Current Status of Japan’s Space Policy and Development of Legal Frameworks
Remote Sensing Data Act:  
Act concerning Ensuring 
Adequate Handling of Satellite 
Remote Sensing Data
Background and Necessity

• Potential of various kinds of applications of RS data has been widely recognized.

• New business models/services are created in: Agriculture, Prevention of Disasters, Resource Monitoring, Maintenance of Infrastructure, etc...
Background and Necessity
Expansion of uses of data

- the expansion of the new market has been helped by the development of RS technology, such as:
  > improvement of resolution (spatial and temporal)
  > miniaturization of satellites/small-sats constellations
  > innovative business ideas (e.g. motion picture)
- Size of a global RS data market is expected to grow enormously.

Japan’s RS satellites

<table>
<thead>
<tr>
<th>Satellite</th>
<th>Source</th>
<th>Description</th>
<th>Resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>ASNARO-1</td>
<td>METI</td>
<td>Optical Satellite (JPN)</td>
<td>0.5m(pan) 2m(color)</td>
</tr>
<tr>
<td>ALOS-2</td>
<td>JAXA</td>
<td>Radar satellite (JPN)</td>
<td>Resolution: 3m</td>
</tr>
</tbody>
</table>

Source: METI

Source: JAXA
Necessity of act

It is Necessary to:

• Establish rules to prevent misuse of RS systems & data.
• Clarify criteria and standards to be complied with by private companies so as to enhance foreseeability and to reduce the business risks.

-> This act will contribute to promoting new industries and services using satellite RS data as a legal infrastructure.
Overview of the Remote Sensing Data Act

• Establish a license regime to ensure the adequate use of satellite RS systems.

• Establish a license regime to ensure the adequate handling of the data obtained by RS systems.

• Enable authorities to take necessary measures to prohibit distribution of RS data to ensure peace and security of international community.

【Envisaged regime】

①Regime for using remote sensing systems

- RS device
- Operation
- Communication facility in Japan
- Transmission
- Satellite RS data
- Users of RS systems

②Restriction of data distribution

- Persons possessing RS data all over the world
- RS data
Space Activities Act: Act concerning launch and control of satellites
Background and Necessity

Advancement of commercial space activities

• More and more commercial entities have become interested in space.

• The development of commercial space activities will contribute directly to enhancement of the base of national space industry.

• These new space activities also contribute to creation of new services outside of the traditional space industry.

• Space activities have to be properly conducted to ensure public safety.

• It is important to set up a framework for compensation for potential victims of third party.
Background and Necessity appropriate implementation of international space law

• Previously...
  • Organizations which have been subject to the GOJ, such as JAXA, had conducted Japan’s space activities.
  • Space activities of these organizations could be generally supervised and controlled by the GOJ.

• Today...
  • Many commercial companies in Japan have business models to conduct genuine private space activities.
  • Necessary to make a framework for “authorization” and “continuing supervision” for non-governmental entities.
Overview of the Space Activities Act (1)
The launch authorization

Non-governmental entities need an authorization from the GOJ. The authority conducts pre-launch examinations, with regard to:

- Compliance with safety standards of rockets and launch facilities
- Appropriate measures to ensure public security (flight paths, launching areas etc.)
- Capability of the entities
- Objectives of satellites intended to be launched
- and so on...
Non-governmental entities need an authorization from the GOJ. The authority examines whether:

- objectives and measures of utilization of satellites are appropriate
- structures of satellites can make sure that they don’t cause “harmful contamination” or “harmful interference"
- they have proper operation planning with regard to collision avoidance and end of mission disposal
- and so on ...
Overview of the Space Activities Act (3)
The framework of compensation with regard to third-party liability

- Application of strict liability for third-party damage resulting from satellite launches.
- Requirements of launch operators to take measures to ensure they can conduct compensation properly, including third-party liability insurance.
- Additionally sets up a framework of state’s guarantee which will cover an excess of compensations for third party within a certain amount.

<table>
<thead>
<tr>
<th>Borne by a launch operator</th>
<th>Exoneration of operator (consideration by the court)</th>
</tr>
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<tbody>
<tr>
<td>State’s guarantee (certain amount)</td>
<td>Commercial insurance contracts (amount specifically set for each launch vehicle type and launch facility)</td>
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</tbody>
</table>
Thank you for your Attention