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REVIEW OF THE SOUTH AFRICAN REGULATORY FRAMEWORK IN THE CONTEXT OF UN
SPACE LEGAL NORMS

Abstract

The paper is intended to provide and contextualise a historical perspective concerning the development of space activities in South Africa, in particular the development of satellite integration and launching facilities. In this regard it addresses matters and concerns that relate to international regulation of space related activities and also taking into account other obligations emanating from public international law.

The paper aims to present a critical review of the significance of the regulatory regime that is created by the current main national legislation on space affairs, that is, the Space Affairs Act of 1993. A specific attention is devoted to the relationship between the provisions of the Act and the norms and values that are contained in international legal instruments governing outer space related activities.

The paper also explores other domestic regulatory instruments that support the above mentioned Space Affairs Act and these include the national space policy. Again the emphasis and focus are directed at establishing the extent to which the national instruments support and/or benefit from the regulatory regime created by the international legal norms on space affairs.

The paper adopts a comparative approach thus benefiting from selected statutes, policies and bilateral agreements of other administrations.

Therefore, the main objective of the review is to raise issues that would assist administrations that still intend to initiate processes of drafting statutes pertaining to space related activities or those governments that are contemplating improving their existing regulatory norms on space matters. The paper is also aimed at raising issues that invite the attention of international organisations and forums that are involved in the development of international legal norms on space related matters.