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# Update

## Space Law



## Space Law in 2024: Recent Changes

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Portugal has made a significant leap in space exploration and commercial space activities by adopting Decree-Law No. 20/2024 of 2 February, which amends Decree-Law No. 16/2019 of 22 January, establishing the legal framework for access to and implementation of space activities.

This Decree-Law allows private companies to establish and operate space launch centres from the national territory. In addition, there are the following changes :

- Clearly defines "space activities" and "space objects". In contrast with previous Law, the new Decree-Law considers as a space object an object launched or intended to be launched into space, whether below Earth orbit, into Earth orbit or beyond Earth orbit also (Article 3 (a) and (e)).
- Expands the number of types of licences available to three and, to the existing single and global licences, adds a joint licence applicable to space operations of the same or a different type carried out by more than one operator, in which case the licence is issued only to one of the operators involved in those operations.
- Stipulates the conditions for granting a launch centre operating licence and the licensing procedure itself (Article 9-A and the following), while the transfer of launch centre operating licences must be approved in advance by the government (Article 11(4)). Launch centre operating licences are issued for an initial maximum period of 15 years, without prejudice to their renewal in certain circumstances (Article 10(3)).
- Allows for the possibility of accelerating the process of issuing licences, digitising and simplifying administrative procedures by submitting forms on a single service portal (Article

29-A no. 1) and eliminating the need to resubmit previously submitted information. The exchange of this information between the various organisations covered by this Decree-Law will be carried out through the Public Administration Interoperability Platform (iAP), in the light of Article 29-A no. 5.

- Operators must notify an additional body, the Office for the Prevention and Investigation of Aircraft and Rail Accidents (Article 20(2)).
- The additional sanction in the form of a ban on carrying out space activities has been increased to a maximum of 4 years without a licence (Article 25). The distribution of the fine has been changed - the budget of the Autonomous Region will receive 30 per cent of the amount of the fine paid (Article 26(4)), not 100 per cent as before (repealed Article 27(3)).
- Licensing procedures for space activities carried out on the territory of the Azores and Madeira will no longer be determined by regional legislation due to the repeal of Article 27. However, the Azores and Madeira will participate in the licensing process for launch centres by holding hearings and issuing binding opinions when launch centres are set up in their territories.

Thus, this Decree-Law is predicted to contribute to the ongoing democratisation of access to space through the broad involvement of public and private companies and scientific and technological institutions.