

Regulatory Briefing November 2019

United Kingdom

Ofcom consults on a spectrum auction for the award of spectrum in the 700 MHz and 3.6-3.8 GHz spectrum bands in 2020

Ofcom published its intention to auction 80 MHz of spectrum in the 700MHz band within the frequency range 684-790 MHz, and 120MHz of spectrum in the 3.6-3.8 GHz band between 3680 and 3800 MHz in Spring 2020.

Ofcom published two consultation documents on 28 October 2019 setting out the proposed design of the auction and a full draft of the proposed revised Wireless Telegraphy (Licence Award) Regulations 2020 (**Auction Regulations**):

- [Award of the 700 MHz and 3.6-3.8 GHz spectrum bands \(Revised proposals on auction design\)](#); and
- [Notice of Ofcom's proposal to make regulations for the award of 700 MHz and 3.6-3.8 GHz spectrum \(Proposals to make the Auction Regulations\)](#).

The closing date for both consultations is 9 December 2019.

United States

FCC announces its plan to hold a public auction of the 3.7-4.2 GHz band

On 18 November 2019, the Chairman of the Federal Communications Commission (FCC), Ajit Pai, announced that the FCC will run a public auction of the 3.7-4.2 GHz band, instead of approving a private auction of the C-band spectrum.

Two senators, Roger Wicker and John Thune, also introduced a bill, named the "[5G Spectrum Act of 2019](#)", to require the FCC "to make not less than 280 megahertz of spectrum [between 3700 MHz and 4200 MHz, inclusive] available for terrestrial use, and for other purposes" by a public auction not later than 31 December 2020.

Sweden

PTS delays the allocation of spectrum in the 3.5 GHz and 2.3 GHz bands and an amended Electronic Communications Act to enter into force on 1 January 2020

The Post and Telecom Agency (PTS) published that it will postpone the allocation of frequencies in the 3.5 GHz and 2.3 GHz bands which was originally planned to take place in the first quarter of 2020.

This is due to the work undertaken to adapt the spectrum allocation to the changes in the Electronic Communications Act (*lagen om elektronisk kommunikation, LEK*).

The LEK is intended to enter into force on 1 January 2020.

New Zealand

Publication of an operational policy for payloads of less than 1U

The New Zealand Space Agency (NZSA) has published an [operational policy](#) for payload permit applications for proposed payloads smaller than 1U (a unit of satellite volume equivalent to a 10cm cube).

The NZSA will take account of the applicant's submitted orbital debris mitigation plan, any applicable technical advice, reports or assessments provided by other space agencies, regulators or experts and any overseas licence, permit or other authorisation relevant to the proposed activities amongst other aspects.

Payload permits may not be granted for objects smaller than 1U unless the applicant can suitably demonstrate the mitigation of trackability concerns or will operate the 1U object below the orbits of crewed spacecraft (typically 400km).

The NZSA may also impose specific conditions such as requirements to install a device or beacon that transmits location data, to collaborate with other spacecraft operators for the purposes of collision avoidance and to notify the NZSA of any incident or accident involving the permitted spacecraft.

Australia

The Space (Launches and Returns) Act 2018 enters into force

Australia's [Space \(Launches and Returns\) Act 2018](#) entered into force on 31 August 2019. The new Act updates the previous regulatory framework set out in the Space Activities Act 1998, the Space Activities Regulations 2001 and the Space Activities (Approved Scientific or Educational Organisations) Guidelines 2015. The new Act includes transitional provisions in relation to existing approvals and pending applications which are set out in sections 189 and 190.

International

The Hague International Space Resources Governance Working Group adopts Building Blocks for the Development of an International Framework on Space Resource Activities

On 12 November 2019, the Hague International Space Resources Governance Working Group (**Working Group**) has adopted 20 [Building Blocks for the Development of an International Framework on Space Resource Activities](#) by consensus in Luxembourg.

The Working Group was established to prepare the basis for an international framework for space resource activities and to act as a medium to exchange information among the different stakeholders.

The Building Blocks have been designed to provide a foundation that States, international organisations and non-governmental entities can consider and to encourage the development of an international framework.

Luxembourg

Luxembourg signs a funding agreement to support UNOOSA's "Space Law for New Space Actors" project

On 13 November 2019, Luxembourg's Minister for Development Cooperation and Humanitarian Affairs and the United Nations Office for Outer Space Affairs (**UNOOSA**) signed a funding agreement to support UNOOSA's new "Space Law for New Space Actors" project (**Space Law Project**).

The aim of the Space Law Project is "to establish dedicated advisory services to facilitate space faring nations to draft national space law and national space policy that is in line with international space law" in collaboration with requesting States.



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