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LEGAL AND REGULATORY APPROACHES TO GROWING THE UK SPACE ECONOMY:
REVOLUTION OR EVOLUTION?

Abstract

The government of the United Kingdom has, in recent years, come to recognise the value of the space sector within the UK industrial and economic landscape. The UK National Space Strategy of 2015 recognised the strategic importance of space and proclaimed support for the growth of a competitive commercial space sector. This was followed, in 2017, by the promulgation of the Space Industry Bill, the most significant overhaul of regulation of UK space activity in 30 years. Within the legislation, and supported by a high-profile policy initiative, the government has prioritised the creation of a sovereign launch capacity as one of the key priorities for growing the UK space sector.

This paper will examine the provisions of the Space Industry Bill and the underlying arguments behind the government's decision to use the proposed legislation to encourage both the development of launch systems within the UK and the attendant infrastructure. It will also consider the ramifications for the space economy within the UK and how the legislation will facilitate access to space for small space start-ups.

Notwithstanding the fact that the UK has taken the opportunity to revivify its national space law, the paper will go on to discuss some of the key oversights inherent in the new legislation. In particular, the Space Industry Bill lacks specific detail on many key regulatory issues, instead providing a skeleton outline which requires augmentation at a later date by way of secondary legislation. The paper will, therefore, evaluate the potential regulatory mechanisms that will need to be established and discuss the ambitious plans of the UK government in respect of financing space activity.

Finally, the paper will examine the new space law provisions relevant to the forthcoming UK exit from the European Union. Consideration will also be given to the way in which the UK will seek to address environmental concerns within the legislative framework and whether the growth of the UK space economy can be achieved without increasing the pressure on an already crowded orbital environment.