

Regulatory Briefing – November 2020

Europe

United Kingdom

Ofcom publishes Statement and Consultation on the Implementation of the new European Electronic Communications Code (EECC)

On 27 October 2020, Ofcom published the Statement and public [consultation](#) on Implementation of the new European Electronic Communications Code (**Consultation**).

The Consultation assesses responses to the consultations on implementation of the EECC in December 2019 and July 2020, and confirms the subsequent regulatory decisions made to give full effect to the customer protections in the EECC, including giving Ofcom express power to impose ‘General Conditions’ as appropriate to protect end-users.

The Consultation seeks views on the changes proposed to the General Conditions, Metering and Billing Direction, and National Telephone Numbering Plan to ensure the clarity and consistency of definitions and terminology, as well as the effectiveness of the provisions following the end of the Brexit transition period on 31 December 2020.

The deadline for submitting a response is 17:00 (GMT) on 30 November 2020.

The European Union agrees on new EU export rules for dual-use goods and technologies

On 9 November 2020, the European Parliament and European Council agreed a new set of criteria and rules on the export of dual-use goods and technology.

The new rules harmonise current national regulations at EU-level and introduce:

- stricter export controls on cyber-surveillance technology in certain circumstances;
- an EU-level coordination mechanism for exchange and transparency between member States concerning the export of cyber-surveillance items;
- two new general EU export authorisations for cryptographic items and intra-group technology transfers under certain circumstances;
- strengthened enforcement controls through improved cooperation between licensing and customs authorities; and
- a new provision on transmissible controls.

The rules will be submitted to the European Parliament and European Council following approval by the Permanent Representatives Committee.

Sweden

Sweden announces investment to establish orbital launch capability at Esrange Space Center

On 21 October 2020, the Swedish Government announced a 90 million krona (\$10.2 million) investment in the Esrange Space Center in Northern Sweden, as part of a 600 million krona (\$69.5 million) investment plan to establish a launch capability for small satellites at Esrange by 2022.

United States

FAA publishes final version of streamlined commercial launch and re-entry regulations

On 15 October 2020, the Office of Commercial Space Transportation (AST) of the Federal

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Aviation Administration (FAA) finalised its [Streamlined Launch and Reentry Licensing Requirements Rule \(SLR2\)](#) to simplify and increase flexibility in the licensing regime for launch and reentry vehicle operators.

The SLR2 combines Parts 415, 417, 431 and 435 of the Code of Federal Regulations into a single Part 450 Rule, which makes the following main changes:

- a single licence is required for all types of commercial spaceflight launch and reentry operations;
- a ‘performance-based’ approach is taken to licensing requirements, and applicants may propose new means of compliance that meet the safety standards of the regulation; and
- duplicative administrative and processive requirements are removed.

The FAA also released three advisory circulars ([AC 450.101-1](#); [AC 450.115-1](#); and [AC 450.141-1](#)), and encouraged the public to comment on these within 30 days (by 14 November 2020) using the included forms, which will inform updates to the rules over the coming years.

NASA launches the On-Orbit Servicing, Assembly and Manufacturing National Initiative

On 3 November 2020, NASA launched the [On-Orbit Servicing, Assembly and Manufacturing \(OSAM\) National Initiative](#) to promote the development of satellite servicing and on-orbit manufacture technologies.

The priority of the initiative is to establish partnerships between industry, US government agencies and academia, in order to identify gaps in technology development and determine how best to allocate government funding to support the on-orbit servicing industry.

Asia

India

India publishes its draft Space Based Communication Policy 2020

On 15 October 2020, India’s Department of Space (DOS) published its [draft Space Based Communications Policy 2020 \(Spacecom Policy-2020\)](#) and the accompanying Norms, Guidelines and Procedures for Implementation of Spacecom Policy-2020 (**Spacecom NGP-2020**) aimed at fostering and meeting the growing demands of the Indian space industry.

The Spacecom Policy-2020 introduces the following main provisions:

- Indian entities can establish and operate satellite systems to provide capacity for communication services;
- DOS will undertake monitoring of Indian orbital resources and will take appropriate action to ensure their protection; and
- the Indian National Space Promotion & Authorization Center, under DOS, will accord authorisations for all satcom related activities, as per the applicable statutory and regulatory provisions, and according to the basis for authorisations set out in Spacecom NGP-2020.

Africa

Kenya

Kenya Space Agency launches its Strategic Plan 2020-2025

On 21 October 2020, the Kenya Space Agency launched its Strategic Plan 2020-2025, which aims to engage with local and international stakeholders to build space capacity in the country. The plan focuses on the following core strategic themes, supported by implementation and evaluation frameworks:

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- delivery of space services;
- developing national space capability;
- sector coordination and leadership; and
- corporate positioning and sustainability.

International

ESA and NASA sign collaboration agreement on Artemis Gateway Partnership

On 27 October 2020, the ESA and NASA formalised their partnership to collaborate on the Artemis Gateway, a moon-orbiting station planned by NASA to support the lunar and Mars missions proposed in the Artemis program.

Under the agreement, ESA will contribute modules for habitation and refuelling, enhanced lunar communications, and two European Service Modules for NASA’s Orion spacecraft.

NASA is intending to sign further agreements concerning the Artemis Gateway with other international partners in the near future.

European states enter Artemis negotiations with the US

On 2 November 2020, the EU and member states of the ESA entered into discussions with the US about a new agreement for participation in the Artemis program, following the signing of NASA’s [Artemis Accords](#) by 13 countries on 13 October 2020.



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