# China's Space Law and Regulation

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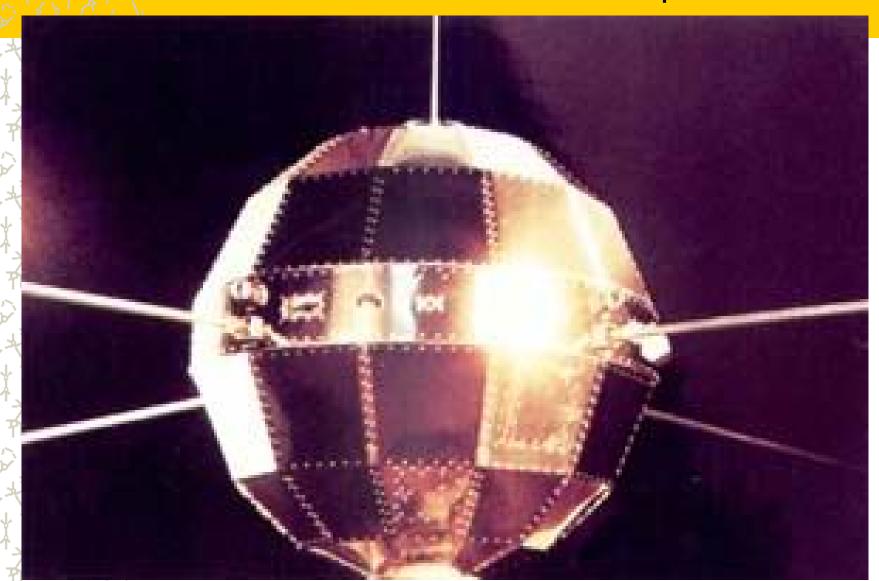
- I. Current Status of Space Law in China
- II.Characteristics of Space Law in China
- III. One of the Key Concerns of the Regulations: Pre-launching Safety Administration in China
- IV. Proposals: principles China's Space Law should follow

#### 1. Current Status of Space Law in China

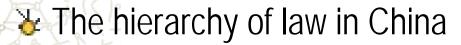
#### Background

- technological bacground space activities from 1956: satellite, manned space craft, space station
- special legal background NO national law: orders and regulatory documents
- legal system after 1982: 1982 Constitution, socialism legal system shaped 2011
- commercialization and international cooperation background

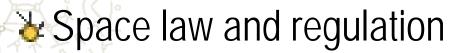
#### China's first satellite launched, April 24, 1970







- constitution: NPC
- law: NPC and its Standing Committee
- administrative regulations: State Council
- ministerial regulation and local decree: ministries, local PC and government
- ? status of international treaty



- two ministerial regulations: directly relating to space
  - the Measures for the Administration of Registration of Objects Launched into Outer Space
  - the Interim Measures on the Administration of Licensing the Project of Launching Civil Space Objects.
- no chance to have space law in near future

- national space law drafting
  - draft in 1990's
  - formal legislation proposal by delegates
  - legislation process: the agenda

#### II. Characteristics of Space Law in China

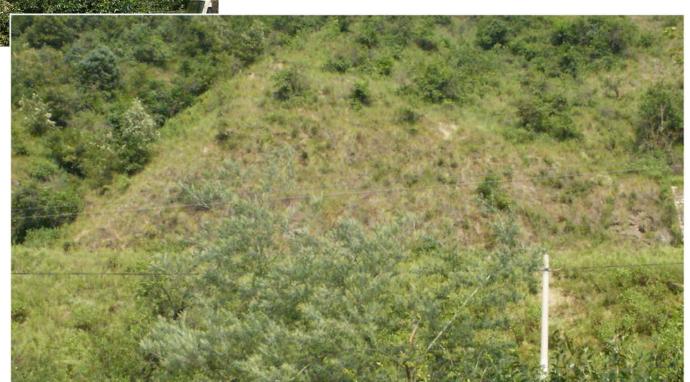
- 1. different branches have the different authorities
  - for example, the telecommunication
    - the People's Liberation Army Regulation on Administering Radio Wave, December 1994
    - the Ministry of Industry and Information Technology announced a notification in 2008, emphasized the safety use of radio for Olympics.
    - same ministry, promulgated in March 2009 "Administrative Provisions on Radio Station License" to enhance the administering of radio station
- 2. lack of systematization
- 3. low levels in the hierarchy of legal system
- 4. lack of proper concerns of the commercialization
  - compare to the U.S.: Dragon spacecraft



- (1) Approval requirement before launching space object
- (2) Insurance requirement before launching space object
- (3) Commercialization and Space safety



#### Xichang, China



### (1) Approval requirement before launching space object

- Firstly, the permit requirement
- Secondly, the qualification requirement
  - The report of safety design and the material
  - For project executed in the launching site within China's territory, the applicant need to submit
  - The material relating to the project complies with the national environmental protection law and regulations

- (2) Insurance requirement before launching space object
  - insurance document is necessary for permit of civil launching
  - satellite launching insurance is encouraged, the government take all necessary measures to promote the satellite launching insurance

- (3) Commercialization and Space safety
  - Certain profitable carrying is prohibited
  - Satellite utilization industry is encouraged and space safety is emphasized
  - Production and business is subject to genera safety regulations

## Proposals: principles China's Space Law should follow

- 1. Comply with International Law, Especially International Space Law
- 2. Consider the so-called "Soft Law"
- 3. Refer to the Legislative Experience of other Countries, Aware of Law and Regulation Development
- 4. Integrate and Codify the Existing Regulations and other Regulatory Documents
- 5. Note Development Trends, Avoid the Instability Caused by Frequent Modification

#### **Questions and Comments?**

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