

Space Liability Act

(translated version not authorized)

Article 1 (Purpose) The purpose of this act is to protect the aggrieved party and to contribute to the sound development of space activities by deciding the extent of damages and the limit of liability in case the damage occurs by the space activities.

Article 2 (Definitions) The terms in this act are defined as follows:

2.1. "Space objects" means the space objects defined at Article 2.3 of the space development promotion act.

2.2. "launching party" means a person who makes a preliminary registration or formal registration in accordance with Article 8, or a person who obtains a launch permit in accordance with Article 11 of the space development promotion act.

2.3. "launching" means the launching of a space object by the person who obtains a launch permit under Article 11.1 of the space development promotion act and includes preparation of launching, test launching and failed launching.

2.4. "space damage" means physical damage such as death, bodily injury or other impairment of health of the 3rd party and property loss such as destruction of, damage to or loss of property according to launching and operation of space objects.

Article 3 (Relation to International Treaties)

3.1. In the event the Korean government has paid compensation for damage to a foreign state according to the "Convention on International Liability for Damage caused by Space Objects", the Korean government may present a claim for indemnification to the launching party.

3.2. The application of this act can be prevented or limited to the natural, legal person, organization or the government of the state which prevents or limits compensation for

damage caused by space objects to the natural, legal person, organization or the government of Korea.

Article 4 (Absolute liability and waiver of liability)

4.1. In case space damage occurs, the launching party shall have responsibility to pay compensation. However, in case of space damage caused by armed conflict, hostile activity, civil war or rebellion or caused in outer space, the launching party shall be liable only if the damage is due to his wilful misconduct or negligence.

4.2. The launching party who paid compensation for damage caused by the 3rd party's wilful misconduct or negligence may present a claim for indemnification to that 3rd party. However, if the damage was due to the supply of components, materials or service (including, labor service), the launching party may present a claim for indemnification to the supplier only if the damage is due to wilful misconduct or gross negligence of the supplier or his employees.

4.3. "Product Liability Act" is not applied for space damage.

Article 5 (limit on compensation) The amount of compensation to be paid by the launching party is limited to two hundred billion (200,000,000,000) won.

Article 6 (Third-party liability insurance)

6.1. Any person seeking to obtain a launch permit for space launch vehicles according to Article 11 of "Space Development Promotion Act" shall insure against the 3rd party liability.

6.2. The minimum amount of the 3rd party liability insurance in accordance with Article 6.1 of this Act is, within the compensation limit under Article 5, set by ordinance of the Ministry of Education, Science and Technology with consideration of the characteristics of space objects, the difficulties of technology, circumstances around the launch site and the domestic and foreign insurance markets.

Article 7 (governmental measures)

7.1. The government shall take necessary actions to rescue the victims and to prevent further damage when space damage occurs.

7.2. The government may provide the launching party with the financial support, when it thinks appropriate in order to achieve the purpose of this Act in case the amount of the compensation under Article 4.1 would exceed the insured amount under Article 6.2.

7.3 The support from the government under Article 7.2 shall be limited to the extent allowed by the National Congress resolution.

Article 8 (Lapse of right)

8.1. The right of claim for compensation under this Act will lapse unless the aggrieved party or his legal representative would not make a claim within one year after the day on which the person became aware of the damage and the responsible party under Article 4.1 of this Act.

8.2. The right of claim for compensation under this Act will lapse after three years after the day on which the space damage occurs.

Additional Clauses

1. (Enforcement Date) This Act takes effect six(6) months from the date of promulgation.

2. (Amendment of other Act) The Space Development Promotion Act will be amended as follows:

Article 15 is deleted.

