



Ministry of Economic Affairs



Dutch Regulation Unguided Satellites

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Object and background

- Unguided satellites increasingly important in Dutch recent years;
- Close cooperation Dutch Areospace industry and Delft University of Technology;
- Cooperation between production companies and research institutions.





Reasons for space legislation & licensing in the Netherlands

- The Kingdom of the Netherlands is party to all five UN space treaties:
 1. Outer Space Treaty 1967 (Ratified by 103 states);
 2. Rescue Convention 1968 (Ratified by 94 states);
 3. Liability Convention 1972 (Ratified by 90 states);
 4. Registration Convention 1975 (Ratified by 61 states);
 5. Moon Treaty 1979 (Ratified by 15 states).
- The Kingdom is member of COPUOS, ITU, ESA, etc.
- States are international responsible for national space activities;
- Green light for implementation relevant space treaties in 2003 due to increased commercialization / privatisation.



Legal Framework

Space Activities Act Netherlands (1)

- Need for act flows from Art. VI Outer Space Treaty;
 - a) State responsibility for national activities;
 - b) associated State liability;
- 2008 Space Activities Act + Registry for space objects in force;
- Covers activities in the Netherlands from Dutch ships/ aircraft;
- Single license for duration of space activity;
- License by the Dutch Ministry of Economic Affairs;
- Implementation by Radiocommunications Agency Netherlands;
- Supervision, Audit every few years;
- No application fee, nor an annual licensee fee;
- Application, 6 months before the activity starts.



Legal Framework



Space Activities Act Netherlands (2)

- Obligatory third-party liability insurance:
 - a) limited to amount insurable (not specified);
 - b) total redress would lead to bankruptcy.
- Pro-active stance, “future-proof” law:
 - a) trend: launching States demand a registry declaration before launch;
 - b) legislative amendments in progress: since 1/1/2015 also cubesats activities are covered;
 - c) in future it also may cover space tourism (‘organization’ of space activities);
- One license issued to SES New Skies (2008)
 - a) Guidance of geostationary satellites;
 - b) 10 geostationary satellites under jurisdiction of the Netherlands.
- Three license requests in 2015: ISIS BV, Delft University of Technology, Radio Amateur Satellites AMSAT-NL.



Legal Framework

Unguided Satellites Decree

- Advances in developing unguided space objects were not anticipated when the Space Activities Act was passed in 2007;
- The Space Activities Act provides for the possibility of expanding its scope by Decree;
- By Decree of January 19th, 2015 the scope has been expended to include unguided satellites, and has entered into force July 2015.
- The supervision and enforcement rules apply both to guided and unguided satellites.



Mandatory insurance

- A precondition for the issue of a license for space activities is a mandatory insurance;
- State will be able to recover at least a substantial portion of any compensation that needs to be paid out;
- Maximum possible cover of the financial risk will be required taking into account the level of insurance cover that is customary in the relevant sector of space activities.



Registry

- A national registry is established in order to comply with the Registration Convention;
- The information to be furnished is mentioned in Article IV of the Registration Convention 1975 (such as name of the launching State, date and territory or location of the launch, basic orbital parameters and general function of the space object);
- Third parties can find out at any time what space objects have been registered by the licence-holder.



Enforcement

- Supervision and enforcement of the provisions of the Space Activities Act are the responsible of the Minister of Economic Affairs;
- Day-to-day supervision and enforcement is undertaken by Radiocommunications Agency Netherlands.

