

UK Space Resources Activities Bill – Draft

1. This Bill takes measures for the implementation of the right to explore and use outer space and celestial bodies for the purpose of extracting space resources, in accordance with applicable international law.
2. To such end, this Bill recognizes that the right to possess, own, transport, use and sell over the extracted space resources is an essential part of the right declared under Article 1, and will ensure its exercise in accordance with UK domestic law and its international obligations.
3. This Bill shall grant the rights of Articles 1 and 2 only to UK nationals and bodies incorporated under the law of any part of the United Kingdom in possess of a valid license, under continuous authorization and supervision of the UK Space Agency.
4. This Bill shall ensure that the rights mentioned in Articles 1 and 2 will be exercised on a non-interference basis. To this end, it establishes at Articles 6-12 a first-come-first-served regime for the recognition and subsequent protection of specifically delimited rights of exploration and use.
5. This Bill establishes a special license covering the exploration and use of celestial bodies for the purpose of extracting space resources.
 - 5.1. The “space resources activities” license is applicable to all space operations required for the purpose of extracting space resources.
 - 5.2. The “space resources activities” license for each operator has a pluriannual validity of 10 years, subject to the persistence of the licensing requirements and renewable multiple times.
 - 5.3. The “space resources activities” license shall be released by the UK Space Agency subject to demonstration of the ability to comply with the requirements imposed by the 2018 UK Space Industry Act and the 1986 UK Outer Space Act.
 - 5.4. In addition, the licensee shall demonstrate compliance also with liability obligations for incidents and accidents in outer space, including the obligation to indemnify the UK government, up to the maximum amount of mandatory insurance coverage. Such amount shall be determined yearly by the UK Secretary of State per royal decree.
 - 5.5. Environmental protection provisions, including respect of the UN Space Debris Mitigation Guidelines and COSPAR planetary protection policies.
 - 5.6. Safety of space operations, including assessment of potential risks of collision with existing space objects and celestial bodies. In particular, no licensee shall redirect the trajectory of any celestial bodies unless specifically authorized by the UK Space Agency and exclusively under the terms of that authorization.
 - 5.7. The space operations licensed under the “space resources” license shall be performed directly by the licensee through its own resources and personnel.
 - 5.8. The “space resources activities” license may not be transferred without the prior consent of the UK Space Agency.
6. This Bill establishes a special authorization regime governing the exploration or use of a certain area of a celestial body for the purpose of extracting space resources, which shall be organized pursuant to the provisions of Articles 7-12.
7. Every licensee shall apply to the UK Space Agency for obtaining the authorization to explore or use a certain area of a celestial body for a determined time. Such area cannot exceed a certain size,

fixed yearly by the UK Secretary of State per royal decree. Authorizations to explore and use shall have a maximum time extension of 25 years.

- 7.1. The application shall include a detailed plan accounting for the feasibility of the planned activities and demonstrating compliance with the requirements imposed by this Bill.
- 7.2. Authorizations to explore are conditioned upon the sharing of the scientific information obtained if the UK Space Agency or the UK competent authorities so require, against appropriate remuneration. The release of such information can be deferred until the related authorization to use has been granted.
- 7.3. Authorizations to explore or use are released subject to the approval of the presented plan, the possession of a valid license and absent any other previous claim over the same area.
- 7.4. The UK Space Agency shall issue the authorization upon payment of an initial fee, whose amount is fixed yearly by the UK Secretary of State per royal decree. The validity of authorizations to use is subject to the annual payment of a utilization fee, to be predetermined by the UK Space Agency in the authorization itself, based on general criteria set up forth yearly by the UK Secretary of State per royal decree.
- 7.5. The UK Space Agency shall issue or refuse the requested authorization with a motivated decision to be issued within 6 months after the submission of a complete application.
8. The same company may hold unlimited authorizations for exploring and using different celestial bodies at the same time. However, the same company shall only have one authorization to explore and use per celestial body.
9. Authorizations to explore and use are released on a first-come-first-served base. An authorization to explore a certain area also entails priority over the right to subsequently use it, provided that an application for obtaining the right to use is initiated before the expiration of the authorization to explore.
 - 9.1. For contemporary applications, the UK space agency shall issue the authorization to the company who does not have any existing rights of exploration and use. Further, the authorization shall be issued to the company providing the best assurance on the respect of the licensing requirements set forth in Articles 5.3 and 5.4.
 - 9.2. Duly authorized rights to explore and use shall be protected against any third-party interferences which are not justified under UK law. Such justifications include, but are not limited to:
 - 9.2.1. Rights to inspection and visit based upon Article X and XII OST
 - 9.2.2. The protection of the national interest of the UK
 - 9.2.3. Compliance with the international obligations of the UK
10. Authorizations to explore and use may always be suspended or revoked by the UK Space Agency in the event that the relevant license is suspended or revoked, or that the limits and the conditions set forth in the authorizations have been violated. Rights to explore and use must continue to be prosecuted. Failure to do so will result in the possible revocation of the authorization and abandonment of the rights obtained.
11. Authorizations to explore and use can be renewed subject to the following conditions:
 - 11.1. application presented no later than 1 year before the expiration of the current authorization;
 - 11.2. payment of a renewal fee, to be fixed yearly by the UK Secretary of State per royal decree;
 - 11.3. compliance with the applicable law, including the maintenance of a valid license;

- 11.4. the absence of public reasons against the renewal.
12. The UK Space Agency shall establish and maintain a register of all the released authorizations. Such register will contain the information related to the size, the time extension and the conditions of the authorization. Such register will be publicly available on the internet, and shall be organized on a prior in time, prior in jus base.
13. Once brought back to Earth and sold to a third party, the possession, ownership, transport, use and sell of the space resources shall be governed by the ordinary regime for precious movables.
14. This Bill includes, for the purpose of its application, an Annex with punctual definitions of the key terms adopted.
15. The UK welcomes the establishment of an international regime for the coordination of space resource activities in compliance with international law, insofar as it is compatible with the one designed in the present Bill. In the meantime, the UK will recognize existing rights relating to space resource activities granted by foreign States, subject to the following conditions:
 - 15.1. the equivalence of the relevant system to the one designed in the present Bill;
 - 15.2. the compatibility with prior rights already registered by UK licensees under this Bill;
 - 15.3. the mutual recognition of UK licensees rights granted by the relevant State.

Annex

For the purpose of the present Bill:

1. “space resource” means an extractable abiotic resource in situ of outer space;
2. “space operations” means all activities conducted in outer space for the purpose of searching for space resources, the recovery of those resources and the extraction of raw mineral or volatile materials therefrom, including the construction and operation of associated extraction, processing and transportations systems.
3. “space object” means an object launched into outer space from Earth, including component parts thereof as well as its launch vehicle and parts thereof;
4. “United Kingdom national” means an individual who is:
 - 4.1. a British citizen, a British Dependent Territories citizen, a British National (Overseas), or a British Overseas citizen,
 - 4.2. a person who under the British Nationality Act 1981 is a British subject, or
 - 4.3. a British protected person within the meaning of that Act.
 - 4.4. Her Majesty may by Order in Council extend the application of this Act to bodies incorporated under the law of any of the Channel Islands, the Isle of Man or any dependent territory.