

# Cabinet Resolution No. (19) of 2023

## Concerning the Space Resources Regulations

### The Cabinet

- Having reviewed the Constitution;
- Federal Law No. (1) of 1972 Concerning the Competence of Ministries and Powers of Ministers, as amended;
- Federal Law No. (12) of 2019 Regulating the Space Sector;
- Federal Decree No. (85) of 2000 Regarding the Treaty on Principles Governing the Activities of States in the Field of Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, and the Two Agreements related to these activities;
- Based on the proposal of His Highness, Chairman of the UAE Space Agency, and the approval of the Cabinet,

### Has resolved:

## Article (1)

### Definitions

In application of the provisions herein, the following words and expressions shall have the meanings ascribed thereto, unless the context requires otherwise:

<b>State</b>	: The United Arab Emirates.
<b>Agency</b>	: UAE Space Agency.
<b>Board of Directors</b>	: Board of Directors of the UAE Space Agency.
<b>Chairman of the Board of Directors</b>	: Chairman of the Board of Directors of the UAE Space Agency.
<b>Law</b>	: Federal Law No. (12) of 2019 Regulating the Space Sector.
<b>Identified Area</b>	: Any area eighty kilometres or more above the mean sea level.

- Operator** : A person engaged in Space Activities, Space Supporting Flights, High Altitude Activities, Space Data management and distribution activities, or any other activities related to the Space Sector subject to this Law.
- Authorisation Regulations** : Regulations related to Authorisation of Space Activities and other activities related to the Space Sector, applicable 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 this Law.
- Space Resources** : Any non-living resources present in outer space, including minerals and water.
- Space Resources Activities** : Activities related to the exploration, exploitation and use of Space Resources, whether for commercial, scientific or other purposes, and include extracting, recovering, refining, processing, benefiting from, owning, purchasing, selling, trading, transporting or storing Space Resources, as well as activities related to logistics, performed in the specified area, such as transporting, storing, or supplying Space Resources.

## **Article (2)**

### **Scope of Application**

The provisions of this resolution apply to Space Resources Activities carried out by persons holding the nationality of the State, companies whose headquarters are in the State, or foreign companies with a branch in the State.

## **Article (3)**

### **Compliance with the conditions of the Space Activity Authorisation**

Operators wishing to carry out Space Resources Activities shall comply with the provisions of this resolution in addition to the provisions of the Authorisation regulations.

## **Article (4)**

### **Application Conditions**

1. Operators who practice (or apply for Authorisation to practice Space Resources Activities) shall comply with the following conditions before beginning to practice these activities:
  - a. The Operator may not carry out any activities within the scope of Space Resources Activities that would constitute a danger or threaten the State ability to comply with any international legal obligations.
  - b. The Agency shall be provided with all required information, including technical information and risk assessments, as required by the Agency.
  - c. The evidence proving that the Operator has taken all necessary measures to prevent or mitigate the following shall be submitted:
    1. Risks that threaten the safety of people or property.
    2. Damage that may be caused to people or property.
    3. Harmful effects on the Earth environment.
    4. Harmful pollution in outer space, including celestial bodies.
    5. Space Debris Production.
    6. Harmful interference with ongoing Space Activities, including activities of other Space Resources.
2. The Operator shall, upon receipt of the Authorisation and commencement of Space Resources Activities, keep the Agency informed of the latest developments regarding the progress of Space Resources Activities and comply with all instructions issued by the Agency in the event of an emergency or the possibility of physical risks arising from Space Resources Activities.

3. The Agency may request any additional information or evaluations necessary (including financial and technical evaluations) before granting the Authorisation.
4. The Operator (or Applicant, as the case may be) shall comply with all applicable regulations issued by the Cabinet and the Agency, including those relating to liability coverage.

## **Article (5)**

### **Special considerations by the Agency**

The Agency shall take into account the following before granting Authorisation:

1. The international legal obligations imposed on the State and any other international requirements agreed to by the State.
2. Any potential adverse effects on the Earth environment or harmful pollution in the Identified Area, including celestial bodies, taking into account any international guidelines, policies or other instruments related to planetary protection.
3. The rights of other States related to access to all stations, facilities, equipment, and spacecraft on the surface of the moon and other celestial bodies, in accordance with the international obligations of the State, taking into account the safety of operations, avoiding interference in operations, and protecting intellectual property rights and commercially sensitive data.
4. The State obligation to consult with any affected State when it has reasons to believe that Space Resources Activities may lead to obstruction of the activities of another State in the Identified Area, including activities of that State that may fall within the meaning of Space Resources Activities.
5. Exchanging scientific information resulting from Space Resources Activities with the international scientific community, to the maximum extent possible and practical, on the basis of good faith, and in accordance with the national laws in force in the State.
6. Any other considerations that the Agency deems appropriate and relevant, including the extent of any priority rights over Space Resources.

## **Article (6)**

### **Space Resources Database**

1. The Agency shall maintain information on the purposes, locations, and duration of activities of Space Resources declared by the Agency in a special national database, and based on this data. The Agency has the right to determine priority rights at the national level.
2. The Agency shall maintain a national database dedicated to the results of Space Resources Activities, based on the information provided by the Operator pursuant to Article (4) of this resolution. The Agency may share this data in accordance with the national laws in force in the State.

## **Article (7)**

### **Property rights over Space Resources**

1. Without prejudice to the international obligations of the State, Space Resources may be explored, exploited or used by conducting Space Resources Activities. The Operator also has the right to exercise ownership rights, recognised under national laws applicable in the State, over any Space Resources that the Operator has explored, exploited or used through its Space Resources Activities, as authorised by the Agency.
2. Property rights include, in particular, the right to own, buy, sell, trade, transfer, store, use or dispose of Space Resources extracted in the context of authorised Space Resources Activities, and any Space Activities aimed at providing logistical services in this regard in accordance with this resolution, the law, and all other applicable regulations of the Agency and any other laws and regulations applicable within the State.

## **Article (8)**

### **Mandatory Notice to the Agency**

1. The Operator shall immediately inform the Agency of the following:
  - a. Any significant changes to the mission plan and its characteristics.
  - b. Any incident or accident related to the Operator or any other entities involved in Space Resources Activities, including any subcontractors.
  - c. Any damage or risk of damage that may befall persons or property.
  - d. Any harmful or potentially harmful effects on the Earth environment.
  - e. Any harmful or potential pollution to the Identified Area, including celestial bodies.
  - f. Any production of Space Debris or the risk of its formation resulting from the authorised activity of the Operator.
  - g. Any safety measures in the area associated with authorised Space Resources Activities.
  - h. Any unintended interference or damage to a space object belonging to another State, or unintended interference or damage to sites on the moon or any other celestial bodies of historical importance.
2. The Operator shall submit an annual report on the progress and results of Space Resources Activities.
3. At the end of the mission during which Space Resources Activities are carried out, the Operator shall inform the Agency regarding the termination of authorised Space Resources Activities and submit a report on the results of the activities indicating the status of the area in which Space Resources Activities were carried out, including the presence of any space objects or Parts of it.

## **Article (9)**

### **Executive Resolutions**

The Board of Directors shall issue the necessary Resolutions for implementation of the provisions of this Resolution.

## **Article (10)**

### **Publication and Entry into Force**

This Resolution shall be published in the Official Gazette and shall be enforced after (60) sixty days as of the date of its publication.

**Mohammed bin Rashid Al Maktoum**

**Prime Minister**

Issued by Us:

Dated: March 13, 2023

Corresponding to: 21/Shaabān/1444 H