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SANDBOXES AS AN INCENTIVE TOOL FOR ENTREPRENEURSHIP IN THE SPACE SECTOR

Abstract

The Legal Framework for Science, Technology, and Innovation (STI) and the Legal Framework for Startups and Innovative Entrepreneurship, established in Brazil over the past decades, form a legal framework aimed at facilitating relations between the public and private sectors and other actors in the innovation ecosystem. It provides legal certainty and incentives for STI activities. This new legal framework has faced barriers to its effective implementation, including the lack of understanding of complex and fragmented legal arrangements by managers and technicians, the governmental culture of risk aversion, and traditional models of oversight and control. However, some economic sectors have managed to explore the possibilities brought about by the legal framework, notably the space sector. This sector has experienced technology transfer, the use of new instruments such as technological orders, and the utilization of economic subsidy calls to finance satellite projects, training rockets, and launch vehicles. Additionally, there is a gap between the changes brought about by innovation and the laws and regulations that govern the market. This contributes to legal instruments becoming obsolete and/or limiting innovation and entrepreneurship. One of the new instruments aiming to address this gap is the sandbox, in its various forms. Sandbox is a term originating from the Technology and Information sector, defined by the creation of an isolated and secure environment for testing new applications. Its use has been expanded to strengthen the culture of innovation, by removing the impact of regulations in a controlled real environment, collaboratively among the actors involved in the process, allowing the testing of new business models with the potential to generate competitiveness and stimulate entrepreneurship. In Brazil, the space sector can benefit from the use of this tool, as it is not yet a fully formed market and has characteristics of a high-tech sector. In this sense, the paper proposes a reflection on the use of sandboxes, applied to the space sector, to enhance the Legal Framework for STI and related implementation processes. The aim is to allow innovation to flow more smoothly and make the market more attractive to investors.