China's Space Regulations: Registration and Licensing

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OVERVIEW

I. Introduction

II. Chinese Regulatory Framework of Registration and Licencing

III. China's National Space Law

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I. INTRODUCTION
Organizational Structure of China’s Government

- National People’s Congress and Its Standing Committee
  - President
  - State Council
    - Ministries and Commissions under the State Council
      - State Administrations and Bureaus under the Ministries and Commissions
    - Organizations directly under the State Council
  - Central Military Commission
  - Supreme People’s Court
  - Supreme People’s Procuratorate
  - Institutions directly under the State Council
I. INTRODUCTION

- **International Treaties**
  - Outer Space Treaty, 1983
  - Rescue Agreement, liability Convention, Registration Convention, 1988
- **China’s Space Regulatory Regime**
  - National Space Policy, 2000, 2006, 2011
  - Departmental Rules, 2001, 2002
  - Departmental Documents
    - *the Interim measures on Administration of Mitigation of and Protection against Space Debris, SASTIND, 2010*

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II. Chinese Regulatory Framework of Registration and Licencing

- Departmental Rules
  - "Measures on the Administration of Registration of Objects Launched into Outer Space (Registration Measures)"
    - co-enacted by COSTIND and MFA, 2001
  - Interim Measures on the Administration of Permits for Civil Space Launch Projects (Launching Permits Measures)
    - COSTIND, 2002
II. Chinese Regulatory Framework: Registration Measures of 2001 (15 articles)

- Purpose
  - implementation of RC (Art.1)
- Jurisdiction (Art.3)
  - territorial links
  - launching State links

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II. Chinese Regulatory Framework: Registration Measures of 2001 (15 articles)

- Registration authority (Art.5, 11-14)
  - COSTIND--SASTIND
  - COSTIND, MFA

- Registrant
  - owner of a space object (Art.7)
  - the corporation which provides the international launching service of the space object (Art.8)

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II. Chinese Regulatory Framework: Registration Measures of 2001 (15 articles)

- Contents of registration (Art.6)
  - registration number
  - registrant
    - owner of the space object
    - launching enterprise of the space object
  - name and basic characters of the space object
  - name of the launch vehicle, date of launch, name of launch site
  - basic orbital parameters and the status of launching and orbiting of the space object

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II. Chinese Regulatory Framework: Registration Measures of 2001 (15 articles)

- Concept of space object (Art. 2)
- Requirements of Time of Registration
  - native registration (Art. 9)
    - registrant, 60 days
  - international registration (Art. 12)
    - SASTIND, MFA, 60 days
- Modification of Registration (Art. 9)
II. Chinese Regulatory Framework: Launching Permits Measures of 2002 (28 articles)

- **Purpose (Art. 1)**
  - implementation of international obligation

- **Jurisdiction (Art. 2)**
  - territorial links
  - nationality and ownership links
    - initial ownership (licence of launching)
    - ownership through an in-orbit transfer (permits of transfer)

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II. Chinese Regulatory Framework:  
Launching Permits Measures of 2002 (28 articles)

- Procedures of application and approval of license (Art. 5-9)
  - the due applicant (Art. 5)
    - The general project contractor
  - general conditions of the applicant for permit (Art. 5)
  - List of the required materials for application (Art. 6)
    - a project in the stage of a domestic executive launching site
    - for a project in the stage of a foreign executive launching site
    - the safety design report
  - evaluation of the application (Art. 7)
  - administrative reconsideration in context of the challenge against the above evaluation (Art. 8)
  - foreign related contract needs the approval of COSTIND (Art. 9)
II. Chinese Regulatory Framework: Launching Permits Measures of 2002 (28 articles)

- Supervision and Administration (Art. 10-23)
  - contents of license (Art. 10)
  - expiration of license, prohibition of license's alteration or transfer (Art. 11, 12)
  - prerequisite of license's alteration or cancellation (Art. 13, 14)
  - nullification and suspension of license (Art. 15, 16, 17)
  - responsibility for the expenses caused by the change of license (Art. 18)

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II. Chinese Regulatory Framework: Launching Permits Measures of 2002 (28 articles)

- Supervision and Administration (Art. 10-23)
  - insurance, including third party liability insurance (Art. 19)
  - required documents for entering the stage of the launching site (Art. 20, 21)
  - obligation of report about the accomplishment of the project (Art. 22)
  - irregularly scheduled supervision and inspection the carryout of the approved projects (Art. 23)

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II. Chinese Regulatory Framework: Launching Permits Measures of 2002 (28 articles)

- **Legal Liabilities (Art. 24-26)**
  - administrative or criminal penalties on act of cheating during application and implementation of the project (Art. 24)
  - legal liability of carrying on project without licence (Art. 25)
  - administrative or criminal penalties on approving institution or any of its functionaries (Art. 26)

- **Supplementary Provisions (Art. 27, 28)**

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III. China's National Space Law

- **Historical Efforts**
  - in formulating national space law
    - proposal of NPC representatives, since 2007

- **Latest development**
  - the 12th Session of Standing Committee of NPC in Oct. 2013
  - the prerequisite is not completely mature, need further research and debate
  - taken into consideration

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any comment or question is welcome

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