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Space Activities Amendment (Launches and Returns) Bill 2018 [Provisions] Inquiry and Report

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**Submission to the Commonwealth of Australia  
Senate Economics Legislation Committee**

July 2018

Dear Committee Secretariat,

Equatorial Launch Australia (ELA) thanks you for your invitation to comment on amendments to the Space Activities Act. ELA commends the Government for seeking to support and encourage safety, participation, innovation and investment in the Australian space industries. However, ELA find the current amendment risks creation of an inefficient space launch service licensing/ permits, compliance, insurance, and administration process. Such dispersed approvals and onerous processes reduce Australia's competitiveness and restrict development of new and innovative industry.

ELA is establishing Australia's first commercial spaceport in East Arnhem Land, Northern Territory. ELA is supported by and working with the traditional owners of the site, the Gumatj of the Yolngu first peoples. ELA continue to expand commercial relationships with local and international suppliers of space launch vehicles (SLVs). ELA can competitively select SLVs as a launch service provider for multiple users at the spaceport. As a private commercial venture ELA operates in a highly competitive and regularly disruptive international market.

ELA add the following key comments about the proposed amendment:

1. ELA finds the legislative inclusion of vehicles not ultimately intended for the transit to space problematic. ELA appreciates the intent to include one type of SLV technology into a new legislative framework. However, ELA suggests such decomposition of that technology then makes regulatory outcomes more onerous for other current and near future technologies. A repeal of "launch vehicle" and structural replacement with ambiguous definitions of "aircraft" and "high power rocket" makes regulation more complicated with SLV technologies like, multi stage rockets, single stage to orbit, launch from sea, rail launch, and hypersonics.
2. ELA finds the legislative inclusion of vehicles not ultimately intended for the transit to space also likely to impact other legislation and regulation such as Defence and Transport. ELA anticipates as the new Australian Space Agency works to support Australian space industries by coordinating and facilitating other regulatory frameworks (such as energy, environment, insurance, research, safety investigation, tourism and telecommunications) the current amendment risks making that work more onerous and protracted.

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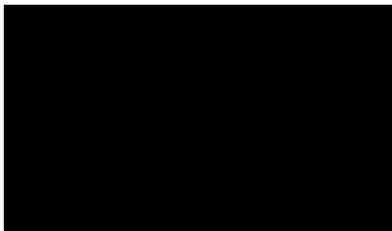
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3. ELA commends the Government for seeking to bring insurance of Space Activities below AUD100 million and subordinate the legislative instrument governing those processes from Regulations to Rules. The capacity for national and international self-insurance as part of the permit process will continue to be of interest as Australia works to provide national launch capacity. ELA hope to work with the Minister, during any legislative transition period, so insurance support of commercial space launch is independent of any government to government accords.

In making this submission ELA acknowledges the effort of the Department and relevant agencies who continue to facilitate development in the space sector. They recognise the ongoing significance of national space launch and recovery as a platform for delivering future focused employment, investment, and innovation outcomes.

ELA is available to the Senate Economics Legislation Committee for further discussion about our comments. ELA looks forward to working with the Minister, the Department and other relevant agencies to ensure an internationally competitive Australian space launch industry recognised for innovation, efficiency, reliability and safety.

Yours faithfully,



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