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PORTUGAL AND SPACE: THE NEW REGULATION ON SPACE ACTIVITY AND ITS
CHALLENGES

Abstract

The world has changed, “the second space era” has started and Portugal is trying to be in the front line. Portugals Space Port is readying for its first take-off in 2025, at a unique location – the island of Santa Maria, in the Azores archipelago, mid-north Atlantic Ocean. The geostrategic position of the Azores is particularly interesting, having been the first discovered land out in the Atlantic in the 15th century, at the very beginning of the Portuguese discoveries’ era. Its specific location allows a unique safe launching position to launch southbound to Low Earth Orbits (LEO), which are ideal for Earth Observation activities. From a legal framework perspective, the construction and operation of space ports, as well as the needed services, are a new territory that requires considering various legal and regulatory aspects. For this reason, the state role in the new space activity is becoming currently regulatory. Portugal, alongside with the specific regulation of the Space Port activity, has started to produce specific regulation on space activity. The Portuguese legislation, with regard to space exploration and commercial space activities, has evolved significantly by adopting Decree-Law no. 20/2024, of February 2, therefore our objective is to look at this new regulation published to understand some of the questions that arise from the development of the space activity in Portugal. Finally, after proceeding with a detailed analysis of the new framework for the space activities in Portugal, our goal is to point out the innovations and challenges posed by this Decree-Law and understand to what extent it makes, in fact, Portugal safe and prepared for this new era.