

WHAT CAN BE DONE WHEN

Changes to the RSSSA and its Regulations can take a number of forms and be initiated by several different sources or pressures.

Pressures

1. The independent reviews of 2012 and 2017
2. Private Sector grumblings
3. Lack of an omnibus Canadian Space Law
4. Gaps in fulfillment of International (UN) obligations
5. Gaps in Canadian Legislation (e.g. launches)
6. Increasing disconnects with other space-faring nations
7. New technologies that did not exist in 2005 when the Act was promulgated
8. Technologies currently on the drawing board that should be considered
9. Cybersecurity
10. Impediments and roadblocks experienced by licensees and regulators since 2007
11. Irritants as experienced by licensees and regulators

Responses

Three forms of change can be considered before an omnibus “Space Law” is enacted by Canada:

1. What can be accomplished without changes to the Act or Regulations
2. What can be accomplished by changing the Regulations
3. What can be accomplished by changing the Act

A “Space Law” for Canada that makes explicit an updated role for the RSSSA may initiate additional responses through edits to the Act and Regulations.

What can be accomplished without changes to the Act or Regulations

Possible improvements to the interactions between applicants, licensees and the regulators include:

1. Client Procedural Circular For the RSSSA
2. Templates for applications under the Act that are widely available
3. Process overview for applications analysis
4. Creation of an Ad-Hoc Advisory Committee to assist in the review
5. Analysis of recommendations in the independent reviews and development of a response

6. Collect and analyze irritants, impediments and roadblocks as seen by licensees and regulators
7. Web presence, conferences and workshops to publicize the Act, get wider circulation of the review efforts and analysis of feedback from outsiders
8. International multi-lateral study towards increased alignment of legislation
9. Development of training courses for both new and existing staff

What can be accomplished through changes to the Regulations only

Some changes to the Regulations will clarify for applicants some measures put forward in the Act or Regulations. These include:

1. An improved definition of the satellites under consideration
2. An explicit mention that “weather satellites are included”
3. An explicit mention that collecting AIS data is an activity included in the Act.
4. Comment on new technology
5. What happens when a satellite in orbit is sold to a different party, either in the same country or elsewhere
6. Repurposing of satellites

What can be accomplished through changes to the Act

Changes to the Act itself may be required to meet challenges that have arisen since the law was enacted. Suggestions include:

1. In Section 6 add a note regarding “control” of operations, e.g. financially or as CEO.
2. Explicit note re investigative powers
3. Consider splitting the Act into two separate parts: Operations and Data
4. Exemptions for e.g. weather satellites