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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

Central Military
Commission

Supreme People's
Court

Supreme People's
Procuratorate

Ministries and
Commissions under
the State Council

Organizations directly
under the State
Council

Institutions directly
under the State
Council

State Administrations
and Bureaus under
the Ministries and
Commissions



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



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)



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



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)



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)



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)



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 lisencc (Art. 25)
 - administrative or criminal penalties on approving institution or any of its functionaries(Art. 26)
- Supplementary Provisions (Art. 27, 28)



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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