Belgian Space Law: Adapting the Rules to Technological Reality

Status of the revision of the Belgian space legislation

UNCOPUOS Legal Sub-Committee 52nd session
Vienna, April 2013
Current Status (1)

- Law 17/09/2005 + Implementing Regulation 19/03/2008
- Authorization by the Minister for:
  - any activity of launching or flight operation of space object, or
  - transfer of such an activity
- Environmental Impact Assessment (ground / space)
- Limited Liability of the Operator in case of Damage caused by Space Object
Current Status (2)

Application & Implementation Issues

• Article VI OST: « national activities in outer space » (?)
• ‘Operator’: He who holds final control (?) on the space object
• ‘Space Object’: any object launched in outer space (?)
Activity in Outer Space

What about passive or non-operated objects? e.g.:

- space debris
- objects without autonomous propulsion or orientation means
  - no control in outer space after positioning in orbit or decommissioning
  - no ‘Operator’
  - no applicable law

Launching State(s) remain(s) liable
New Definitions:

• **‘Space Object’**: Any object launched or meant to be launched in an earth orbit or beyond + launcher by assimilation (cf. Art. II.1, + Art. IV.1, 1975 Reg. Conv.)

• **‘Operator’**: He who holds final **authority** over the operation of the object

New Provision:

• For **passive objects**, Operator is he who holds final authority over the launch and the in-orbit positioning of the object
  
  (= He who orders the launch)
Status of Revision Process

• About to be presented by the King to Parliament
• Expected entry into force: End 2013
• Revised law applicable to first implementation cases (QB50 Project, Suborbital Flight projects)