



Sixty-second session of the Legal Subcommittee

20-31 March 2023

**Agenda Item: 7 – National legislation relevant to the peaceful exploration
and use of outer space**

Thank you, Chair, distinguished delegates.

Australia's legislative framework for civil space activities has been in place since 1998. It is one of the earlier frameworks to have been developed.

The *Space Activities Act 1998* (the 1998 Act) regulated space activities carried out in Australia or by Australian nationals overseas; provided for the payment of compensation for damage caused by space activities regulated by the 1998 Act; and implemented certain of Australia's obligations under the UN space treaties.

Review of the Space Activities Act 1998

Chair,

In 2015, the Australian Government announced a review of the 1998 Act.

The purpose of the review was to ensure that Australia's space regulation was appropriate for technology advancement and did not unnecessarily inhibit innovation in Australia's space industry.

The review found the 1998 Act and its associated legislative instruments needed to address new and emerging space activities.

In response to the findings of the review, amendments to the *Space Activities Act 1998* were passed by the Australian Parliament in 2018, and commenced on 31 August 2019 under the newly titled *Space (Launches and Returns) Act 2018* (the Act).

The Space (Launches and Returns) Act 2018

Chair,

The Act establishes a system for the regulation of space activities carried on either from Australia or by Australian nationals outside Australia; establishes a system for the regulation of the launch of high power rockets in Australia; ensures that a reasonable balance is achieved between the removal of barriers to participation in space activities and the safety of space activities; and, implements certain of Australia's obligations under the UN space treaties.

The Act is supported by three sets of Rules known as the Insurance Rules, the General Rules, and the High Power Rocket Rules.

The framework considers the changing operating environment for space, including the type of activities being undertaken and the new participants involved.

The Act and associated Rules regulate specified activities that go 100km above mean sea level or involve high power rockets.

To date, Australian launch permits, launch facility licences and overseas payload permits have been granted under the Act.

Updating regulatory guidelines

Chair,

Australia continues to implement initiatives as part of its approach to the continuous improvement of the regulatory framework.

The Agency is developing and updating guidance material which provides advice on navigating the regulatory framework and associated processes.

The Agency has published updated guidance material in relation to certain permit and authorisation types, including for a launch facility licence, High Power Rocket permit, overseas payload permit, and overseas payload return authorisation.

The Agency will continue to publish guidance material to support the preparation of applications under the Act. Australia welcomes discussions with others on the development and ongoing refinement of its framework.

Conclusion

Chair,

Australia is committed to upholding its international obligations and engaging with Member States through COPUOS. We look forward to continuing to share our experiences.

Thank you.