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The Danish Outer Space Act – scope of application

The Danish Outer Space Act (Act no. 409 of 11 May 2016) applies to space activities carried out within the Danish state and space activities carried out outside the Danish state on Danish craft or facilities or by Danish operators.

Denmark recognises that there is no internationally agreed definition of 'outer space'. No rule of conventional or customary international law defines where air space ends and outer space begins. Although the Government of Denmark acknowledges the importance of the subject, the Danish Government does not regard this as a current priority.

The Danish Outer Space Act defines 'outer space' as 'space above the altitude of 100 km above sea level'. The purpose of the definition is to clarify the scope of the Act to launches or attempted launches up to a clearly defined point and, thus, provide certainty to industry. However, this does not in any way prejudge a Danish position with regard to the definition of the term 'outer space' according to international law. This position is also explicitly mentioned in the Explanatory Notes to the Danish Outer Space Act (3.3.2. & 3.3.3.).

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