

36th IAA SYMPOSIUM ON SPACE POLICY, REGULATIONS AND ECONOMICS (E3)
Space Economy Session – A focus on in-space operations and their potential to stimulate economic
development (3)

Author: Ms. Kaja Hopej
Kozminski University, Poland, kajahopej@gmail.com

Prof. Katarzyna Malinowska
Kozminski University, Poland, katarzyna.malinowska@bmsp.com.pl

ECONOMIC IMPLICATIONS OF NATIONAL SPACE LEGISLATIONS. DEVELOPMENT SUPPORT
CLAUSES AS A LEVER FOR INDIGENOUS SECTOR

Abstract

The increased implementation of National Space Legislation (NSL) by countries interested in participating in the world space ecosystem has been evident over the past few years. One of the purposes for which space regulations are introduced at the national level, in addition to fulfilling international obligations (which is clear), is to create an appropriate legal environment for the development and support of domestic space stakeholders. Recently emerging market segments for in-space activities require a specific approach to law in order to overcome legal barriers (as in the case of Active Debris Removal and the problem of property rights of the space objects). It implicates economic analysis of law allowing to distinguish numerous provisions aimed at facilitating commercial market entry for spacetechnology companies, research institutions and others interested parties. These regulations mainly derive from the objectives of national space strategies and relate to the space segments in which the country wish to develop. The Authors identified at least 4 types of "development support clauses" that may work as economic leverage of the space sector at the national level. These are: (1) licensing (e.g. various types of licensing depending the type of activity intended as in Portugal) (2) insurance (e.g. adjusting insurance requirements to the type of the mission and operator, with the possibility to release the mission from the respective obligation) (3) resource ownership where the provisions concerning them are designed to stimulate the space sector and possibly (4) suborbital activities and spaceports (filling the gaps specially with respect to the suborbital activity). The objective of the paper is to consider the economic implications of the respective regulations by comparing approaches taken by different countries, including the most recent ones and assess whether there can be a recommended solution. The Authors seek to provide an insight into national space capacities, with a focus on in-space operations, which the countries analysed wish to strengthen through their NSLs. The method applied in the paper is the economic analysis of the law based on identification of "development support clauses" in countries such as Portugal, Slovenia, UAE, Japan, US, Luxembourg, UK and Poland on a comparative basis.