

IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)
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THE SPACE INDUSTRY ACT 2018: UNLOCKING THE UK SPACE ECONOMY?

Abstract

The government of the United Kingdom has, in recent years, come to view the space sector as being crucial to its industrial strategy and a part of 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 2018, by the passing into law of the Space Industry Act, the most significant overhaul of regulation of UK space activity in 3 decades. 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 critically evaluate the provisions of the Space Industry Act 2018, its relationship with the Outer Space Act 1986 and the underlying arguments behind the UK Government's decision to use the bill 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-up companies and encourage the growth of a nascent space tourism industry.

Given that the UK has taken the opportunity to revivify its national space law, the paper will go on to discuss some of the key points of significance in the new legislation. In particular, the 2018 Act 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 in the light of the UK's exit from the European Union. The paper will consider the way in which the UK will seek to fulfil its international treaty obligations within the legislative framework and whether the legislation can serve to contribute to the growth of the UK space economy.