Summary of Space Act Amendments

1. **A Level Playing Field for Space Operators** *(horizontal amendment)*

The commission proposal is a bit unclear on who is subject to which obligation, thereby potential imposing higher requirements on our EU industry.
To correct this and support EU industry's access to space, we propose applying the same rules to all operators throughout the text.

2. **Military Space Objects** *(Articles 2 and 4)*

Space is inherently dual use: virtually any space service or product may have both civilian and military applications. As a starting position, we therefore propose narrowing the military and national security exemptions in the Commission's proposal, which risk being extended to cover dual-use applications more broadly. Location data from military space objects is also needed to ensure safe space operations. We support excluding only those space objects owned by Member States or the Union that are used exclusively for defence purposes.

3. **Single Authorisation to Launch Across the Union** *(Article 6)*

We establish a system whereby an authorisation granted by one Member State is automatically recognised by all others. This is a critical step toward creating a genuine EU market for space services. The Commission's original proposal introduced a cumbersome multi-authorisation process involving both the Member State of establishment and the Member State of intended launch, which we are simplifying.

For third country operators, we keep the Commission proposal to empower the EUSPA in providing the authorisation. We include a recital saying that in the long-run, national-level authorisations should be replaced by a supranational authorisation to address market fragmentation and gold-plating.

4. **Light Regime** *(Articles 10 and 62)*

The Commission introduced a lighter regulatory regime for space operators that are research and education institutions. We support this objective, but the original proposal relied on self-assessment by the provider, which created a risk of abuse since virtually any space activity could be characterised as research. We therefore propose that competent authorities or EUSPA assess and approve applications for the light regime.

5. **Launcher Derogation** *(Article 19)*

The Commission's proposal allowed Member States to grant derogations permitting launches from third countries when EU launching services were unavailable. We consider this too permissive and a pathway to increased dependency. To create the right incentives for building launch capacity within Europe, we propose mandating launches from EU territory as the default. Only in duly justified and exceptional cases, and where no EU capacity is available, should launches third countries be permitted.

6. **Space Sector Support Desk** *(Articles 40a and 112)*

Not all participants in space activities have the same compliance capacity as large industry players. However, exempting smaller operators, particularly from safety requirements, puts all space actors at risk. We therefore propose a different support mechanism: a Space Sector Support Desk hosted by EUSPA, focused on helping new entrants (operators of space antennas, launchers, etc.) access the market, which is our European industry.

Concretely, we propose:

- **For the new European space sector:** Empower EUSPA with a Support Desk function enabling European operators to outsource compliance paperwork. This would effectively shield them from administrative burden related to authorisations and environmental reporting, as well as from liability stemming thereof.
- **Leveraging the Union Space Label in public procurement:** Large companies already meeting standards of excellence are well-positioned to obtain the label and should be given preference in EU-level public procurement contracts. In practice, this should apply to established companies such as Airbus, Leonardo, and Thales. We propose using public procurement as a lever to reward environmental excellence, building on the Union Space Label already introduced voluntarily in the Commission's proposal.

7. **Cybersecurity** *(Chapter 2)*

We have streamlined this chapter to eliminate overlapping requirements with the NIS2 Directive, clarifying that NIS2 applies to space operators. That said, we retain Article 93 on the reporting of significant incidents, a critical security obligation, as well as Article 94 establishing the Union Space Resilience Network to coordinate between the agency and national competent authorities in the event of cyber threats to Union and national space infrastructure, and Article 95 on information sharing regarding cyber threats.

8. **Sustainability Obligations** *(Chapter 3)*

We retain the Commission's proposal in full, which mandates environmental footprint declarations by space operators covering their impact both on Earth and in space. In addition, we require the Commission to assess the climate impacts of the space sector by 1 January 2030 and to develop a plan to reduce those impacts in line with the Union's climate neutrality objectives.

9. **Equivalence decision** *(Article 105)*

The Commission's proposal introduces equivalence decisions allowing the EU market to be unilaterally opened to third countries where an equivalent legal framework exists. We consider this a significant error, as it does not require full reciprocity and risks disadvantaging EU industry. To illustrate the stakes: in 2024, the European commercial space market was valued at €8.22 billion, compared to €67.70 billion in the United States. In the governmental sector, the EU spent €2.46 billion versus €17.10 billion in the US.

Unilaterally opening the EU market without reciprocal access guarantees would weaken our industrial base and create opportunities for third countries that actively limit EU industry's participation in their own markets. We therefore propose complementing the equivalence mechanism with a system of international agreements providing reciprocal market access, in order to strengthen competitiveness while maintaining access to relevant services and technologies.

10. **Governance**

We specify that the Space Act applies to international organizations, including the ESA, as long as they provide space services in the Union. Throughout the Regulation, we insert small incentives to give more powers to EUSPA without reinveinting the role of ESA.

11. **Entry into Force**

We are concerned that the current 2030 entry into force date is too late, particularly given that the Regulation would not apply to operators who have already launched before that date, most of whom are non-European. We therefore propose a phase-in approach which would provide governments and businesses with advance notice and legal certainty and ensure a well-prepared and successful implementation.
We propose the following phased timeline:

- **2028:** Rules on Member State competent authorities; legal representation requirements for third-country operators in the Union; establishment of the Union Register of Space Objects; rules applicable to international organisations (including a potential agreement with ESA).
- **2029:** Technical assessment knowledge hub for Member States providing authorisation systems; enforcement structures at Member State level; all remaining substantive rules.
- **2030 at the latest:** All implementing acts.