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Author: Dr. Norah Patten
University of Limerick (UL), Ireland, norahpatten@gmail.com

Mr. Ram Levi
Tel Aviv University, Israel, ramlevi@gmail.com

Mr. Michael Potter
United States, michael@paradigmventures.com

PUBLIC PRIVATE PARTNERSHIPS ROLE IN SPACE ACTIVITY: THE IMPORTANCE OF LEGAL
AND REGULATORY ASPECTS FOR PROJECT SUCCESS

Abstract

Public Private Partnerships (PPPs) are seen as cost effective tools/mechanisms to support ambitious projects at a time when both public investment capabilities and government budgets are under pressure. As the space industry continues to develop and grow, the role of PPPs have progressively become important policy issues for space agencies, governments and academia. PPP is not just about the private sector financing capital projects in return for an income stream, they also make use of the private sector skills and management expertise to deliver and operate public projects more efficiently over their lifetime. In this paper, PPPs in space activity are discussed and the importance of regulatory framework for the establishment of successful PPPs is investigated. In a world where government spending and budgets are increasingly unpredictable, a well-defined regulatory framework is essential for ensuring a partnership that operates efficiently and effectively. The framework should establish a basis for a mutual benefit relationship between government and the private sector, providing assurance to the private sector and increased benefits to the government. As the space industry develops, innovative models for financing space missions must be examined and explored. The purpose of PPP mechanism is to provide a means to reduce the risk on industry, that is focused mainly on revenues, and to encourage them to engage in long term research and development. When governments and space agencies provide long term support, industry will have the motivation to engage in such ambitious projects. It is important to realize that the more the industry will engage in long term projects, the more the cost will reduce; enabling governments on one hand to utilize the space budget better for LEO to GEO missions and focus on long-term, deep space missions that only governments can carry out. A number of the lessons learned from PPP failures are discussed, such as Galileo, in addition to some of the highlights and features of successful PPPs, for example Skynet. The challenges that long-term contracts pose can undermine their successful implementation. Examining how legal and regulatory barriers to PPPs can be minimized through the legislative process is essential to facilitate multiyear purchase agreements and to establish a well-defined framework to promote successful PPP for space missions.