

2023

Space Resources Regulation

Regulatory Framework on Space Activities of the United Arab Emirates

The Ministry of Cabinet Affairs Resolution No (19) of 2023 Regarding the Space Resources

The Council of Ministers:

- Having reviewed the Constitution,
- Federal Law No. (1) of 1972 Competencies of the Ministries and Powers of the Ministers and its amendments,
- Federal Law No. (12) of 2019 on the Regulation of the Space Sector,
- Federal Decree Law No. (85) of 2000 concerning Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer space, including the Moon and Other Celestial Entities and the two Conventions related to these activities,
- Based on the presentation of the Chair of the Board of Directors of the UAE Space Agency, and the approval of the Council of Ministers,

Resolved the following:

Article (1)

Definitions

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

State	:	The United Arab Emirates.
Agency	:	The UAE Space Agency.
Board of Directors	:	The Agency's Board of Directors.
Chairman of the Board	:	The Chairman of the Agency's Board of Directors.
The Law	:	Federal Law No. (12) of 2019 on the Regulation of the Space Sector.
Identified Area	:	An area eighty kilometres or more above the average level of the sea level.
Operator	:	A Person who carries out Space Activities, Space-Support Flight activities, High-altitude Activities, Space data management and distribution activities, or any other activities related to the space sector subject to The Law.
Authorization Regulation	:	Regulation that related to the authorization of Space Activities or other activities related to the space sector, in force in the Agency.
Space Activities	:	Activities that target the Identified Area, including its discovery, making an impact thereon, using, or utilising it, in accordance with the provisions of Article (4) of the Law.
Space Resources	:	Any non-living resources present in outer space, including minerals and water.

Space Resources Activities : Activities relating to the exploration, exploitation and use of space resources, whether for commercial, scientific or other purposes, including the extraction, recovery, refining, processing, utilization, ownership, purchase, sale, trade, transport or storage of space resources, as well as logistics-related activities conducted in the identified area, such as transporting, storing or supplying space resources.

Article (2)

Scope of Application

Provisions of this Resolution shall apply to Space Resources Activities that are carried out by persons who hold the nationality of the State, or companies that have a main headquarters in the State, or a foreign company with a subsidiary in the UAE.

Article (3)

Compliance with the Requirements of the Space Activity Authorization

Operators who wish to conduct Space Resources Activities shall comply with the provisions of this Resolution and the Authorization Regulation.

Article (4)

Specific Conditions for Applications

1. Operators conducting (or applicants who applied for an Authorization to conduct) Space Resources Activities shall comply with the following conditions prior to the conduct of such Activities:
 - a. Operator shall not carry out any activities within the scope of the Space Resources Activities which jeopardize or risk jeopardizing the ability of the State to comply with any international legal obligations.
 - b. Provide the Agency with all required information including technical information and risk assessments, as requested by the Agency.

- c. Provide evidence, proving that the Operator has taken all necessary measures to prevent and/or mitigate the following:
 - (a) Risks to the safety of persons or property;
 - (b) Damage to persons or property;
 - (c) Adverse impacts on the Earth's environment of the;
 - (d) Harmful contamination in Identified Area, including celestial bodies;
 - (e) Creation of Space Debris;
 - (f) Harmful interference with ongoing Space Activities, including other Space Resources Activities.
2. Upon the receipt of an Authorization and commenced its Space Resources Activities, the Operator shall keep the Agency up-to-date on a regular basis about the progress of the Space Resources Activities and comply with all instructions issued by the Agency in the event of emergencies or the likelihood of material risks arising out of the Space Resources Activities.
3. The Agency may request any additional information or assessments, including financial and technical assessments necessary prior to granting an Authorization.
4. The Operator (or applicant as the case may be) shall comply with all applicable regulations issued by the Council of Ministers and the Agency, including those relating to liability coverage.

Article (5)

Specific Considerations by the Agency

The Agency shall take into consideration the following, before granting an Authorization:

1. The international legal obligations of the State and any other international requirements agreed upon by the state.
2. Any potential adverse impacts on the Earth's environment or harmful contamination in Identified Area, including celestial bodies, bearing in mind any international guidelines, policies or other instruments relating to planetary protection.
3. The rights of other relevant States to access to all stations, installations, equipment, and space objects on the surface of the moon and other celestial bodies, in accordance with States' international obligations, taking into account the safety of operations and avoidance of interference in operations, and the protection of intellectual property rights, and commercial sensitive data.
4. The obligation of the State to consult with any affected state when it has reasons to believe that the Space Resources Activities may result in interference with another state's activities

in the Identified Area, including that state's activities which may fall within the meaning of Space Resources Activities.

5. Sharing of scientific information resulting from Space Resources Activities with the international scientific community, to the greatest extent feasible and practicable, on a good-faith basis, and in accordance with the applicable national laws.
6. Any other considerations which the Agency deems appropriate and relevant, including the extent to which there are any priority rights over the Space Resources.

Article (6)

Space Resources Database

1. The Agency shall maintain information on the purposes, locations, and duration of Space Resources Activities authorized by the Agency in a dedicated national database and may, based on these data, allocate priority rights at national level.
2. The Agency shall maintain a dedicated national database for the Space Resources Activities results based on the information provided by the Operator under Article (4) of this Resolution. The Agency may share this data in accordance with applicable national laws.

Article (7)

Ownership Rights over Space Resources

1. Without prejudice to the international obligations of the state, Space Resources may be of explored, exploited or used through the conduct of Space Resources Activities. An Operator shall be entitled to exercise ownership rights, under the applicable national laws of the State, over any Space Resources which the Operator has explored, exploited or used through its Space Resources Activities, as authorized by the Agency.
2. Ownership rights include, in particular, the right of ownership, purchase, sale, trade, transportation, storage, use, or dispose any of Space Resources extracted in the course of authorized Space Resources Activities and any Space Activities intended to provide logistics services in this regard in accordance with this Resolution, the Law, all other regulations issued by the Agency and any other applicable laws and regulations within the State.

Article (8)

Reporting Obligations

1. The Operator shall notify the Agency immediately about the following:
 - (a) Any significant changes to the mission planning and characteristics;
 - (b) Any accident or incident involving the Operator or any other entities involved in the Space Resources Activities including any subcontractors;
 - (c) Any damage or risk of damage which is likely to be caused to persons or property;
 - (d) Any harmful or potentially harmful impacts on the earth's environment;
 - (e) Any harmful contamination or potentially harmful contamination on the Identified Area, including celestial bodies;
 - (f) Any creation of Space Debris or risk of its creation from Operator's authorized activity;
 - (g) Any area-based safety measures associated with the authorized Space Resources Activities.
 - (h) Any unintentional interference or damage to a Space Object belonging to another state, or interference or unintentional damage to sites on the Moon or other celestial bodies that hold historical significance.
2. The Operator shall report on a yearly basis on the progress and the results of the Space Resources Activities.
3. At the end of the mission during which the Space Resources Activities are conducted, the Operator shall notify the Agency about the termination of the Space Resources Activities authorized and shall report about the results of the activities with a statement on the condition of the area where the Space Resources Activities were carried out, including the presence of any Space Objects or parts thereof.

Article (9)

The Board of Directors shall issue the necessary decisions to implement this Resolution.

Article (10)

Resolution Publication and its Implement

This Resolution shall be published in the Official Gazette and shall enter into force after sixty (60) days from the date of issue.

وكالة الإمارات للفضاء
UAE SPACE AGENCY



Mohammed bin Rashid Al Maktoum
Prime Minister

Issued on 13 March 2023

هيئة اتحادية | FEDERAL AUTHORITY

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