

Bird & Bird Satellite Bulletin

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The Finnish Draft Act on Activities in Outer Space

The Finnish Government has published a draft Act on Activities in Outer Space (Space Act) for public consultation. In the forewords of the publication, the Government states its intention by this legislation, and current space policy, to enable Finnish space activities and international cooperation in the space sector.

The Space Act will apply to activities in outer space carried on in the territory of Finland as well as to activities carried on outside the territory on board a vessel registered in Finland and to activities by a Finnish citizen or a legal person domiciled in Finland.

Pursuant to the draft Space Act, the activities in outer space may only be carried out subject to prior authorisation of the Ministry of Economic Affairs and Employment. The conditions for authorisation include: a technical and financial assessment of the operator; and an environmental impact assessment, in accordance with international standards, which seeks to prevent the generation of space debris and adverse environmental impacts on the Earth. Transfer of effective control of the operator to another operator or owner is subject to the prior approval by the Ministry of Economic Affairs and Employment.

Simultaneously with the new Space Act, Finland will accede to the UN Registration Convention and set up a national registry for its space objects. Aalto-1, a nano satellite launched in June 2017, will be the first Finnish space object registered with the UN.

The draft Space Act includes a right of recourse of the Finnish State to recover any compensation paid by the state to a third party to the amount of 60 million Euros, which is the maximum amount of insurance to be required from the operator unless the requirement is waived by the Ministry of Economic Affairs and Employment or the State itself is the operator. The liability limitation however does not apply in cases where the operator has failed to comply with the Space Act or the conditions of the licence or the authorisation. The Space Act will also include penalties for unlicensed outer space activities and for the failure to take out the required third party insurance.

Finland has currently two satellites in orbit and three more satellites are planned to be launched by Finnish operators before the year-end. One of the satellites is named “Suomi 100” (Finland 100) – to celebrate the centennial of Finland.

After the public consultation period has ended in the autumn, the Ministry of Economic Affairs and Employment shall make any necessary amendments in the draft before Parliamentary debate. The Space Act is planned to be promulgated in January 2018.

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Our international team offers clients a one-stop shop to address the issues they face, with expert lawyers across Europe, the Middle East, Asia, and strong experience in Africa.

Our satellite group fits neatly within Bird & Bird's world leading Tech & Comms sector group, which offers advice in related sectors such as: energy and utilities, life sciences, transport and maritime, aerospace, defence and security, aviation, financial services, and healthcare. Bird & Bird also house a team focused on SMEs and the needs of start-ups.

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