



REGULATORY FRAMEWORK IN PORTUGAL

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It is with particular motivation that I am here today in this conference, as President of ANACOM, which entered this year into the new space age. In fact, since January this year, **ANACOM is the Space Authority, in charge of regulation, oversight and monitoring of national space activities.**

Based on the strong commitment of the Portuguese Government towards the national space sector, **Portugal has undeniably assumed, since 2018, a challenger role in this sector**, by means of different lines of action. Currently, Portugal aims at establishing an **innovative legal framework** oriented to facilitate the development of space activities, products and services in Portugal. It is therefore a national objective to **attract higher value-added and knowledge-based businesses and operations**, as well as to stimulate research and development in the space sector.

To that end, a stable, predictable and streamlined regulatory framework is of paramount importance.

I believe this is achieved by **the Decree-Law no. 16/2019, of last 22 January**, which aims at:

- Regulating the exercise of space activities subject to the responsibility, authorization and supervision of the Portuguese Republic;
- Ensuring that space activities comply with international principles for the use of outer space, while also protecting the political and strategic interests of the Portuguese Republic.

Furthermore, acting as Space Regulatory Authority, **ANACOM is in charge of regulating, supervising and surveilling space activities, without prejudice to the competences of the Autonomous Regions of the Azores and Madeira.** Worth mentioning that, for space activities in the Azores Space Port, a regional legal framework shall apply.

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So far, our main task has been **to draw up the proposal for a Regulation on space activities**, complementing the Decree-Law.

Last March, we set up an **internal working group** to tackle this mission. Since then, we have dived in an intense work of exploring legal frameworks, benchmarking, drafting and discussing with other Space Authorities and the industry.

ANACOM has already organized, last 29 May, a meeting with the Portuguese Space Agency as well as with representatives of the national space industry, to discuss this regulatory framework.

After this short but intense period, ANACOM has managed to approve **last 6 June the draft Regulation on space activities**. This draft establishes the **grant of licenses** for 1) launch and/or return operations and for 2) command and control operations; **the award of certificates of pre-qualification**; the **elements to be registered** with the Space Authority relating to space objects; and the terms of **the transfer of the ownership of the space objects and activities**.

The drafting of rules, which are, to some extent general in the scope of licensing procedures, aims to **grant greater flexibility to companies** regarding the submission of their technical and economic plans. In addition, **strict procedural requirements are defined to assist the Space Authority, together with interested parties, in its mission to lay down licensing conditions**, especially as regards the reduction of the negative effects of space activities on people and property.

At the same time, it is provided that elements to be submitted by interested parties for licensing purposes may be developed by means of regulations or instructions.

On the licensing and pre-qualification, the regulation requires applicants to make **prove of their economic and technical capacity**.

On top of that, they have to provide the Space Authority with a **basic description the launcher or other space object** and a **description of the activity** that they intend to pursue under a single or global license or through joint licensing.



Applicants are also requested to **present a safety plan** and to **put forward measures on space debris mitigation**.

Finally, let me call your attention to the fact that this draft regulation takes into account:

Resources optimization;

Simplification, speed and effectiveness of procedures for access to space activities;

Reduction of administrative burden of companies;

Safeguarding security interests, preventing damage and reducing the environmental impact of space activities.

I would like to highlight that we are developing a **digital platform**, which will act as a single point of entry of all the applications regardless if they are national or regional.

In practice, operators have to present only one request and the space authority will take care of all the opinions and authorisations needed for the developing of the space activity.

Operators could also ask for a **single license** or to a **global licensing**, when they want to pursue more than one launch. It is also possible to ask for a **joint license**, including launching and command and control. Please note, that command and control only refers to the stage where the payload leaves the launcher.

All the Interested parties have a period of **15 working days, after publication** in Official Gazette (which shall be in principle done by 24 June), **to express views and comments**, preferably by e-mail. All comments will be published at ANACOM website.

I urge you all to participate in this public consultation.

Last but not the least, a word to say that ANACOM will be organizing a **public hearing session**, specifically to discuss the draft regulation. To be confirmed, this workshop will take place **in Lisbon in the afternoon of 5 July**.

We could say that this is one small step for a Space Authority, but we strongly believe that it is one giant leap for the national space sector!