

Federal Law No. (12) of 2019

Issued on 19/12/2019

Corresponding to 22 Rabi' Al-Akhar 1441H.

ON THE REGULATION OF THE SPACE SECTOR

Abrogating:

Federal Decree-Law No. 1/2014 dated 06/08/2014.

We, Khalifa bin Zayed Al Nahyan, President of the United Arab Emirates;

- Pursuant to the perusal of the Constitution;
- Federal Law No. (1) of 1972 Competencies of the Ministries and Powers of the Ministers and its amendments;
- Federal Law No. (3) of 1987 promulgating the Penal Code and its amendments;
- Federal Law No. (20) of 1991 promulgating the Civil Aviation Law;
- Federal Law No. (11) of 1992 promulgating the Civil Procedures Law and its amendments;
- Federal Law No. (35) of 1992 promulgating the Criminal Procedures Law and its amendments;
- Federal Law No. (4) of 1996 on the General Civil Aviation Authority and its amendments;
- Federal Law No. (7) of 2002 on copyrights and neighbouring rights and its amendments;
- Federal Law No. (17) of 2002 on the Regulation and Protection of Industrial Property Rights for Patents and Industrial Designs and Models and amendments;
- Federal Decree-Law No. (3) of 2003 on the Regulation of Telecommunication Sector and its amendments;
- Federal Law No. (13) of 2007 concerning the Goods Subject to Import and Export Control and its amendments;
- Federal Decree-Law No. (6) of 2009 on Peaceful Uses of Nuclear Power;
- Federal Law No. (1) of 2011 on Public Revenues of the State;
- Federal Decree-Law No. (5) of 2011 on the Regulation of the Boards of Directors, Boards of Trustees and Committees in the Federal Government;
- Federal Law No. (8) of 2011 on the Re-organisation of the State Audit Institution;
- Federal Decree-Law No. (8) of 2011 on the Rules for the Preparation of the Public Budget and Final Accounts;
- Federal Decree-Law No. (5) of 2012 on Combating IT Crimes and its amendments;
- Federal Decree-Law No. (1) of 2014 on the Establishment of the Emirates Space Agency;
- Federal Law No. (14) of 2016 on Violations and Administrative Penalties in the Federal Government;
- Federal Decree-Law No. (8) of 2017 on Value Added Tax;
- Federal Decree No. (85) of 2000 on the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, and the Two Agreements Concerning These Activities;
- Federal Decree No. (77) of 2017 on the Accession of the State to the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space; and

Based on the presentation of the Minister of State - Chairman of the Board of Directors of the Emirates Space Agency, and the approval of the Council of Ministers and the Federal National Council, and the ratification of the Federal Supreme Council,

Hereby issues the following Law:

Chapter 1 General Provisions

Article 1 - Definitions

In the application of the provisions of this Law, the following terms and expressions shall have the meanings assigned against each, unless the context requires otherwise:

State: The United Arab Emirates.

State's Territory: The State's lands, territorial sea, and airspace above it, including free zones or any areas of a special economic status.

Government Entities: Ministries, public authorities and institutions, and other federal or local government agencies in the State.

Agency: The Emirates Space Agency.

Board of Directors: The Agency's Board of Directors.

Chairman of the Board: The Chairman of the Agency's Board of Directors.

Specified Area: Any area above eighty kilometres or more than the average sea level.

Space Object: An object that a person makes, launches, or aims to launch into the or from the Specified Area, whether manned or unmanned, and that includes: the constituent parts of the Space Object, its Launch Vehicle and the parts thereof, including those that do not reach the Specified Area.

Launch: The process of launching or attempting to launch a Space Object into or through the Specified Area, and this includes all necessary preparations and activities at the launch site, up to the stage of the load separation and detachment from the head of the Space Object.

Space Activities: Activities that target the Specified Area, including its discovery, making an impact thereon, using, or utilising it, in accordance with the provisions of Article (4) of this Law.

Spaceflight: A space activity where a Space Object transporting individuals, living creatures, equipment, or other payloads to or through the Specified Area, or returning therefrom, whether that flight is orbital, sub-orbital, or over the Earth's orbit.

Spaceflight over the Earth's Orbit: A Spaceflight with the intention of going beyond the Earth's orbit.

Orbital Flight: A Spaceflight with the intention of completing an orbit around the Earth.

Sub-Orbital Flight: A Spaceflight with the intent to enter the Specified Area without the intention of completing an orbit around the Earth.

Space-Supporting Flights: Any flight in the State's airspace, which cannot be described as a Launch or Re-Entry activity and aims to support Space Activities and the related experiments and training.

High-Altitude Activities: Activities that are above the range of air traffic control and lower than the Specified Area.

Space Data: Data that results from Space Activities, whether it is remote sensing data, or navigation data using satellites, or others.

Incident: An incident arising from Space Activities, Space-Supporting Flights, or High-Altitude Activities, and affects or almost affects the safety of such activities, or the work of a Space Object or aircraft used in a Space-Supporting Flight, or High-Altitude Activities, or causes damage, or almost causes damage to a person or any objects or property in the atmosphere or on the surface of the Earth, and where the damage caused by this incident does not reach the level of the accident.

Accident: An accident caused by Space Activities, Space-Supporting Flights, or High-Altitude Activities, that leads to the death of a person or severe damage thereto, or leads to the destruction or cause severe damage to a Space Object or aircraft used in a Space-Supporting Flight, or High-Altitude Activities or the property on board or leads to the destruction or severe damage to any objects or property in the atmosphere or on the surface of the Earth.

Meteorite: A natural, non-made-made stone or mineral block that reaches Earth from Outer Space without human intervention.

Space Debris: A Space Object that has no role or purpose, or the remains thereof, and the materials, waste, or fragments resulting therefrom, whether in Outer Space, including the Earth's orbit, or inside the Earth's atmosphere.

Space Resources: Any non-living resources present in outer space, including minerals and water.

Space Nuclear Energy Sources: Devices used in Space Activities to generate energy and using nuclear materials, radioisotopes or a nuclear reactor.

Launch Vehicle: A Space Object used for the purpose of transporting a payload - other Space Objects, individuals, living creatures, equipment, etc. - to or through the Specified Area or returning therefrom, whether or not that flight is orbital, sub-orbital, or over the Earth's orbit.

Person: The physical or juristic person.

Operator: A person engaged in Space Activities, Space-Supporting Flights, High-Altitude Activities, Space Data management and distribution activities, or any other activities related to the space sector subject to this Law.

Permit: A document granted by the Agency to a Person and authorising him/it to carry out the activities listed therein, including licences, authorisations and approvals, in accordance with the provisions of this Law.

Authorised Operator: Any operator who has the necessary Permit to perform its activities.

Dual-Use Goods: Goods of shared civil, commercial, or military use, or used in the manufacture or development of weapons of mass destruction in accordance with Federal Law No. (13) of 2007 above mentioned.

Re-Entry: The process of returning or attempting to return a Space Object from the Specified Area, including stages and preparations necessary for its Re-Entry of the Earth's atmosphere, until it settles on the Earth.

Outer Space: The area above the Earth's atmosphere.

Space Sector: The sector that includes all activities, projects and programs related to Outer Space.

Convention on Registration of Objects Launched into Outer Space: The Convention on Registration of Objects Launched into Outer Space, ratified by Federal Decree-Law No. (85) of 2000 above mentioned.

Article 2 - Objectives of the Law

This Law aims to establish a legislative framework regulating the Space Sector so as to create an appropriate regulatory environment to achieve the objectives of the State's national space policy, including the following purposes:

1- Stimulating investment and encouraging private and academic sector participation in the Space Sector and related activities.

2- Supporting the implementation of the necessary safety, security and environmental measures to enhance the long-term stability and sustainability of Space Activities and related activities.

3- Supporting the principle of transparency and the commitment of the State to implement the provisions of international conventions and treaties related to Outer Space and to which the State is a party.

Article 3 - Scope of Application

The provisions of this Law shall apply to Space Activities and other Space Sector-related activities that are carried out as follows:

1- In the State's Territory or the State's establishments outside the State's Territory.

2- From ships or aircraft registered with the State or Space Objects registered by the State.

3- By persons who hold the nationality of the State, or companies that have a headquarters in the State.

Article 4 - Regulated Activities

This Law regulates the following:

1- Space Activities, which include the following:

(a) Launch.

(b) Re-Entry.

(c) Removing or disposing of a Space Object from the orbit.

(d) Operating the Launch sites or Re-Entry.

(e) Operating Space Objects, including monitoring and controlling them.

(f) Satellite communication activities.

(g) Activities of space navigation, remote sensing or Earth observation.

(h) Space awareness activities (awareness of the space's case, status quo, and surrounding conditions), including monitoring and tracking of Space Objects.

(i) Space Resources exploration or extraction activities.

(j) Activities for the exploitation and use of Space Resources for scientific, commercial or other purposes.

(k) Providing logistical support services in Outer Space.

(l) Scientifically exploring space, conducting space-related scientific experiments, and participating in astronomy activities.

(m) Manned Spaceflights, or long-term human residence in space, or the construction or use of facilities in space or on the surface of celestial bodies, permanently or temporarily.

(n) Manufacture, assembly, completion, development, testing, transportation, storage, trade or disposal of space technologies.

(o) Any other Space Activities determined by a Cabinet decision based on the proposal of the Board of Directors.

2- Other Space Sector-related activities, which include the following:

(a) Space Supporting Flights and High-Altitude Activities that are not subject to Federal Law No. (20) of 1991 above mentioned, whether they are carried out in the State's Territory or include the participation of a flying aircraft or vehicle registered in the State.

(b) Space Data management activities, which include receiving, storing, processing, distributing, archiving or disposing of any Space Data.

(c) Collecting or trading Meteorites that fall in the State's Territory.

(d) Specialised training programs related to space fields by non-governmental agencies.

(e) Any other Space Sector-related activities determined by a Cabinet decision, upon the proposal of the Board of Directors.

Chapter 2 Organising the Agency

Article 5 - The Agency

The Agency is a federal public authority that enjoys an independent legal personality, a financial and administrative independence, and the legal capacity necessary to enable it to carry out all actions and acts conducive to the achievement of its goals and objectives. It shall be subordinated to the Council of Ministers.

Article 6 - Agency Headquarters

The Agency's headquarters shall be in the Emirate of Abu Dhabi, and the Board of Directors may establish branches or other offices thereof inside and outside the State.

Article 7 - Objectives and Competencies of the Agency

The Agency aims to encourage and develop the uses of space science and technology in the State, and work to spread awareness of the importance of the Space Sector. The Agency is concerned with exercising all powers, actions, and activities necessary to enable it to achieve its goals and objectives, and in particular, it may do the following:

1- Propose policies, strategies and legislation related to the Space Sector.

2- Grant Permits for Space Activities and other Space Sector-related activities in accordance with the provisions of this Law.

3- Support research and studies in theoretical and applied fields of space, document information and publish the same.

4- Finance or facilitate the financing of any Space Activities and other Space Sector-related activities.

5- Work to establish investment projects in the field of the Space Sector and manage the same on economic bases.

6- Contribute or participate in national or international projects in the space field.

7- Suggest concluding bilateral or international agreements with the relevant entities in the Space Sector, in order to achieve the objectives of the Agency.

8- Represent the State in international forums and programs, after coordination with the concerned Government Entities in the State.

9- Hold and participate in conferences, seminars and workshops related to the Space Sector.

10- Provide technical and advisory support to the entities concerned with the Space Sector in the State, provide advice and guidance to the national space programs and work to solve the challenges facing them.

11- Develop human cadres, attract national talents, support academic activities in the Space Sector, and contribute to providing opportunities for dispatching the relevant scientific missions, through coordination with the relevant authorities in the State and abroad in this regard.

12- Support national and international initiatives that seek to make the Outer Space environment more sustainable and stable.

13- Support the development of facilities and infrastructure needed for Space Sector technologies.

14- Issue circulars and prepare the necessary media programs to raise awareness of the importance of the Space Sector.

15- Request any relevant information or data from any Person or Operator, in order to enable it to carry out its tasks.

16- Any other related tasks and functions assigned thereto by the Council of Ministers.

Article 8 - The Board of Directors

The Agency shall have a board of directors to be formed by a Cabinet decision. Said decision shall determine the Chairman and his deputy, the remuneration of its members and the term of membership therein.

Article 9 - Powers of the Board of Directors

1- The Board of Directors is the highest authority in charge of the Agency's affairs and is accountable before the Council of Ministers for achieving the Agency's objectives, implementing the policies for which it was established, and exercising its powers. The Board shall exercise all powers necessary to undertake its functions, and in particular, it may do the following:

(a) Propose policies, strategies and draft laws related to the Space Sector in the State and raise the same to the Council of Ministers for approval.

(b) Propose, periodically evaluate and review the general policy of the Agency, its strategic plans and programs necessary for its implementation, and raise the same to the Council of Ministers for approval.

(c) Issue decisions, regulations, controls and rules related to regulating Space Activities and other Space Sector-related activities in accordance with the provisions of this Law.

(d) Approve the draft annual budget and the Agency's draft final account and raise the same to the Ministry of Finance to include them in Law on the Appropriations of the General Budget and the Final Account.

(e) Approve the Agency's organisational structure and raise the same to the Council of Ministers for approval.

(f) Issue administrative and financial regulations and laws and supervise their implementation.

(g) Form permanent or temporary committees to implement the tasks it deems fit, provided that it determines their powers, responsibilities and work mechanism.

(h) Seek the assistance of experts and specialists it deems appropriate to assist it in carrying out its tasks.

(i) Delegate some of the powers stipulated in this Article to one of its members or the Director General, provided that the delegation is in writing and specified by a decision of the Board of Directors.

(j) Nominate the Director General of the Agency.

(k) Appoint the Agency's auditor and determine his fees.

(l) Suggest fees for the services provided by the Agency and raise the same to the Minister of Finance for presentation to the Council of Ministers for approval.

(m) Any other related tasks assigned thereto by the Council of Ministers.

2- The Chairman of the Board of Directors shall submit to the Council of Ministers at the end of each fiscal year, a report on the Agency's achievements and workflow.

Article 10 - The Director General

1- The Agency shall have a Director General at the rank of undersecretary, to be appointed by a Federal Decree, upon the proposal of the Board of Directors.

2- The Director General shall exercise the powers necessary to manage the Agency's work, in particular the following:

(a) Running the Agency's work and supervising its administrative, technical and financial affairs under the supervision of the Board of Directors and representing the Agency in its relations with others and before courts.

(b) Proposing the Agency's general policy, strategic and operational plans, and raising the same to the Board of Directors for approval.

(c) Preparing the Agency's annual draft budget and draft final account and raising the same to the Board of Directors.

(d) Preparing and submitting the organisational structure to the Board of Directors for approval, setting out and raising the regulations related to the work organisation in the Agency to the Board of Directors for issuance.

(e) Coordinating with the relevant authorities inside and outside the State regarding the Agency's work and activities.

(f) Preparing decisions, regulations, controls and rules pertaining to the regulation of Space Activities and other Space Sector-related activities in accordance with the provisions of this Law and submitting the same to the Board of Directors.

(g) Issuing Permits and licences pertaining to Space Activities and other Space Sector-related activities in accordance with the provisions of this Law and the decisions, regulations, controls and rules issued by the Board of Directors in this regard.

(h) Any other related competences or powers conferred thereupon by a decision of the Board of Directors.

3- The Director General may attend the meetings of the Board of Directors, unless the Board decides otherwise. The Director General has no right to vote on the Board's decisions.

4- The Director General may delegate some of his powers stipulated in clause (2) of this Article to any of the Agency's senior officials, provided that the authorisation is in writing and specified.

Article 11 - The Agency's Financial Resources

The Agency's financial resources consist of the following:

1- Credits allocated by the government.

2- Revenues generated by the Agency in return for the services it provides, the Permits and approvals it grants, and the activities it performs.

3- Gifts and donations that the Board of Directors decides to accept and are in accordance with the Agency's powers.

Article 12 - The Fiscal Year

The Agency shall have a separate annual budget. The Agency's fiscal year shall begin on the first of January and end on the thirty-first day of December of each year.

Article 13 - Exempting the Agency from Fees

The Agency's funds are considered public funds, and they are exempt from all fees.

Chapter 3

Space Activities and Space Debris

Article 14 - Permits for Space Activities

1- It is prohibited to own a Space Object, carry out or participate in Space Activities, or establish, use or possess related facilities or utilities without obtaining a Permit from the Agency.

2- The general conditions, controls and procedures related to the Permit, including its granting, renewal, amendment, cancellation, suspension, assignment to others, inclusion in or attachment to a Permit previously granted, shall be determined by a decision issued by the Council of Ministers or whomever it delegates.

3- As an exception to the provision of clause (1) of this Article, the Chairman of the Board of Directors may form an interim committee to exempt any specific Space Operator or Activities from obtaining a Permit, or from any special conditions, controls or procedures.

4- The Agency shall ensure that the application for the Permit meets the terms and conditions prescribed for its granting.

5- The suspension or cancellation of the Permit does not exonerate any Operator from any liability, administrative penalty, punishment or any other obligation, unless otherwise stated in this Permit.

6- The assignment of the Permit to others does not exonerate any Operator from any obligation or liability established prior to the date of the assignment.

7- Without prejudice to the criminal liability, it is forbidden to assign the Permit except with the approval of the Agency. The liability shall be joint between the assignee and the assignor in case of violation thereof.

Article 15 - Permit to Provide Satellite Communication Services

1- As an exception to the provision of Article (14) of this Law, any Person wishing to provide fixed or mobile space communication services or space broadcasting services shall obtain a prior no-objection from the Agency, provided that the final Permit is issued by the Telecommunications Regulatory Authority.

2- The no-objection mentioned in clause (1) of this Article is not considered a Permit, but rather one of the conditions necessary for a final Permit.

Article 16 - Manned Spaceflight Activities

1- Subject to the provisions of Article (14) of this Law, the Operator shall, before allowing any physical person to participate in a Spaceflight, submit to the Agency the following:

- (a) A proof that the physical person is aware and well informed of the risks associated with the Spaceflight.
- (b) A written approval of the physical person to take the Spaceflight.
- (c) A proof that the Person has completed the necessary training, physical and health fitness to take the Spaceflight.
- (d) A proof that he has performed all necessary risk and safety assessments, and that there is an appropriate emergency plan.
- (e) Any requirements or conditions issued by a decision of the Board of Directors.

2- Every Operator authorised to conduct a manned Spaceflight shall immediately inform the Agency of any Incident or Accident encountered, or the risks faced, and any measures undertaken thereby to reduce the same or the effects thereof.

3- The conditions and controls of liability related to the activities of manned Spaceflight shall be determined by a decision of the Board of Directors, in cooperation with the concerned Government Entities, and in particular those related to Sub-Orbital Flights.

Article 17 - Permits for the Use of Space Nuclear Energy Sources

1- Subject to the legislation in force regarding the peaceful use of nuclear energy, any Operator is prohibited from using Space Nuclear Energy Sources without obtaining a Permit from the Agency.

2- The general conditions, controls and procedures pertaining to the Permit to use Space Nuclear Energy Sources, including: its granting, inclusion in or attachment to a Permit previously granted, shall be determined by a Cabinet decision, upon a proposal from the Agency after coordination with the concerned Government Entities.

3- Subject to the legislation in force pertaining to the use of Space Nuclear Energy Sources, every Operator authorised to use Space Nuclear Energy Sources shall immediately inform the Agency of any Accident or Incident encountered, or the risks faced, and any measures undertaken thereby to reduce the same or the effects thereof.

4- The applicant for a Permit to use Space Nuclear Energy Sources shall indicate in the application the reasons justifying such use.

Article 18 - Exploration, Exploitation and Use of Space Resources

1- Subject to the provisions of Article (14) of this Law, the conditions and controls relating to Permits for the exploration, exploitation and use of Space Resources, including their acquisition, purchase, sale, trade, transportation, storage and any Space Activities aimed at providing logistical services in this regard shall be determined by a decision issued by the Council of Ministers or whomever it delegates.

2- The Permits referred to in clause (1) of this Article shall be granted by a decision of the Board of Directors upon the proposal of the Director General.

Article 19 - Space Debris Mitigation

1- Every Operator authorised to own or develop a Space Object, or carry out or participate in Space Activities, shall take the necessary measures and plans to mitigate Space Debris and reduce the effects thereof, as determined by a decision issued by the Board of Directors.

2- Every Authorised Operator in accordance with clause (1) of this Article, shall immediately notify the Agency of the following:

- (a) Any Space Debris resulting from any of the Space Objects participating in the authorised activities.
- (b) Exposure of any of the Space Objects participating in the authorised activities, to a highly potential risk, loss of control, or collision with a Space Debris or other Space Objects in Outer Space.

(c) Any measures or plans taken to mitigate the risks resulting from any of the paragraphs (a) and (b) of this clause or to reduce its effects.

(d) Any modifications to the measures and plans taken to mitigate Space Debris or reduce its effects.

3- Each Authorised Operator shall provide the Agency with periodic reports that are updated annually, or as required by the Agency, regarding any warnings or risks related to any Space Objects participating in any Space Activities authorised.

Article 20 - Liability between the Contracting Parties

1- The Operator's adherence to the obligations prescribed therefor under this Law does not exempt from liability for damage caused on the surface of the Earth or in aircraft during its flight, by a Space Object participating in the activities authorised for the Operator, towards other parties not participating in or contracted with in such activities.

2- The damage referred to in clause (1) of this Article means loss of life, personal injury, or any other harm to health, or the loss or damage that is caused to the property of the State, the property of Persons, or the property of intergovernmental organisations.

3- If the Authorised Operator is a non-governmental body and its activity caused damage to the physical persons on board the Space Object, or the property thereon, during a manned Spaceflight, then the State shall not be liable for compensation, even if the Operator is in compliance with the obligations established therefor under this Law.

4- The State shall not be liable for any compensation arising out of an Operator's Space Activity towards any other parties contracted with to exercise that activity, or any Persons participating in that activity or during their presence, at the invitation of the Operator or the launching state in the immediate vicinity of the region from which the Launch or the Re-entry is to be carried out.

5- The compensation referred to in clause (4) of this Article is limited between the parties participating in the Space Activity, according to the terms, conditions and obligations mentioned in the contracts concluded therewith or what is agreed upon between those parties.

Article 21 - Liability towards Others

1- In all cases, the Operator shall be liable for any damage caused to others on the surface of the Earth or in the aircraft while flying inside or outside the State's Territory, and caused by the Space Object that he/it owns, operates, or jointly owns or operates.

2- If the Operator referred to in clause (1) of this Article is authorised, and the activities thereof are carried out according to the Permit granted thereto, then the Operator shall be liable for compensating the damage caused to others inside the State, according to the provisions of Article (24) of this Law.

3- If the Operator referred to in clause (1) of this Article is not authorised, and is not exempt in accordance with the provisions of this Law, or if he/it violates the Permit granted thereto, then he/it shall be fully liable for compensating the damage to others without specifying a higher ceiling for the amount of compensation for the damage.

Article 22 - Liability for Hitting Another Space Object

1- When the error is proven, the Operator shall be liable for any damage caused by the Space Object that he/it owns, operates, or jointly owns or operates, to another Space Object, Persons, or property aboard that Space Object, and in a place other than the surface of the Earth.

2- If the Operator referred to in clause (1) of this Article is authorised, and his/its practice of Space Activities is in accordance with the Permit granted thereto, then he/it shall be liable for compensating the damage caused to others, in accordance with the provisions of Article (24) of this Law.

3- If the Operator referred to in clause (1) of this Article is not authorised, and is not exempt in accordance with the provisions of this Law, or if he/it violates the Permit granted thereto, then he/it shall be liable for compensating the damage to others without setting a higher ceiling for the amount of compensation for the damage.

Article 23 - Liability in other Cases

1- In all cases not covered by the provisions of this Chapter, the Operator shall be liable for any damages resulting from the activities he/it engages in.

2- The Agency may include in the Permit any other provisions related to liability for compensation.

3- Any decisions, conditions or other rules necessary to implement the provisions of this Chapter shall be determined by a decision of the Board of Directors.

Article 24 - Estimating the Limitation of Compensation for Liability

1- When assessing the limitations of compensation for liability in accordance with the provisions of this Law, the following shall be taken into consideration:

- (a) The size of the Launch Vehicle and any other Space Object launched therefrom.
- (b) The fact sheet of the launching Operator or the process of Re-entry.
- (c) The curved path pattern of the launched or re-entered Space Object.
- (d) Any other factors that determine the risk of Accidents or Incidents.

2- The terms, provisions and rules for the calculation and limitations of compensation mentioned in this Article shall be determined by a decision issued by the Council of Ministers or whomever it delegates.

Article 25 - Insurance and Guarantees

Any Operator subject to the Third Party Liability according to the provisions of this Law, shall have an insurance contract with one of the insurance companies approved by the Agency, and he/it may provide any other guarantees approved by the Agency, in accordance with the controls issued by a decision of the Board of Directors.

Article 26 - Compensation for International Claims

If the Operator who is not a Government Entity, causes damage to others, thus resulting in international claims against the State, the Operator shall compensate the State as follows:

1- If the Operator is authorised and does not violate the terms of his Permit under the provisions of this Law, then the amount of compensation shall be in accordance with the provisions and rules for the calculation and limitations of compensation referred to in Article (24) of this Law, whether or not the insurance policy includes the name of the State as a beneficiary, and that up to the amount of the limit mentioned.

2- If the Operator is not authorised or is in breach of the terms of his Permit, the compensation shall be absolute for those claims and for the losses or damages incurred by the State in this regard.

Article 27 - Liability when Using State Launch Facilities

If an Operator who is not a Government Entity uses Launch facilities belonging to the State or any of its properties, then he/it shall conclude a special agreement with the entity that owns the Launch facility in coordination with the Agency, clarifying the limitation of liability between the parties for any damages that may be caused to the State, its facilities or properties.

Chapter 4 Other Space Sector-Related Activities

Article 28 - Permits for Other Space Sector-Related Activities

1- It is prohibited to undertake or participate in any other Space Sector-Related Activities, without obtaining a Permit from the Agency.

2- The conditions and controls for the Permits authorising other Space Sector-Related Activities shall be issued by a Cabinet Decision, based on a proposal from the Agency after coordination with the concerned Government Entities.

3- The Chairman of the Board of Directors may form an interim committee to be concerned with exempting any Person, Operator or any other Space Sector-Related Activities from obtaining a Permit, or from any conditions, controls or procedures relating thereto.

4- The Agency shall ensure that any application for a Permit authorising other Space Sector-Related Activities meets the conditions and controls prescribed for its granting.

Article 29 - Space-Supporting Flights Activities and High-Altitude Activities

1- Subject to the provision of Article (28) of this Law, the Agency may request the applicant for a Permit authorising Space-Supporting Flights Activities and High-Altitude Activities to provide it with any certificates or fulfil any requirements relating to air traffic management.

2- The Agency exonerates the Operator from the obligation to obtain a Permit to carry out Space-Supporting Flights Activities and High-Altitude Activities under this Article, if the activities are completely covered by a Permit or permission granted thereto under Federal Law No. (20) of 1991 mentioned above, or any bylaws or regulatory decisions issued thereunder.

3- The Agency, upon granting a Permit for Space-Supporting Flights Activities and High-Altitude Activities which includes manned flight on board, shall ensure that the applicant for a Permit meets the following requirements:

- (a) A proof that the physical person is aware and well informed of the risks associated with the Spaceflight.
- (b) A written approval of the physical person to take the Spaceflight.
- (c) A proof that the person has completed the necessary training, physical and health fitness to take the Spaceflight.
- (d) A proof that he has performed all necessary risk and safety assessments, and that there is an appropriate emergency plan.
- (e) Compliance with the legislation in force regarding civil aviation in the State.

4- Every Operator authorised to engage in Space-Supporting Flights Activities and High-Altitude Activities shall immediately inform the Agency of any Incident or Accident encountered, or the risks faced, and any measures undertaken thereby to reduce the same or the effects thereof.

Article 30 - Meteorites

1- The Agency shall prepare a special register for Meteorites, wherein registration and modification of the data entered therein shall be done in accordance with the controls and procedures issued by a decision of the Board of Directors.

2- Any Meteorite that falls in the State's Territory shall be the property of the emirate in which it falls.

3- If the Meteorite falls on a common border between the emirates or made a noticeable impact in more than one of the emirates, then the Meteorite shall be the property of the State.

4- Any person in possession of a Meteorite shall record it in the register mentioned in clause (1) of this Article.

5- Every Person who detects a Meteorite or knows its whereabouts, shall immediately inform the Agency or specialised scientific centres approved by the Agency or the nearest police station of the details and information of this Meteorite, unless he was previously authorised by the concerned Government Entities to possess this Meteorite, with the approval of the Agency.

6- It is prohibited to sell, buy, trade, store, transport, export outside the State or import, or conduct any experiments on a Meteorite, unless such act is authorised by the concerned Government Entities and approved by the Agency.

7- The specialised scientific centres approved by the Agency shall be excluded from the prohibition mentioned in clauses (5) and (6) of this Article.

8- The Agency may ask the Person who owns a Meteorite to borrow it, or have a sample thereof, for scientific or research purposes.

Chapter 5 Register of Space Objects

Article 31- Registration of Space Objects

1- The Agency shall establish a national register of Space Objects for which the State is considered the launching State thereof, in accordance with the requirements and conditions prescribed by a decision of the Board of Directors.

2 - Subject to the Convention on Registration of Space Objects Launched into Outer Space, if there is more than one country eligible to be the launching state of a Space Object, then the Agency shall work to enter the State into an agreement with those countries, so as to determine the country in charge of registering the Space Object in its own register and that of the United nations.

3- Subject to the provisions of Article (14) of this Law, the Operator who conducts a Launch from the State's Territory, or from ships, aircraft or Space Objects registered in the State, shall provide the Agency with the following data:

- (a) The name or names of the launching countries.
- (b) A suitable name for the Space Object or its registration number.
- (c) The date of the Launch, and the Territory or place thereof.

- (d) The basic features of the orbit of the Space Object, including the nodal period, inclination, apogee and perigee.
- (e) The general function of the Space Object, in accordance with the Convention on Registration of Space Objects Launched into Outer Space.
- (f) Information about the payload and equipment on board the Space Object, and any Space Nuclear Energy Sources.
- (g) The name of the manufacturer, owner and Operator of the Space Object.
- (h) Any other information required by the Agency.

4- After providing the Agency with the information referred to in paragraphs (c) and (d) of clause (3) of this Article, the Operator shall provide the Agency with the first update of this information within a period to be determined by the Agency from the date of Launch of the Space Object.

5- The Operator shall update the information referred to in clause (3) of this Article in accordance with the instructions issued by the Agency.

6- The Agency shall update the information referred to in clause (4) and (5) of this Article in both the national register and the United Nations International Register.

7- The Agency, in coordination with the concerned Government Entities, shall lay down the conditions and controls related to the registration of Space Objects, aircraft, flying vehicles and any other major data for any of the Sub-Orbital Flights, Space-Supporting Flights, High-Altitude Activities, or other Space Sector-related activities.

Chapter 6 Related Legislation

Article 32 - Intellectual Property Rights

1- Subject to the international conventions to which the State is a party, Space Activities and other Space Sector-related activities are subject to the legislation in force in the State with regard to the Industrial Property Rights for Patents and Industrial Designs and Models that are carried out on a Space Object in Outer Space or any celestial body.

2- The competent Government Entities in the State, in coordination with the Agency, may lay down any controls, provisions and procedures relating to intellectual property rights in the field of Space Activities or other Space Sector-related activities, by virtue of a Cabinet decision to be issued in this regard.

Article 33 - Import and Export Controls

1- Space Activities and other Space Sector-related activities are subject to the legislation in force in the State in respect of import and export of goods, including those relating to Dual-Use Goods, as well as international agreements to which the State is a party.

2- The Government Entities in the State, in coordination with the Agency may lay down controls for import and export of goods, including those relating to Dual-Use Goods, in the field of Space Activities or other Space Sector-related activities, by virtue of a Cabinet decision to be issued in this regard.

Chapter 7

Management of Risks and Crises, and the Provisions of Supervision, Inspection and Investigation

Article 34 - Managing Risks and Crises

1- The Operator shall comply with the following:

(a) Developing a methodology for risk assessment of his/its physical and electronic assets associated with the activities subject-matter of the Permit.

(b) Implementing the process of identifying and assessing the risks associated with the activities authorised and providing the Agency with the results of the assessment of those risks and the management plan thereof. The Operator shall submit to the Agency a report of any threats to his/its authorised activities.

(c) Preparing a risk management plan, including the emergency response mechanism, and providing the Agency with a copy of it and any updates thereto.

2- The rules and requirements for the implementation of the provision of clause (1) of this Article shall be determined by a decision of the Board of Directors.

3- Subject to the provisions of liability established in Chapter 3 of this Law, the Authorised Operator's adherence to obligations prescribed under this Article does not affect the general principle stipulating that the State is not liable

for any of the plans or reports required under this Article, or for the contents of those reports, or any damage caused as a result of the implementation of any of the plans or recommendations raised in the reports.

4- The concerned Government Entities, in coordination with the Agency, shall prepare a plan for managing Space Sector-related national risks, including the fall of Space Objects or Meteorites from Outer Space on the State's Territory.

Article 35 - Control and Inspection

1- The Agency shall undertake the necessary supervision and inspection work to ensure compliance with the provisions of this Law and the decisions issued in implementation thereof.

2- The Agency's employees shall exercise oversight and inspection tasks referred to in clause (1) of this Article, and a decision by the Director General of the Agency may assign these or some of these tasks to a Person with sufficient experience in any technical aspects subject to oversight and inspection, provided that he is under the supervision of the Agency.

3- Every Person subject to oversight and inspection by the Agency shall cooperate with it, provide it with all required information and documents thereto and adhere to the corrective measures imposed thereby, according to the time period it determines.

Article 36 - Investigation of Accidents and Incidents

1- A decision issued by the Board of Directors, in coordination with the concerned Government Entities, shall issue provisions and procedures related to Accidents and Incidents that occur or have effects within or outside the State's Territory and investigate those Accidents and Incidents, taking into account cases in which investigative bodies from other countries participate.

2- A decision shall be issued by the Board of Directors upon the recommendation of the Director General of the Agency to form a committee to investigate Accidents and Incidents and shall determine its tasks and powers.

3- Every Person involved in an Accident or Incident shall cooperate with the Agency and the investigation committee formed under clause (2) of this Article, and provide any information requested from him.

4- Every Operator who has or causes an Incident or an Accident shall immediately notify the Agency and take the necessary measures to limit the scope of the impact and results of the Incident or the Accident, based on best practices and what the Agency decides in this regard.

5- Any Person who knew or discovered that the crew member of an Space Object had an Accident, made an emergency landing, or unintentionally landed in the State's Territory, or knew or discovered that a Space Object or a part thereof has returned to Earth in the State's Territory, shall immediately inform the public authorities in the State and not take any measures in this regard except as determined by those authorities or the Agency.

Chapter 8

Administrative Sanctions and Penalties

Article 37 - Schedule of Violations, Administrative Measures and Fines

The Council of Ministers shall, upon the proposal of the Board of Directors, issue a decision regarding the schedule of violations, administrative measures and fines related to the application of the provisions of this Law.

Article 38 - Non-prejudice to a More Severe Penalty

The imposition of the penalties stipulated in this Law is without prejudice to any more severe penalty stipulated in any other law.

Article 39 - Penalties

Whoever contravenes the provision of clause (1) of Article (14), clause (1) of Article (17), and clause (1) of Article (28) of this Law shall be punished with imprisonment for a period not exceeding two years, and a fine of no less than (100,000) one hundred thousand dirhams and not exceeding (10,000,000) ten million dirhams, or either of them.

Article 40

A penalty of imprisonment for a period not exceeding two years, and a fine of no less than (50,000) fifty thousand dirhams and no more than (5,000,000) five million dirhams, or either of them, shall be imposed on each Authorised Operator who violates the limits of the Permit granted thereto.

Article 41

Whoever contravenes the provisions of clauses (3), (4) and (5) of Article (36) of this Law shall be punished with imprisonment for a period not exceeding one year, and a fine of no less than (30,000) thirty thousand dirhams and no more than (3,000,000) three million dirhams, or either of them.

Article 42

Whoever violates the provision of clause (1) of Article (16) of this Law shall be punished with imprisonment for a period not exceeding one year and a fine not exceeding (500,000) five hundred thousand dirhams, or either of them.

Article 43

Whoever submits false information to the Agency, or refrains from submitting the required information, or prevents the Agency's employees from carrying out oversight and inspection tasks shall be punished with imprisonment for a period not exceeding (6) six months, and a fine of no less than (20,000) twenty thousand dirhams and not exceeding (2,000,000) two million dirhams, or either of them.

Article 44

Whoever violates the provision of clause (3) of Article (17), the provision of clauses (1) and (2) of Article (19), the provision of Article (25), the provision of clauses (4), (5), (6) and (7) of Article (30), the provision of clause (1) of Article (34), and the provision of clause (3) of Article (35) of this Law shall be punished with a fine not exceeding (200,000) two hundred thousand dirhams.

Article 45 - Recidivism

Any of the penalties stipulated in this Law shall be doubled in case of recidivism.

Chapter 9 Final Provisions

Article 46 - Transitional Provisions

1- Every person who has a valid Permit or approval issued by a competent Government Entity and relates to any of the activities that are subject to the provisions of this Law, shall adjust its situation in accordance with the provisions of this Law and the decisions issued in implementation thereof within the period to be determined by a decision of the Board of Directors, provided that it does not exceed two years from the date of entry into force of this Law.

2- The Permits or approvals referred to in clause (1) of this Article, which does not conflict with the provisions of this Law and the decisions issued in implementation thereof, shall continue to apply until the end of their term, cancellation, or replacement thereof with a Permit from the Agency.

3- The Agency is concerned with determining the compatibility or incompatibility of any of the Permits or approvals referred to in clause (2) of this Article with the provisions of this Law and the decisions issued in implementation thereof.

4- Any Person or Operator granted a Permit or approval according to clause (1) of this Article shall provide the Agency with the following:

- (a) A written notification that includes copies of the Permit or approval.
- (b) All requirements, information and data related to Permits or approvals.
- (c) Any data or other information required by the Agency, including information related to registration of Space Objects.

5- The Agency may grant any Operator a temporary permit under which he is authorised to continue the activities he/it engages in before the date of the entry into force of this Law, until he is granted a Permit from the Agency.

Article 47 - Dealing with National Threats, Emergencies and Crises

1- The concerned Government Entities, in coordination with the Agency, may take the necessary measures in the event of any threat to national security or the interests of the State, or serious risks to health, public safety, property safety, or any other threats at the regional or international level, if the Operator does not comply with the provisions of this Law and any decisions issued in implementation thereof.

2- The Agency may request the Authorised Operator in the event of national emergencies and crises to implement specific activities related to the nature of his work, whether inside or outside the State, according to the available capabilities.

Article 48 - The Concerned Government Entities' Cooperation with the Agency

The concerned Government Entities in the State shall cooperate with the Agency in the performance of its tasks, on any matters pertaining to those authorities and related to their areas of competence.

Article 49 - Fees

The Council of Ministers shall issue a decision determining the fees necessary to implement the provisions of this Law.

Article 50 - Obtaining Other Permits

A Permit obtained by any Operator in accordance with the provisions of this Law does not exempt from obtaining any other permits that are required in accordance with the provisions of any other legislation.

Article 51 - Capacity of Judicial Officers

The Agency's employees who are determined by a decision issued by the Minister of Justice in agreement with the Chairman of the Board of Directors, shall have the capacity of judicial officers to prove, within the limits of their competence, any violations of the provisions of this Law and the decisions issued in implementation thereof.

Article 52 - Grievance against the Agency's Decisions

1- Every Person may file a grievance against any decision issued by the Agency in implementation of the provisions of this Law, within thirty (30) days from the date of his notification of the decision. The grievance shall be submitted to the Chairman of the Board, provided that it is in writing and accompanied by the supporting documents. The grievance shall be decided within (90) ninety days from the date of its submission by a grounded decision issued by the Board of Directors. The lapse of the aforementioned period without any response to the grievance is considered a rejection thereof.

2- The decision issued on the grievance shall be final.

Article 53 - Abrogation

1- Federal Decree No. (1) of 2014 on the establishment of the Emirates Space Agency shall be abrogated.

2- Any provision that violates or contradicts the provisions of this Law shall be abrogated.

Article 54 - Publication and Entry into Force

This Law shall be published in the Official Gazette and shall enter into force one month after the date of its publication.

Issued by us at the Presidential Palace in Abu Dhabi:

On 22 / Rabi' Al-Akhar / 1441H.

Corresponding to 19 December 2019

Khalifa bin Zayed Al Nahyan

President of the United Arab Emirates

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