime surface and underwater drones. It shall specify, in particular, requirements relating to navigational safety, collision prevention, security, cybersecurity, pollution prevention and remote operation arrangements, including for sea trial phases.

The draft regulation pursues objectives of general interest relating to:

- maritime navigational safety and the prevention of collisions;
- the protection of the marine environment and the prevention of pollution;
- maritime security and the cybersecurity of remote navigation systems;

The regulation aims to regulate the operation of these new unmanned craft, taking into account the specific risks associated with their autonomy and remote operation.

The planned Order establishes, in particular:

- a registration system for maritime drones based on a documented risk analysis;
- technical requirements differentiated according to the type of drone (surface or underwater), its mode of operation and its level of maturity;
- obligations relating to on-board equipment and remote operations centres, including duplication requirements for critical equipment;
- the specific provisions applicable to maritime drones in the testing phase;
- possibilities for targeted derogations where the carrying of certain equipment is technically impracticable or disproportionate, subject to the maintenance of an equivalent level of safety.

9. Article 2 of the draft Decree (reference text), which defines pursuant to Article L. 5000-2-2 of the Transport Code “the technical characteristics” which the maritime equipment must present in order to qualify as maritime drones and thus benefit from the policing regime applicable to the navigation and operation of such craft, has in particular been notified to the European Commission pursuant to Directive (EU) 2015/1535.

That provision lays down the technical characteristics of maritime drones, which may be regarded as “technical specifications” within the meaning of the Directive. Thus, on the one hand, maritime drones may fall within the category of “products” within the meaning of the Directive. On the other hand, any craft that do not comply with the technical characteristics set out in the draft Decree – namely, an overall length of more than one metre and less than 16 metres, a maximum speed of 20 knots or less and a kinetic energy of less than 300 kJ – although not banned, will only be able to operate under the more restrictive legal regime for autonomous vessels. Failure to comply with the criteria thus set is likely to affect the conditions under which they can be used in a Member State.

The measures provided for in the decree notified here do not constitute an obstacle to the placing on the market and merely specify the requirements prior to the registration of a maritime drone, providing in particular for: technical requirements and equipment carrying capacity adapted to the characteristics of the maritime drone, a risk analysis assessed by an independent body, and a safety check. Exemptions and derogations are provided for when technical constraints are not justified with regard to the identified risks.

The project does not impose any unjustified restrictions on the free movement of goods or services, as the measures are strictly limited to what is necessary to ensure maritime safety, environmental protection and security. However, as the reference text was notified under Directive 2015/1535, it was agreed that this decree should also be notified.

10. References to basic texts: 2024/0016/FR

The basic texts were forwarded with an earlier notification:
2024/0016/FR

11. No

12.

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No

European Commission

Contact point Directive (EU) 2015/1535

email: grow-dir2015-1535-central@ec.europa.eu

