

Contents

1	Introduction	1
1.1	Understanding National Space Legislation	2
1.1.1	March of International Space Law	2
1.1.2	Necessity for National Space Legislation	7
1.1.3	Contents of National Space Legislation	8
1.1.4	Advantages of National Space Legislation	13
1.2	Scope of the Research	14
1.3	Methodology	15
2	Rationale for National Space Legislation	17
2.1	Implementation of International Obligations	18
2.1.1	International Responsibility for National Activity	18
2.1.2	“Authorization and Continuing Supervision”	20
2.1.3	Registration of the Space Object	21
2.2	Protection of Financial Interests of the State	26
2.2.1	The Concept of “Launching State”	26
2.2.2	Imputation of Liability upon the Launching State	27
2.2.3	Liability of Private Actors	30
2.2.4	Transfer of the Ownership and Control of Space Objects	33
2.3	Auxiliary Considerations	34
2.3.1	Environmental Aspects	34
2.3.2	Protection and Preservation of Space Assets	36
2.3.3	Return of Space Objects and Rescue of Astronauts	38
2.3.4	Space Applications (Telecommunication, Remote Sensing, Navigation, Mining, Etc.) and IP Rights	38
2.4	Creation of a Viable Ecosystem for Private Space Activities	40
2.5	Conclusion	40

3	State Practices Towards National Space Legislation	43
3.1	Scope and Application of the Legislation	44
3.2	Implementation of the Authorization and Supervision Principle	53
3.2.1	Authorization Methods	53
3.2.2	Authorization Factors	55
3.2.3	Authorization Body and Procedure	58
3.2.4	Continuing Supervision	58
3.3	Financial Responsibility	62
3.4	Transfer of the Space Object/Licence	67
3.5	Implementation of the Registration Principle	70
3.6	Protection of the Environment	74
3.7	Other Aspects	79
3.8	Conclusion	82
4	Legal Regime for Space Activities in India	87
4.1	Historical Background	89
4.1.1	Lift-off of the Indian Space Programme	89
4.1.2	Ascent of the Indian Space Programme	90
4.1.3	Facets of the Indian Space Programme	91
4.2	Space Governance in India	94
4.3	Space Law in India	95
4.3.1	The Constitution of India: Implementation of International Treaty	95
4.3.2	Allocation of Business Rules	96
4.3.3	The SatCom Policy	97
4.3.4	Remote Sensing Data Policy	101
4.3.5	The Right to Information Act	101
4.4	Need for National Space Legislation	102
4.4.1	Enable Discharge of Liability for Paying Compensation for Damage Caused by Space Objects	103
4.4.2	Enable Rescue and Return of Astronauts and/or Space Objects	104
4.4.3	Enable the Active Space Industry Involvement at Turnkey Level	104
4.4.4	The Draft Space Activities Bill 2017	106
4.4.5	Suggestions	110
4.5	Conclusion	111
5	Final Conclusion and Proposal	113
5.1	Proposal	117
5.2	Draft National Space Legislation 202_	118
	Correction to: Final Conclusion and Proposal	C1
	Appendix: Future Scope of the Work	135
	Bibliography	137