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General Secretariat

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2025/0335 (COD)

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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Civil Protection (CER) Horizontal Working Party on Cyber Issues Working Party on Space
Subject:	EU Space Act: MS comments on articles (deadline 7/10/2025)

Space Act
From: AT, BE, CZ, DE, EL, ES, FI, FR, IE, IT, LU, MT, NL, PT, SE, SK, PL

Deadline: ***1 October 2025 cob***
Updated: 18/11/2025 12:16

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Please kindly provide your contributions in the table below.

Drafting suggestions: you may use '**track changes**'* or formatting (for example **bold-underline** for additions and ~~strike-through~~ for deletions, **where necessary, in a different colour**). *Track changes can only be connected once the cursor is placed in editable areas (Drafting or Comments columns).

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Thank you for your cooperation!

Commission proposal	Drafting Suggestions and Comments
General Comments	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted] **to the impact assessment, scope and legal basis have been resolved.**

Commission proposal	Drafting Suggestions and Comments
	D[redacted] [redacted] **text until there is an overall orientation on the way forward.**

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Commission proposal	Drafting Suggestions and Comments
	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
	[redacted]
2025/0335 (COD)	

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Commission proposal	Drafting Suggestions and Comments
Proposal for a	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	
on the safety, resilience and sustainability of space activities in the Union	

PUBLIC

Title I **GENERAL PROVISIONS**	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
Article 1	
Subject matter	[redacted]

[1] Feedback by Xjenza Malta

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
1. This Regulation lays down rules for the establishment and functioning of the internal market of space-based data and space services.	[redacted]
2. To achieve a high common level of safety, resilience and environmental sustainability of space services through the operation and use	[redacted]

Commission proposal	Drafting Suggestions and Comments
of space infrastructure generating space-based data, this Regulation lays down harmonised rules on:	[redacted]
(a) authorisation, registration and supervision of space activities carried out by space services providers established in the Union, and respectively, registration and supervision of space activities carried out by international organisations and space services providers established in third countries when providing space-based data or space services in the Union, with respect to matters of safety, resilience and environmental sustainability of space activities;	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
(b) orbit traffic management rules, through the provision of collision avoidance services;	[redacted]
(c) governance and enforcement aspects;	[redacted]

Commission proposal	Drafting Suggestions and Comments
(d) establishment of a Union Space Label and capacity-building measures.	
	[redacted]

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Commission proposal	Drafting Suggestions and Comments
Article 2	[redacted]
Scope	[redacted]
1. This Regulation applies to the following space services providers:	[redacted]

[2] Feedback provided by MEEP on 27 August, 2025

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
(a) space operators;	[redacted]
(b) collision avoidance space services providers;	[redacted]

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Commission proposal	Drafting Suggestions and Comments
(c) primary providers of space-based data;	[redacted]
(d) international organisations.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
2. The provisions of Title IV, Chapters I and V, do not apply to orbits further than the geostationary Earth orbit (GEO).	[redacted]
3. This Regulation does not apply to:	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
(a) space objects exclusively used for defence or national security purposes, irrespective of which space services provider carries out the space activities;	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]

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PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
	[redacted]
(b) space objects that have been temporarily placed for defence purposes under a military operation and control, for the duration of the respective space mission;	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
(c) the authorisation or management of radio spectrum governed by Decision 676/2002/EU, Directive (EU) 2018/1972 and Decision no 243/2012/EU;	
(d) assets launched before 1 January 2030.	
4. The requirements laid down in Title IV, Chapter I, regarding the design and manufacture of space objects shall apply to space objects where their operation generates space-based data that are used in the Union or enables the provision of space services in the Union.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
	[redacted]

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[redacted]

Article 3	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]

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PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
Free movement	[redacted]

[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
1. Member States shall not restrict, for reasons related to the safety, resilience and environmental sustainability, as covered by this Regulation, the provision of space-based data and space services in the Union by space services providers registered in the Union register of space objects referred to in Article 24.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
2. Notwithstanding paragraph 1, where a Union space services provider intends to operate in, or launch from, a Member State other than the Member State of establishment, Member States may, when issuing the respective authorisations for operation or launch, impose stricter requirements on safety, resilience or environmental sustainability in relation to the respective space mission, insofar as such requirements are objectively necessary to safeguard the safety, resilience or environmental sustainability of the respective operation or launch subject to authorisation on their territories.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
3. Member States shall provide all the relevant information regarding the requirements referred to in paragraph 2 through the Information Portal established in accordance with Article 110.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
Article 4	[redacted]
National security clause	[redacted]
This Regulation shall be without prejudice to the responsibilities of Member States for safeguarding national security and other essential State functions.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]

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Article 5	[redacted]

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Commission proposal	Drafting Suggestions and Comments
Definitions	[redacted]

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[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
For the purposes of this Regulation, the following definitions shall apply:	
	[redacted]
(1) ‘space object’ means a human-made object sent to outer space, including a spacecraft and the launch vehicle orbital stage;	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
(2) ‘spacecraft’ means a space object designed to perform a specific function or space mission, such as providing services of communications, navigation or observation, or providing in-space operations and services, including a satellite, the launcher upper stages, or the re-entry vehicle;	[redacted]
(3) ‘constellation’ means a group of space objects consisting of at least 10 operational spacecraft, but not more than 99 of those spacecraft, working together for a common space mission, subject to a predefined orbital deployment plan;	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
(4) ‘mega constellation’ means a constellation that contains at least 100 operational spacecraft, but not more than 999 of those spacecraft;	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
(5) ‘giga constellation’ means a constellation that contains at least 1000 operational spacecraft;	[redacted]
(6) ‘GEO protected region’ means a segment of the spherical shell defined by the following: lower altitude = geostationary altitude minus 200 km upper altitude = geostationary altitude plus 200 km -15 degrees ≤ latitude ≤ +15 degrees geostationary altitude (35.786 km is the altitude of the geostationary Earth orbit);	
(7) ‘mini-satellite class’ means a class of satellites with a weight equal or superior to 201 kg and inferior to 600kg;	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
(8) ‘space mission’ means a user defined mission to be achieved by a space object;	[redacted]

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Commission proposal	Drafting Suggestions and Comments
(9) ‘space infrastructure’ means any asset or set of assets, systems and sub-systems or parts thereof, used to carry out space activities, through the interaction and operation of the ground, space and link segments;	[redacted]
(10) ‘ground segment’ means the segment of space infrastructure located on Earth, situated within or outside the territory of the Union, encompassing the ground-based infrastructure referred to in the Annex to Directive (EU) 2022/2557, and including ground stations, terminals, terrestrial-based equipment needed to communicate with space objects and supporting the carrying out of space activities, mission control centres and other ground control centres, generic ground infrastructure, ground networks, auxiliary facilities, such as the spacecraft assembly testing and integration (AIT) facilities, launchpad and related infrastructure needed for carrying out launch activities;	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
(11) 'space segment' means the segment of space infrastructure located in outer space, including space objects, space stations, space probes, crewed space transportation systems and onboarded hardware and software in the information systems and other onboarded material or equipment;	[redacted]
(12) 'space-based data' means data received from outer space, including but not limited to data of interception, of localisation, of transmission of a signal generated by a space object, or observation data, and which originate from the Earth, a celestial body, a space object or from outer space;	[redacted]

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Commission proposal	Drafting Suggestions and Comments
(13) ‘space activities’ means a set of operations when carrying out activities in outer space, in particular:	[redacted]
(a) operation and control of space objects, including for re-entry;	

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Commission proposal	Drafting Suggestions and Comments
(b) launch services, including launch attempts;	[redacted]
(c) operation and maintenance of launch sites and facilities;	[redacted]
(d) activities in relation to the exploration of outer space, such as human spaceflight, space transport and conducting experiments, including of scientific nature, in outer space;	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
(e) activities in relation to the use and management of space objects in outer space, such as in-space operations and services (ISOS);	
(f) operations that entail the monitoring of space debris;	
(g) operations that entail the disposal of space debris;	
(14) 'space services' means any of the following services:	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
(a) operation and control of a space object;	[redacted]

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Commission proposal	Drafting Suggestions and Comments
(b) provision of launch services, as well as provision of services of operation and maintenance of the launch sites;	
(c) any of the services provided by a primary provider of space-based data;	
(d) in-space services and operations (ISOS);	
(e) collision avoidance space services;	
(15) 'space services provider' means a provider of space services covered by this Regulation;	[redacted]

Commission proposal	Drafting Suggestions and Comments
(16) ‘space operator’ means a public or private entity that operates the space infrastructure, by carrying out at least one of the following space services, based on authorisation or a specific regime for carrying out a national space programme:	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
(a) operation, control and return of a space object ('spacecraft operator');	
(b) operation, control and monitoring of the launch process of a space object ('launch operator');	
(c) operation, control and maintenance of facilities at the ground segment of space infrastructure used for the launch process ('launch site operator');	

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Commission proposal	Drafting Suggestions and Comments
(d) operation and control of a space object for the purposes of provision of in-space operation and service, including to other space objects ('ISOS provider');	
(17) 'Union space operator' means a space operator established in the Union, or controlled by a natural person or a legal person that is a space services provider established in the Union;	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
[redacted] 'control' means, for the purposes of point (17), the ability to exercise a decisive influence over a legal entity directly, or indirectly through one or more intermediate legal entities;	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
(19) ‘third country space operator’ means a space operator established in a third country which carries out any of the following:	[redacted]
(a) provides space services to Union space operators, or in relation to the space assets defined in points (20) and (21),	

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Commission proposal	Drafting Suggestions and Comments
(b) acts itself as a primary provider of space-based data, or	
(c) provides services to primary providers of space-based data;	[redacted]
(20) 'Union-owned assets' mean Union-owned tangible and intangible assets created or developed under the Union Space Programme referred to in Article 9(1) of Regulation (EU) 2021/696 and Article 1 of Regulation (EU) 2023/588;	
(21) 'governmental or non-governmental space assets' means assets other than those defined in point (20), whether publicly or privately owned, operated by a public authority or a private party established in a Member State, including dual use assets placed under civilian control;	[redacted]
(22) 'primary providers of space-based data' means space services providers, established in the Union or in a third country, that initiate the first	[redacted]

Commission proposal	Drafting Suggestions and Comments
processing of space-based data which is technically sufficient to enable any subsequent provision of space-based data, as follows:	[redacted]
(a) providers of electronic communications services, where the space-based data concerned is communication;	[redacted]
(b) space services providers which ensure the first processing of observation data, before other processing thereof, where the space-based data concerned is observation data;	[redacted]

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Commission proposal	Drafting Suggestions and Comments
(23) 'international organisation' means an international organisation providing in the Union space services or space-based data generated by space objects placed on an orbit not further than GEO and operated by such international organisations;	[redacted]
(24) 'collision avoidance space services provider' means a provider of collision avoidance services, including the Collision Avoidance entity (CA entity) in the Union, or collision avoidance providers established in a third country;	[redacted]
(25) 'research and education institution' means a space services provider which carries out space activities for experimental purposes, whether or not exploiting the results of that research for commercial purposes;	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
(26) ‘small and medium-sized enterprises’ (‘SMEs’) means small and medium-sized enterprises as defined in Article 2 of the Annex to Commission Recommendation 2003/361/EC;	
(27) ‘small mid-caps’ (SMCs) means enterprises as defined in Article 2 of the Annex to Commission Recommendation C(2025) 3500 final;	

Commission proposal	Drafting Suggestions and Comments
(28) 'entities applying a simplified risk management' means space operators that are small enterprises or research or education institutions and apply the simplified risk management referred in Article 10(3) and in Article 15(2);	[redacted]
[redacted] 'launch vehicle' means a system, part of the space segment, that is designed to transport one or more space objects into outer space;	[redacted]
(30) 'launch vehicle orbital stage' means a complete element of a launch vehicle that is designed to propel a defined thrust during a dedicated phase of the launch vehicle's operation and achieve orbit;	[redacted]
(31) 'launch service' means a service intended to place a space object in orbit, including launch attempts;	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
(32) ‘launch site’ means a location on Earth, that is part of the ground segment of space infrastructure, from which the launch of a space object takes place;	[redacted]
(33) ‘high-interest events (HIEs)’ means close approaches with a high level of risk, potentially requiring collision avoidance manoeuvres to be performed by a space operator;	[redacted]

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Commission proposal	Drafting Suggestions and Comments
(34) ‘nominal operation’ means the execution of planned tasks or the functioning for which a spacecraft or a launch vehicle orbital stage was designed;	[redacted]
(35) ‘conjunction data messages’ means information about a conjunction between two space objects;	[redacted]
(36) ‘collision avoidance’ means the execution of collision avoidance manoeuvres to reduce the risk of collision in outer space;	[redacted]
(37) ‘delta V’ means the velocity increment necessary to reach a specific orbit or flight path;	
(38) ‘object of interest’ means any object involved in any situation that could affect the other space objects or the situation on Earth;	

Commission proposal	Drafting Suggestions and Comments
(39) ‘re-entry’ means the permanent return of a space object into the Earth’s atmosphere;	[redacted]
(40) ‘disposal’ means a set of actions performed by a spacecraft or a launch vehicle orbital stage, with or without support of a servicer spacecraft, with a view to permanently reduce the risk of accidental fragmentation and to achieve long-term clearance of orbits;	[redacted]
(41) ‘disposal phase’ means the interval between the end of the space mission of a spacecraft or launch vehicle orbital stage and its end of life;	
(42) ‘end of life’ means the instant when a spacecraft or a launch vehicles orbital stage is permanently turned off, nominally as it completes its disposal phase, re-enters the Earth’s atmosphere, or can no longer be controlled by a space operator;	
(43) ‘end of mission’ means the phase when a spacecraft or launch vehicle orbital stage completes the tasks for which it has been designed, other than its	[redacted]

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Commission proposal	Drafting Suggestions and Comments
disposal, becomes non-functional as a consequence of a failure, or is permanently halted through a voluntary decision;	
(44) 'passivation' means the act of permanently depleting, irreversibly deactivating, or making safe all on-board sources of stored energy capable of causing an accidental fragmentation;	[redacted]
(45) 'space debris' means any space object, including spacecraft or fragments and elements thereof, in Earth's orbit and lunar's orbit, or re-entering Earth's atmosphere or lunar's exosphere, that are non-functional or no longer serve any specific purpose, including parts of rockets or artificial satellites, or inactive artificial satellites;	[redacted]
(46) 'network and information system' means the network and information system as defined in Article 6, point (1), of Directive (EU) 2022/2555;	

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Commission proposal	Drafting Suggestions and Comments
(47) 'security of network and information systems' means security of network and information systems as defined in Article 6, point (2), of Directive (EU) 2022/2555;	
(48) 'critical infrastructure' means critical infrastructure as defined in Article 2, point (4), of Directive (EU) 2022/2557;	[redacted]
(49) 'mission control centre' means the element in the ground segment dedicated to the control and monitoring of the execution of a space mission;	
(50) 'satellite control centre' means the element of the ground segment dedicated to the control of the satellite platform configuration;	
(51) 'effective technical control' means the assurance of a space operator that a space object only executes commands transmitted by authorized sources and that those commands are executed in the proper order and at the intended moment;	[redacted]

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Commission proposal	Drafting Suggestions and Comments
(52) 'telemetry/telecommand' means the links that transmit the telemetry from the space segment to the ground segment and the links that send the telecommand from the ground segment to the space segment;	
(53) 'resilience' means the ability to prevent, protect against, respond and resist, mitigate, absorb, accommodate, and recover from an incident;	
(54) 'cyber threat' means a 'cyber threat' as defined in Article 2, point (8), of Regulation (EU) 2019/881;	
(55) 'significant cyber threat' means 'significant cyber threat' as defined in Article 6, point (11), of Directive (EU) 2022/2555;	
(56) 'incident' means an event compromising any of the following:	[redacted]

Commission proposal	Drafting Suggestions and Comments
(a) the availability, authenticity, integrity or confidentiality of the stored, transmitted or processed data, or of the services offered by, or accessible via, network and information systems, or	[redacted]

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Commission proposal	Drafting Suggestions and Comments
(b) the physical security of the assets of space infrastructure and of space operators;	[redacted]
(57) 'incident handling' means 'incident handling' as defined in Article 6, point (8), of Directive (EU) 2022/2555;	
(58) 'additional impact categories' means categories of environmental information that fall outside the environmental footprint (EF) impact categories calculated and communicated alongside product environmental footprint (PEF) results;	
(59) 'aggregated dataset' means a life cycle inventory (LCI) of multiple unit processes or life cycle stages, for which inputs and outputs are provided only at the aggregated level, horizontally or vertically;	

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Commission proposal	Drafting Suggestions and Comments
(60) 'environmental sustainability' means the ability to preserve and protect the natural Earth environment over time, through appropriate practices and policies meeting present needs and without compromising the availability of resources in the future;	
(61) 'disaggregation' means the process that breaks down an aggregated dataset into smaller horizontal or vertical unit process datasets;	
(62) 'derived dataset' means a dataset obtained by combining, through mathematical operations, two or more datasets or by combining at least one dataset with substantial additional information or other datasets;	
(63) 'in-space operations and services (ISOS)' means activities carried out in space (on orbit and in outer space), with a view to provide services on assets in the space segment and which include the performance of tasks such as inspection, rendezvous, docking, repair, refuel, reconfiguration, manufacturing, assembling and disassembling, re-use, recycling, removal and transport of operational, non-operational and defective objects (debris) in	[redacted]

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Commission proposal	Drafting Suggestions and Comments
space, with a servicer spacecraft with a high degree of autonomy, including platforms or larger structures;	
(64) 'ISOS operation' means the execution of the planned ISOS tasks involving one or more space objects;	
(65) 'ISOS servicer spacecraft' means a spacecraft specifically designed for the purpose of providing specific ISOS;	
(66) 'client spacecraft' means a spacecraft that receives ISOS;	
(67) 'competent authority' means a public authority established or designated as competent authority in accordance with Article 28;	
(68) 'qualified technical body for space activities' means a technical body established in a Member State which performs technical assessment in relation to matters of safety, resilience and environmental sustainability	

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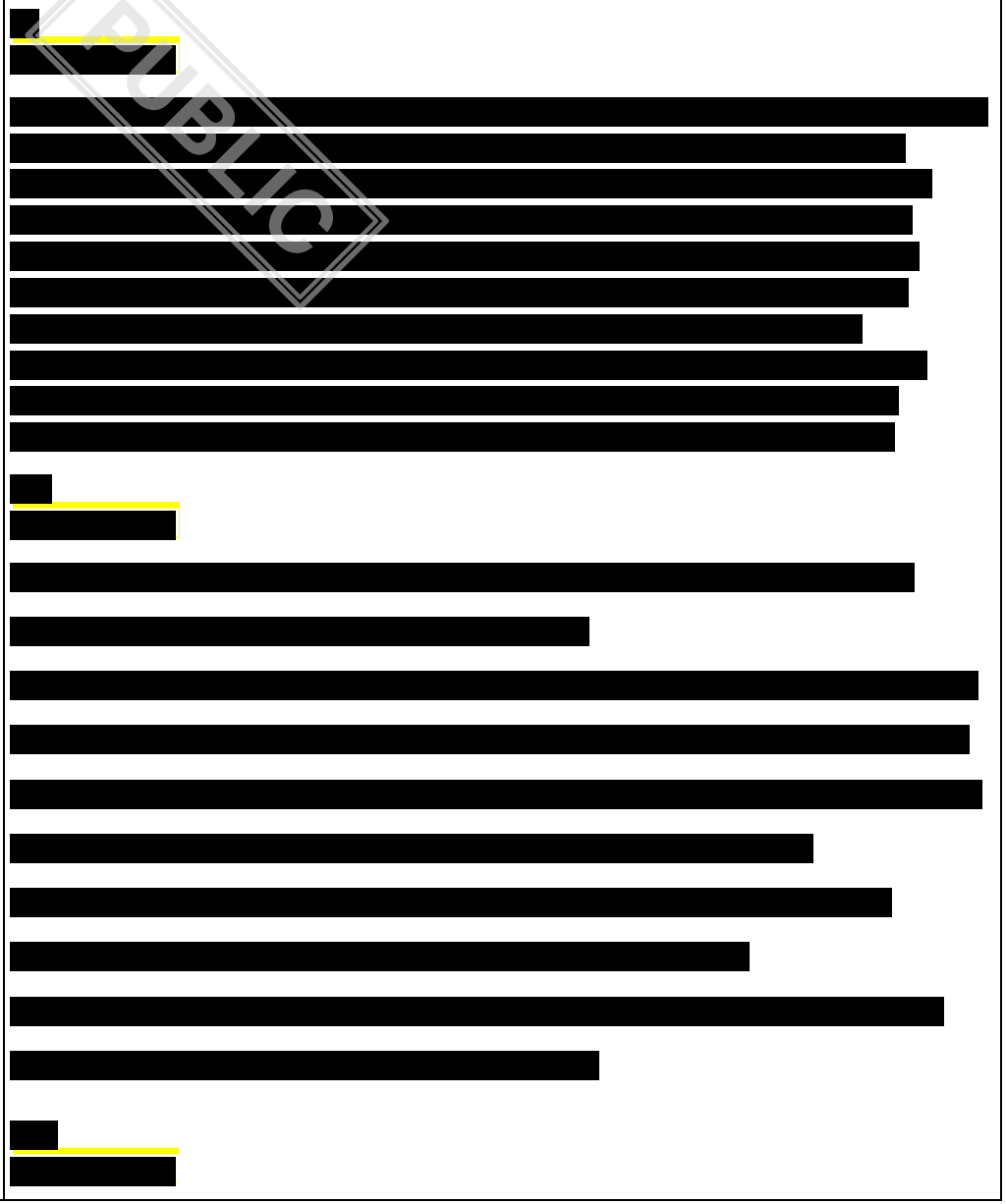
Commission proposal	Drafting Suggestions and Comments
covered by this Regulation and which has been notified to the Commission in accordance with this Regulation;	
(69) 'technical assessment' means the process demonstrating that space services providers fulfil the technical requirements laid down in this Regulation;	
(70) 'standard' means a standard as defined in Article 2, point (1), of Regulation (EU) No 1025/2012;	
(71) 'common specifications' means a set of technical requirements, other than a standard, that provides means of complying with the requirements applicable to the e-certificate and the light and radio pollution;	[redacted]
(72) 'turnover' means the amount derived by an undertaking within the meaning of Article 5(1) of Council Regulation (EC) No 139/2004;	

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Commission proposal	Drafting Suggestions and Comments
(73) ‘Union Space Label’ means a document issued by the European Union Agency for the Union Space Programme established in Article 1 of Regulation (EU) 2021/696 (‘the Agency’) attesting that a given space object has been evaluated for compliance with the specific safety, resilience, or environmental sustainability requirements laid down in a Union Space Labelling Scheme;	
(74) ‘Union Space Labelling Scheme’ means a comprehensive set of rules, technical requirements, standards and procedures established at Union level that apply to the compliance check of products, processes, services, including testing and inspection activities carried out in relation to matters of safety, resilience or environmental sustainability;	[redacted]
(75) ‘critical design review’ means the stage in the engineering, manufacturing and development process, which determines that the systems and subsystems design and configuration satisfy all specified requirements of the space mission, in terms of performance, compatibility, product specifications, assessment of risks, preliminary test planning, adequacy of	[redacted]

Commission proposal	Drafting Suggestions and Comments
preliminary operation and provision of supporting documents, enabling to proceed to system implementation and integration.	

PUBLIC

Title II **AUTHORISATION AND REGISTRATION FOR SPACE ACTIVITIES**	

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

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Commission proposal	Drafting Suggestions and Comments
Chapter I **AUTHORISATION OF UNION SPACE OPERATORS**	[redacted]
Article 6	
Authorisation for carrying out space activities	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
1. Union space operators shall not provide space services unless they have obtained in a Member State an authorisation to carry out space activities which demonstrate compliance with the requirements laid down in Title IV,	[redacted]

Commission proposal	Drafting Suggestions and Comments
Chapters I to V, as applicable, depending on the category of space operator concerned.	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
2. A Member State shall recognise the authorisations issued by another Member State as regards the requirements laid down in Title IV, Chapters I to V.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
3. An authorisation shall be issued by the competent authority of the Member State in which the applicant is established and, as applicable, by the competent authority of the Member State where that applicant intends to operate or respectively launch, if different from the Member State of establishment.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
The competent authorities of those Member States shall ensure coordination to facilitate their respective authorisation processes.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
4. For the purposes of delivering an authorisation, a competent authority shall take into account the opinion issued by the qualified technical body for space activities in the context of technical assessments carried out in accordance with Article 8.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
5. Union space operators intending to have recourse to the space services provided by a third country space operator or an international organisation shall demonstrate to the relevant competent authorities, in their application for authorisation, the registration in URSO of that third country space operator or international organisation, in accordance with Article 17 or Article 18, respectively.	[redacted]s,

Commission proposal	Drafting Suggestions and Comments
	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
Where the procedure of registration in URSO has not been completed yet, the Union space operator shall coordinate closely with the third country space operator or international organisation, the relevant competent authority and the Agency, including by requiring updates on the status of the registration process.	
The Agency shall immediately provide such updates to avoid unnecessary delay in the authorisation process of the Union space operator.	
6. Where the need for the provision of space services by a third country space operator or international organisation arises after an authorisation has been issued, such as in the case of ISOS, a Union space operator shall, without delay, inform the competent authority thereof, and provide it with the proof of registration in URSO of that third country space operator or international organisation.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]

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[redacted]

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Commission proposal	Drafting Suggestions and Comments
Article 7	[redacted]
	SE

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
Authorisation process	[redacted]

Commission proposal	Drafting Suggestions and Comments
1. An applicant shall apply for authorisation to the competent authority referred to in Article 6(3).	[redacted]
2. The application for authorisation shall contain a technical file with all necessary documentation and supporting evidence to demonstrate compliance with the requirements laid down in Title IV, Chapters I to V, as applicable.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
3. In its application for authorisation, the applicant shall indicate to the competent authority which qualified technical bodies for space activities the applicant intends to use for the technical assessment of the requirements laid down in Title IV, Chapters I to V, as applicable.	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
4. Member States shall establish processes to allow competent authorities to transmit the technical file to qualified technical bodies for space activities indicated by the applicant, or to allow the applicant to address directly the qualified technical bodies for space activities.	[redacted]
5. A qualified technical body for space activities shall assess the fulfilment of the requirements laid down in Title IV, Chapters I to V, as applicable, and, within 6 months from the date of receipt of the technical file, shall issue an opinion as regards the compliance of the envisaged space	[redacted]

Commission proposal	Drafting Suggestions and Comments
activities with the requirements laid down in Title IV, Chapters I to V, as applicable.	[redacted]
Competent authorities shall take utmost account of the technical assessment carried out in relation to Title IV, Chapter II, by the qualified technical bodies for space activities, pursuant to Article 8(2), third subparagraph.	
6. Within 12 months from the date of receipt of the application, the competent authority shall issue the authorisation or reject the application and shall inform the applicant thereof.	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
The deadline shall be suspended until the complete information is provided by the applicant upon request by the competent authority.	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
7. For the purposes of registration in URSO, a competent authority shall inform the Agency of all authorised Union space operators and primary space services providers and of any third country space operator they have authorised to launch from their territory.	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
	[redacted]
Article 8	[redacted]
Technical assessments	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
1. When setting-up the authorisation systems, Member States shall determine whether the technical assessments are to be carried out by:	[redacted]
(a) qualified technical bodies for space activities;	
(b) international organisations with specific technical expertise in matters covered by this Regulation;	[redacted]
(c) the Agency;	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
(d) combining the options referred to in points (a), (b) and (c).	
2. Member States that intend to make use of the system referred to in paragraph 1, point (a), shall ensure that qualified technical bodies for space activities are established on their territory.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
For the purposes of carrying out technical assessments on any matters covered by Title IV, Chapters I to V, Member States shall use qualified technical bodies for space activities established in their territory.	
Member States shall ensure that the competent authority established pursuant to Article 8(1), of Directive 2022/2555 shall be competent for carrying out the technical assessment on matters covered by Title IV, Chapter II, in respect to Union space operators, excluding when operating assets referred to in Article 5, first paragraph, point (20).	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]

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Commission proposal	Drafting Suggestions and Comments
3. Space services providers referred to in paragraph 1, point (b), which provide technical assessment activities shall meet the requirements laid down in Title III, Chapter I, Section 3.	[redacted]
Member States that make use of the system referred to in paragraph 1, point (b), shall ensure judicial enforcement of the obligation referred to in the first subparagraph.	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
4. Member States shall notify to the Commission their choice pursuant to paragraph 1 and any changes thereof.	[redacted]
Article 9	[redacted]
Authorisation for constellations	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
1. Where the Union space operator intends to carry out a space mission that entails the launch of a satellite constellation, it shall submit to the competent authority an application for a single authorisation covering the launch or, as applicable, the launch and operation, in respect to all satellites that are part of the constellation, provided that all of the following conditions are met:	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
(a) all satellites planned to be launched under the respective space mission are identical and perform the same tasks in the same manner;	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
(b) the launch of all satellites is planned to be carried out through the same launch vehicle and from the same launch site.	[redacted]
The Union space operator shall ensure that the satellites that are part of the constellation comply with the requirements laid down in Title IV, Chapters I	

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Commission proposal	Drafting Suggestions and Comments
to V, and declare that the conditions laid down in the first subparagraph are fulfilled.	
2. If, following the receipt of an application in accordance with paragraph 1, first subparagraph, the assessment of the competent authority carried out in respect to a single satellite to be launched under the respective space mission, demonstrates compliance with the requirements laid down in Title IV, Chapters I to V, the competent authority shall issue an authorisation for the entire satellite constellation (‘single authorisation’).	[redacted]
3. Competent authorities may, from the date of the delivery of the single authorisation carry out random inspections on any of those satellites part of the constellation which have not been subject to the ex-ante check upon which the single authorisation was based.	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
4. The competent authority shall withdraw the single authorisation when the results of the random inspections establish non-compliance of the satellite with the authorisation requirements.	[redacted]

Commission proposal	Drafting Suggestions and Comments
5. Where the random inspections referred to in paragraph 3, identify aspects that conflict with the declaration referred to in paragraph 1, second subparagraph, without however amounting to non-compliance, and the assessment of the competent authority, taking into consideration the explanations provided by the Union space operator, find no major risks for the respective space mission, the competent authority may impose a penalty.	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
6. Competent authorities shall review authorisations for the launch of satellite constellations when launching the first batch of the new generation of satellites.	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
Article 10	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
Light regimes	[redacted]

[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
1. The conditions for authorisation referred to in Article 6(1) shall be adapted for the Union space operators referred to in paragraphs 2, 3 and 4, as provided for in these paragraphs.	[redacted]
2. Space operators that are research or education institutions or that carry out research space missions shall comply with the requirements of Title IV, Chapter I, Section 2, as set out in Article 62.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
3. Entities applying a simplified risk management shall comply, as regards Title IV, Chapter II, with the provisions of Article 79(1), first subparagraph, only in relation to critical assets and critical functions.	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]

[8] Feedback provided by MCAST on 27 August 2025

Commission proposal	Drafting Suggestions and Comments
	[redacted]
4. When space operators that are small-sized enterprises or are research or education institutions carry out In-Orbit Demonstration and Validation (IOD/IOV) space missions, they shall be exempted, in relation to Title IV, Chapter III, from the obligation referred to in Article 96(2).	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]

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[redacted]

Chapter II **AUTHORISATION FOR UNION SPACE OPERATORS OPERATING UNION-OWNED ASSETS**	[redacted]

PUBLIC

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
Article 11	[redacted]
Application for authorisation	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
1. Where space activities are carried out in relation to the Union-owned assets, the Commission shall authorise the entity entrusted with the execution or operation of the respective component of the Union Programme.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
The authorisation referred to in the first subparagraph shall be based on a technical assessment carried out by the Agency regarding the fulfilment by the applicant of the requirements laid down in Title IV, Chapters I, II, III, IV and V.	[redacted]
2. Depending on the specific governance of the component of the Union Programme, the applicant entity shall provide to the Agency and the Commission all technical details and explanations that demonstrate compliance with the requirements laid down in Title IV, Chapters I, II, III, IV and V.	[redacted]
3. Within 30 working days of receipt of the entity's application for authorisation, the Agency shall assess whether the application is complete.	[redacted]
Where an application for authorisation is not complete, or where further clarification is needed, the Agency shall set a deadline by which the applicant entity shall provide any additional information as needed or bring clarification.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
After assessing the application as complete, the Agency shall notify the applicant accordingly.	
Article 12	[redacted]
Examination by the Agency	
1. Within 6 months from the date of the notification referred to in Article 11(3), third subparagraph, the Agency shall examine, pursuant to Article 43(1), point (a), the application for authorisation, by assessing whether the applicant:	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
(a) possesses all the necessary reliability, capability and expertise to carry out space activities;	
(b) ensures compliance with the requirements laid down in this Regulation and as applicable with any specific requirements needed by the implementation of the space mission, in the context of the Space Programme referred to in Regulation (EU) 2021/696 or Regulation (EU) 2023/588, for which an application for authorisation is submitted;	
(c) does not pose a threat to the public order, the safety of persons and property and to public health in the Union.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
The Agency shall adopt a fully reasoned decision proposing to the Commission to issue or refuse an authorisation, based on the technical assessment to assess compliance carried out in accordance with Article 43(1), point (a).	[redacted]
The Agency shall notify its decision to the Commission immediately.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
2. Within 30 working days of receipt of the decision of the Agency referred to in paragraph 1, second subparagraph, the Commission shall take a decision to issue or refuse the authorisation and shall notify it to the applicant immediately. The decision shall take effect upon its notification to the applicant.	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
The Commission shall issue an authorisation only where the applicant meets the requirements referred to in paragraph 1, first subparagraph.	
3. The Agency shall register without delay in URSO the Union space operators authorised in accordance with this Chapter.	
Article 13	[redacted]
Suspension or withdrawal of authorisation	
1. A Union space operator of Union-owned assets shall immediately report to the Agency:	

PUBLIC

Commission proposal	Drafting Suggestions and Comments
(a) any unforeseen event that may require the modification of its authorisation;	
(b) any planned or imminent termination of its activity.	
2. The Agency shall propose to the Commission to suspend or withdraw, as applicable, the authorisation where a Union space operator of Union-owned assets:	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
(a) has obtained the authorisation by making false statements or through other irregular means;	[redacted]
(b) no longer complies with the conditions under which the authorisation was issued and has not taken the remedial actions requested by the Commission.	[redacted]
3. Not later than 2 months from the receipt of the proposal of the Agency referred to in paragraph 2, first subparagraph, the Commission shall take a decision on the proposed suspension or withdrawal.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
The Commission shall immediately notify its decision to the Union space operator of Union-owned concerned and to the competent authority of the Member State where that Union space operator of Union-owned assets is established.	[redacted]

PUBLIC

Chapter III **SPACE SERVICES PROVIDERS FROM THIRD COUNTRIES AND INTERNATIONAL ORGANISATIONS**	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
Article 14	
Provision of spaced-based data and space services by third country space operators and international organisations	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
1. Third country space operators that are registered in accordance with Article 17 in the Union Register of Space Objects and are in possession of the e-certificate referred to in Article 25(1), shall be allowed to provide space services to Union space operators and in relation to Union-owned assets and to assets referred to in Article 5, first paragraph, point (21).	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
2. For international organisations to provide, by virtue of their treaties, space-based data or space services in the Union, as applicable, the agreements referred to in Articles 107 and 108, respectively, shall be in place.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
International organisations providing space-based data or space services in the Union, pursuant to the first subparagraph, shall be registered to URSO and in the possession of the e-certificate referred to in Article 25(1).	[redacted]

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Commission proposal	Drafting Suggestions and Comments
3. Paragraph 2 shall not apply where an international organisation only carries out technical assessment activities pursuant to Article 8(1), point (b).	
Article 15	
Rules applicable to third country space operators	
1. Third country spacecraft operators shall be subject to the requirements applicable to the Union spacecraft operators laid down in Articles 62, 66, 67, 69 to 73, 75 to 92, and 96 to 100.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
In addition, third country spacecraft operators shall:	

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Commission proposal	Drafting Suggestions and Comments
(a) subscribe to a public or commercial collision avoidance space services provider;	[redacted]
(b) ensure that the collision avoidance space services provider referred to in point (a), has the technical means to assess the collision avoidance and complies with the requirements laid down in point 1, of Annex IV;	[redacted]

Commission proposal	Drafting Suggestions and Comments
(c) notify to the Agency, in the application for registration in URSO, the name and details of the collision avoidance space services provider referred to in point (a).	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
The Agency shall add the information referred to in point (c), in the Union contact list database referred to in Article 67(1).	
2. Third country launch operators and third country launch site operators shall be subject to the requirements applicable to the Union launch operators and launch site operators laid down in Articles 61, 75 to 92, and 96 to 100.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
3. Third country ISOS providers shall be subject to the requirements applicable to the Union ISOS providers laid down in Article 101.	[redacted]
4. Third country collision avoidance space services providers shall be subject to the requirements applicable to the Union collision avoidance space services providers laid down in Articles 102 and 103.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
Article 16	
Rules for third country space operators from equivalent jurisdictions	
Third country space operators that are established in a third country for which the Commission has adopted an equivalence decision, in accordance with Article 105, shall be presumed to comply with the requirements laid down in Article 15.	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
Article 17	
Registration for third country space services providers	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
1. Based on a decision by the Commission to allow registration, pursuant to paragraph 5, the Agency shall register in URSO third country space operators that demonstrate compliance with the requirements of Title IV, as set out in Article 16 or Article 15.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
2. Where a derogation has been obtained in accordance with Article 19, third country launch operators shall be registered in URSO based on a decision of the Commission without complying with one or more of the conditions set out in Article 15.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
When a derogation has been requested by a Member State to enable a Union space operator to launch with a third country space operator, that third country space operator shall provide evidence of that request to the Agency.	[redacted]
3. To obtain registration in URSO, pursuant to paragraph 1, a third country space operator shall lodge an application to the Agency. The application shall contain all the evidence needed to demonstrate compliance as referred to in paragraph 1.	[redacted]
The Agency shall keep all the evidence which has been supplied by the applicants during the registration procedure.	
4. The Agency shall assess the application for registration and shall notify the third country space operator of the outcome of its preliminary assessment. The Agency shall allow that third country space operator to submit a reasoned statement and to provide additional explanation or evidence.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
5. Not later than 5 months from the receipt of the application referred to in paragraph 3, first subparagraph, the Agency shall make a proposal to the Commission to take a decision approving or rejecting the registration in URSO of a third country space operator.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
6. The Commission shall take a decision based on the proposal of the Agency referred to in paragraph 5 and shall notify that decision to the third country space operator and to the Agency.	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
7. Where Article 16 applies, the Agency shall register on the basis of the following:	
(a) the third country space operator is authorised in a third country and is subject to ongoing supervision in a third country;	
(b) the Commission has adopted an equivalence decision pursuant to Article 105.	[redacted]
8. Where an application for derogation has been lodged in accordance with Article 19, the Agency shall proceed to the registration of the third	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
country space operator in URSO after the Commission has adopted its decision in accordance with Article 19(5), first subparagraph.	[redacted]
Article 18	
Registration of international organisations	[redacted]

PUBLIC

PUBLIC

Commission proposal	Drafting Suggestions and Comments
1. Where the conditions laid down in Article 107 or Article 108 are met, the Agency shall register international organisations in URSO.	[redacted]
2. For the purposes of paragraph 1, Article 17(3), (4), (5), (7) and (8), and Articles 19, 21 and 22 shall apply accordingly.	
Article 19	[redacted]
Derogations	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
1. A Member State may request the Commission to adopt a decision allowing the Agency to register a third country launch operator which does not comply with one or more of the conditions referred to in Article 15(2), if the public interest conditions referred to in paragraph 2 are met.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
A Member State shall lodge an application in accordance with paragraph 3, first subparagraph.	

PUBLIC

Commission proposal	Drafting Suggestions and Comments
For Union-owned assets, the Commission shall, on its own initiative, assess whether the public interest condition referred to in paragraph 2 is met.	[redacted]
2. As regards launch services, a Member State shall demonstrate that the launch services provided by a third country launch operator facilitate the access to, and the use of, space, when the following cumulative conditions are met:	
(a) no readily available substitute or realistic alternative exist in the Union to the launch services provided by the respective third country launch operator;	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
(b) the launch services provided by the respective third country launch operator promote the technological capabilities of strategic importance for the Union or Member States.	
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
3. The application referred to in paragraph 1, second subparagraph, shall:	
(a) identify the third country launch operator for which a derogation is requested;	
(b) specify in a clear, unambiguous and exhaustive manner all the requirements laid down in Article 15(2), for which a derogation is requested;	
(c) outline the necessary technical details regarding the space mission concerned;	
(d) provide the necessary evidence to demonstrate that the other requirements are met.	

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Commission proposal	Drafting Suggestions and Comments
The application regarding a third country launch operator shall propose, where possible, alternative mitigating measures to ensure that the objectives pursued by the requirements referred to in Article 15(2), for which a derogation is requested, are achieved or are at least partially achieved.	
4. Upon receipt of the application referred to in paragraph 3, the Commission shall transmit it to the Agency. Within 1 month, the Agency shall issue a technical assessment on the compliance with the requirements laid down in Article 15 not subject to the application for derogation.	
5. Within 2 months from the receipt of the technical assessment issued by the Agency pursuant to paragraph 4, the Commission shall, on the basis of that technical assessment, either adopt a decision granting a derogation to the respective third country launch operator, where the Commission concludes that the public interest condition referred to in paragraph 2 is met, or a decision refusing to grant such a derogation where it concludes that that public interest condition is not met.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
Those decisions shall be adopted as implementing acts in accordance with the examination procedure referred to in Article 114(2).	
6. When the Commission grants, pursuant to paragraph 5, first subparagraph, a derogation to a third country launch operator, it shall in parallel grant a derogation to the Union space operator using the launch services of the respective third country launch operator.	[redacted]
Article 20	
Third country public entities	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
1. Upon request of a third country public entity to be allowed to provide space services or space-based data in the Union, or upon a Member State request, as referred to in paragraph 2, the Commission, assisted by the Agency, shall first assess whether that third country public entity is a governmental entity or whether it operates or owns assets of space infrastructure that are military systems, including with civilian use.	[redacted]
In its technical assistance provided to the Commission, the Agency shall map all the relevant activities and services provided by that third country public entity and shall identify all relevant assets of space infrastructure that such third country public entity operates or owns.	
	[redacted]

Commission proposal	Drafting Suggestions and Comments
2. A Member State may request the Commission to allow a third country public entity to provide space services or space-based data in the Union.	[redacted]
In support of its application, a Member State may indicate a public interest for one or more Member States to obtain, or as applicable, to safeguard, continued and unhindered access to the respective space-based data or space services provided by that third country public entity, and may evidence the consequences for the relevant markets at the level of the Union or at Member State level, of losing such access.	
3. The Commission may, on its own initiative, carry out the assessment referred to in paragraph 1.	
4. Where, upon the assessment referred to in paragraph 1, the Commission concludes to the absence of security risks for the Union or the Member States, the Commission may adopt a decision allowing the respective third country public entity to provide space services or space-based data in the Union.	

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Commission proposal	Drafting Suggestions and Comments
The decision referred to in the first subparagraph shall apply until the date when an international agreement concluded with the respective third country takes effect, governing the conditions for a third country public entity to provide space services or space-based data in the Union, or until the date where the Commission has adopted an equivalence decision as regards that third country, whichever is the earliest.	
The Agency shall register without delay in URSO the third country public entity concerned on the basis of the decision taken by the Commission pursuant to first subparagraph.	[redacted]
The decision referred to in first subparagraph shall be adopted as implementing act in accordance with the examination procedure referred to in Article 114(2).	
Article 21	

PUBLIC

Commission proposal	Drafting Suggestions and Comments
Emergency clause	[redacted]
1. Where an emergency or crisis occurs in a Member State, or an incident or attack causes disruption affecting more Member States or the Union institutions, the Commission shall, as soon as possible, on its own initiative, or at the request of the Member State concerned, carry out an assessment.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
Based on this assessment, the Commission may allow the use of space-based data or space services by space services providers not registered in URSO, in accordance with the examination procedure referred to in Article 114(2).	
	[redacted]

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PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
2. As soon as possible, and depending on the gravity, duration and effects of the respective emergency, crisis or disruption, the decision referred to in paragraph 1 shall be confirmed, revoked or extended in accordance with the procedure referred to in Article 8 of Regulation (EU) No 182/2011.	[redacted]
Article 22	[redacted]
Suspension or withdrawal of registration	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
1. The Agency shall make a proposal to the Commission to suspend or withdraw the registration in URSO of a third country space operator where:	
(a) based on documented evidence, the Agency establishes that the third country space operator no longer complies with one or several requirements laid down in Article 16 or Article 15, as applicable, and is not able to apply the needed remedies to ensure the continuous compliance thereof;	

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Commission proposal	Drafting Suggestions and Comments
(b) the relevant third country supervisory authority has suspended or withdrawn the operating or launching authorisation granted to the space services provider concerned.	[redacted]
2. Before submitting a proposal to the Commission for suspension or withdrawal of registration, on the grounds referred to in paragraph 1, point (a), the Agency shall conduct a dialogue with the third country space operator concerned, on the reasons, context, scope and gravity of the non-compliance, and on the remedies and deadlines which are needed for that third country space operator to ensure compliance, with due consideration for any need for technical adaptation.	
During that dialogue, the Agency shall give the third country space operator concerned the opportunity to submit observations on the grounds which the Agency intends to adopt its proposal, to provide explanations and submit any	

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Commission proposal	Drafting Suggestions and Comments
relevant documentation and evidence in support of its explanations, including any technical analysis, and to achieve compliance.	
3. No later than 2 months from the receipt of the proposal referred to in paragraph 1, first subparagraph, the Commission shall take a decision.	
4. In the case referred to in paragraph 1, point (b), and at least 30 days before issuing a decision of suspension or withdrawal, the Commission shall inform the relevant third country supervisory authority of its intention to suspend or withdraw registration in URSO.	
5. The Commission shall, without delay, inform the competent authorities of any action or measure to be adopted in accordance with paragraphs 2 and 4.	[redacted]
The Agency shall publish a summary of the information regarding a suspension or withdrawal on its website and the URSO portal.	

PUBLIC

Commission proposal	Drafting Suggestions and Comments
6. A decision of the Commission to suspend or withdraw registration in URSO shall take effect upon a date which shall be specified in the decision of the Commission. In establishing that date, the Commission, acting upon a proposal by the Agency, shall take into account the time that may be required for the adaptation of relevant contracts.	
Depending on the complexity of the contractual adaptations that may be required, the date of withdrawal of registration shall be no later than 16 months from the date of adoption of the decision of withdrawal.	

PUBLIC

Commission proposal	Drafting Suggestions and Comments
Article 23	[redacted]
Legal representative in the Union	IT

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
1. Third country space operators shall designate in writing one or more legal persons in one of the Member States to act as their legal representative in the Union.	[redacted]
2. The legal representative in the Union shall be mandated by the third country space operator to be addressed in addition to, or instead of, the third country space operator, by the competent authorities, the Commission and	[redacted]

Commission proposal	Drafting Suggestions and Comments
the Agency, on all issues related to compliance with this Regulation. It shall have all necessary powers and resources to guarantee an efficient and timely cooperation with such authorities.	[redacted]

PUBLIC

Chapter IV

PROVISION OF SPACE-BASED DATA AND SPACE SERVICES IN THE UNION AND E-TRACEABILITY

PUBLIC

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
Article 24	[redacted]
Union Register of Space Objects (URSO)	[redacted]

[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
1. The Agency shall set up a Union Register of Space Objects (URSO) for the registration of:	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
(a) Union space operators authorised in accordance with Article 6(1) and notified to the Agency by the competent authorities pursuant to Article 7(7);	[redacted]
(b) Union space operators that are entities entrusted with the execution or operation of the respective component of the Union Programme, based on an authorisation issued to the Commission, pursuant to Article 12(2);	[redacted]
(c) third country space operators for which a decision of registration has been adopted pursuant to Article 17(1);	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
(d) international organisations registered pursuant to Article 18(1).	[redacted]
2. The Agency shall draw up, update and publish on the URSO website the consolidated lists of all space services providers referred to in paragraph 1.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
3. URSO shall have a centralised inventory and platform.	
	[redacted]
Article 25	[redacted]
Electronic certificate (e-certificate)	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
[redacted] completion of the registration in URSO, the Agency shall issue and deliver an electronic certificate ('e-certificate') to the space service providers except the collision avoidance space services providers.	[redacted]
2. The e-certificate referred to in paragraph 1 shall identify the space mission(s) and space object(s) having generated the space-based data or having enabled the provision of space services and shall attest the conformity of such space objects with the requirements laid down in this Regulation.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
3. Contracts of space services providers referred to in Article 2(1), points (a), (c) and (d), for the provision of space-based data and space services in the Union shall be accompanied by the e-certificate referred to in paragraph 1.	[redacted]
4. The following information shall be transmitted by the competent authorities, as regards Union space operators, pursuant to Article 7(7), and directly by third country space operators and international organisations, to	[redacted]

Commission proposal	Drafting Suggestions and Comments
allow the Agency to issue and generate the e-certificate referred to in paragraph 1:	[redacted]
(a) details regarding the space services provider concerned, such as the name, physical address, internet address, the Member State or, as applicable, the third country of establishment and authorisation, the name and address of the competent authority or, as applicable, the relevant third country supervisory authority;	
(b) details regarding the type of space services carried out, indicating the Member State(s) or the third countries where these are being carried out;	
(c) technical details regarding the space object that is operated or launched and the respective space mission.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
5. For the purposes of the request for standards referred to in Article 104, the e-certificate referred to in paragraph 1 shall comply with the following requirements:	
(a) the e-certificate shall determine that a given space-based data is generated through the use of a clearly identified space mission and space object;	
(b) for observation data, the e-certificate shall allow the tracking of the flow of space-based data, from its generation by a given space object, to incorporation into the first space service making use of that space-based data;	[redacted]
(c) the e-certificate shall be based on algorithms to ascertain the integrity of space-based data across its incorporation into subsequent services.	
6. For the purposes of generating the e-certificate referred to in paragraph 1 the Agency may request, as appropriate, technical assistance	

Commission proposal	Drafting Suggestions and Comments
from the competent authorities and the qualified technical bodies for space activities regarding any of the elements referred to in paragraph 5.	
	[redacted]
Article 26	[redacted]
Provision of space services and space-based data in the Union	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	non [redacted] enable transactions/data-exchange [redacted]
1. Where space services providers, except for collision avoidance space services providers, provide for the first time, space-based data or space services in the Union, they shall be in possession of the e-certificate referred to in Article 25(1).	[redacted]

Commission proposal	Drafting Suggestions and Comments
	DE [redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]

[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
2. They shall ensure that the e-certificate is annexed to their contracts for the provision of space based-data or space services.	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
Article 27	[redacted]
Requirements for primary providers of space-based data	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
	[redacted]

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PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
1. Primary providers of space-based data shall provide space-based data in the Union only where such space-based data has been generated by space objects registered in URSO.	[redacted]
2. Where primary providers of space-based data receive alerts or complaints about potential irregularities, they shall alert their suppliers and contact in parallel the Agency or the competent authority of the Member State where they are established.	[redacted]
	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]

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[redacted]

Title III **GOVERNANCE ASPECTS**	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

Chapter I

GOVERNANCE IN THE MEMBER STATES

[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
SECTION 1 **COMPETENT AUTHORITIES**	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
Article 28	[redacted]

PUBLIC

PUBLIC

Commission proposal	Drafting Suggestions and Comments
Designation or establishment of competent authorities	[redacted]
1. Each Member State shall designate or establish a public authority to act as competent authority, responsible for the authorisation and supervision of Union space operators and for any market surveillance activity needed to safeguard the use of space-based data in compliance with this Regulation.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
2. Member States shall ensure that the competent authorities have the independence, expertise, financial and human resources, operational capacity and powers necessary to carry out functions referred to in paragraph 1.	[redacted]
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
Article 29	
Supervisory tasks regarding Union space operators	[redacted]

[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
1. Competent authorities shall supervise the space activities carried out by Union space operators and shall in particular:	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
(a) control the application of the requirements laid down in this Regulation;	
(b) conduct investigations;	[redacted]
(c) keep internal records of infringements of the requirements laid down in this Regulation;	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
(d) cooperate with the competent authorities of other Member States, to ensure consistency across the Union in the application of this Regulation;	[redacted]
(e) promote awareness and understanding of the requirements laid down in this Regulation;	[redacted]
(f) carry out audits;	
(g) request qualified technical body for space activities to perform technical assessments in accordance with Article 8(1), point (a);	[redacted]

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Commission proposal	Drafting Suggestions and Comments
(h) review, in the context of supervisory tasks, the application by Union space operators of the proportionality principle;	[redacted]
(i) report to the Commission about main supervisory activities in relation to the application of this Regulation.	[redacted]
2. Member States shall ensure appropriate supervision of Union space operators carrying out national space programmes, by observing the separation of roles and the absence of conflict of interest.	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
Article 30	
Supervisory powers	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
1. Competent authorities shall have all supervisory, investigatory, corrective and sanctioning powers that are necessary for the exercise of the functions and tasks referred to in Article 29.	[redacted]
2. When carrying out supervisory activities in respect to Title IV, Chapter II, the competent authorities shall ensure coordination with the competent authorities designated pursuant to Article 8(1) of Directive 2022/2555 responsible for supervisory tasks of that Directive.	[redacted] es.
Member States may empower competent authorities to delegate relevant supervisory activities and tasks as regards Title IV, Chapter II, of this Regulation, to the competent authorities established pursuant to Article 8(1) of Directive 2022/2555.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
The supervisory tasks pursuant to Directive 2022/2555 referred to in the first and second subparagraphs shall be exercised in a manner that fully preserves the integrity of the supervisory powers referred to in paragraph 1.	
3. Competent authorities shall have at least the following investigative powers:	[redacted]
(a) to require the delivery of all necessary data and documents;	

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Commission proposal	Drafting Suggestions and Comments
(b) to obtain access to premises, land and means of transport, including to any data processing equipment and means;	
(c) to request proof of implementation of the requirements laid down in this Regulation and the underlying evidence;	
(d) to review the technical assessments carried out by qualified technical bodies for space activities pursuant to Article 8;	
(e) to carry out on-site and off-site inspections, including carrying out audits.	
4. Where competent authorities carry out inspections, the officials authorised to carry out inspections shall be empowered to:	[redacted]

Commission proposal	Drafting Suggestions and Comments
(a) enter any premise, land and means of transport of the respective Union space operators;	[redacted]
(b) examine the books and other business records, irrespective of the medium on which they are stored, access any information accessible to the Union space operators subject to the inspection, and take or request copies or extracts from those books or records;	
(c) ask any representative or member of staff of the Union space operator subject to the inspection for explanations of facts and for documents which are in the remit of the subject-matter of the inspection, and record the answers;	
(d) seal any business premise, books or records, for the duration of, and to the extent necessary for, the inspection.	

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Commission proposal	Drafting Suggestions and Comments
5. Competent authorities shall have at least the following corrective powers:	[redacted]
(a) to issue warnings of alleged infringements of the requirements laid down in this Regulation;	
(b) to order Union space operators to cease a conduct which the competent authorities deem to be contrary to the requirements laid down in this Regulation;	
(c) to order Union space operators to ensure compliance in the manner and in the timeframe to be determined by the competent authorities;	[redacted]

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Commission proposal	Drafting Suggestions and Comments
(d) to order Union space operators to remedy the shortcomings identified by the competent authorities in relation to the application of the requirements laid down in this Regulation, including by applying corrective measures for infringements of the requirements laid down in this Regulation;	
(e) to designate, for a determined period, a monitoring officer to oversee the process of bringing the conduct of Union space operators into compliance, as regards the requirements laid down in this Regulation.	[redacted]
6. Competent authorities shall have at least the following sanctioning powers:	[redacted]
(a) to impose or request a relevant administrative or judicial body to impose an administrative fine for non-compliance, or an administrative	

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Commission proposal	Drafting Suggestions and Comments
sanction in regard to an infringement of the requirements laid down in this Regulation;	
(b) to temporarily suspend or request a relevant administrative or judicial body to temporarily suspend, in part or fully, the authorisation;	
(c) to withdraw the authorisation to carry out space activities, when a Union space operator no longer fulfils the conditions under which an authorisation was issued, or when a Union space operator falls within a situation where, pursuant to national law, the authorisation shall be withdrawn.	[redacted]
A temporary suspension imposed pursuant to point (b), shall be applied until the Union space operator concerned takes all the actions which are necessary	

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Commission proposal	Drafting Suggestions and Comments
to remedy the problems identified by the competent authority, or to fully comply with all the measures prescribed by the competent authority.	
7. Competent authorities may, on their own initiative, decide to impose interim measures on Union space operators, notably in case of urgency, to comply with the requirements laid down in this Regulation.	
8. Member States may provide by law that competent authorities shall have additional powers to those referred to in paragraphs 3 to 7. The exercise of those powers shall not impair the effective implementation of this Chapter.	

Commission proposal	Drafting Suggestions and Comments
	[redacted]
Article 31	
Administrative sanctions	[redacted]

[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
1. Member States shall lay down rules on penalties for infringements of this Regulation. Those penalties shall be effective, proportionate and dissuasive. Member States shall without delay notify the Commission of those provisions and any subsequent amendment affecting them.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
2. When determining the administrative sanction and the level of the administrative fine, competent authorities shall consider all relevant circumstances, including, where appropriate:	
(a) the gravity and duration of the infringement and the permanence of damages caused by the infringement;	
(b) previous infringements by the natural or legal person responsible for the infringement;	
(c) the material or non-material damage caused by, or through, the infringement, including financial or economic loss and adverse effects upon other services, and relevant criteria for the impact of an infringement, such as	

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Commission proposal	Drafting Suggestions and Comments
the number of users affected, or the magnitude of the loss incurred by a third party as a result of the infringement;	
(d) the intent or negligence on the part of the perpetrator of the infringement;	
(e) measures taken by the Union space operator to prevent or mitigate the damage;	
(f) the level of cooperation with the competent authorities and any obstruction of inspections, audits or other monitoring activities of competent authorities, following the discovery of the infringement;	
(g) the importance of the profits gained, or of the losses avoided, by the natural or legal person responsible for the infringement;	
(h) the need for the administrative fine to have a deterrent effect.	

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Commission proposal	Drafting Suggestions and Comments
3. Competent authorities shall set out the reasoning for their enforcement measures.	
4. The supervisory measures shall be effective, dissuasive and proportionate, considering all circumstances of each individual case. Before adopting a supervisory measure, the competent authorities shall inform the Union space operators of their preliminary findings and shall allow reasonable time for Union space operators to submit observations.	[redacted]
5. Member States shall ensure that competent authorities have the power to directly bring infringements of this Regulation before a judicial body and that they are entitled to take part, in their own right, in all types of legal proceedings regarding the enforcement of this Regulation, including by lodging appeals.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
	[redacted]

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Commission proposal	Drafting Suggestions and Comments
SECTION 2 **MONITORING OF QUALIFIED TECHNICAL BODIES FOR SPACE ACTIVITIES**	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
Article 32	
Use of qualified technical bodies for space activities	[redacted]
1. Member States making use of the possibility referred to in Article 8(1), point (a), shall ensure that qualified technical bodies for space activities	[redacted]

Commission proposal	Drafting Suggestions and Comments
are designated, assessed and monitored by public authorities and that they are notified to the Commission, in accordance with Article 33.	[redacted]
2. Member States may entrust the tasks of assessment and monitoring to the national accreditation body within the meaning of, and in accordance with, Regulation (EC) No 765/2008. The Commission shall make that information publicly available.	
3. Member States shall ensure that the public authority referred to in paragraph 1:	
(a) is organised and operates in a way that no conflict of interest arises with the technical assessment activities carried out by the qualified technical bodies for space activities;	
(b) carries out with objectivity and impartiality the tasks of designating, assessing and monitoring the qualified technical bodies for space activities;	

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Commission proposal	Drafting Suggestions and Comments
(c) has an adequate number of personnel for the performance of its tasks.	
Article 33	
Notification process	[redacted]
1. Member States shall notify to the Commission all designated qualified technical bodies for space activities established on their territory. For the purpose of this notification, they shall use the New Approach Notified and Designated Organisations (NANDO) information management system.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
2. Only qualified technical bodies for space activities that comply with the requirements laid down in Article 35 can be notified by the Member State to the Commission.	
3. The notification referred to in paragraph 1 shall include:	
(a) the full details of the technical assessment activities carried out from the matters covered by this Regulation, any relevant assessment module, indicating which processes, services or products are covered in relation to matters covered by this Regulation;	
(b) any relevant attestation of competence.	
4. Where a notification is not based on the accreditation certificate referred to in Article 34(5), point (b), Member States shall provide to the Commission and the other Member States evidence attesting the competence of that qualified technical body for space activities and shall ensure that such	[redacted]

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Commission proposal	Drafting Suggestions and Comments
body will be regularly monitored and continues to meet the requirements laid down in Article 35.	
5. A body may perform activities as qualified technical body for space activities only if the Commission or a Member State have not raised objections within two months from the date of the notification, where it includes the accreditation certificate referred to in Article 34(5), point (b), or within three months from the date of notification, where it includes the documentary evidence referred to in Article 34(6).	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
SECTION 3 **QUALIFIED TECHNICAL BODIES FOR SPACE ACTIVITIES**	[redacted]
Article 34	

PUBLIC

Commission proposal	Drafting Suggestions and Comments
Process for becoming a qualified technical body for space activities	[redacted]

PUBLIC

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
1. Where an entity intends to carry out technical assessments for one or more matters covered by Title IV, Chapters I to V, it shall submit an application to the relevant authority, as referred to in Article 32, in the Member State where it is established, to obtain designation as qualified technical body for space activities.	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
2. Where the technical assessment activities concern matters covered by Title IV, Chapter II, Member States shall make use of national competent authorities designated in Article 8 of Directive (EU) 2022/2555.	[redacted]
3. In carrying out their tasks of authorisations and supervision referred to in Article 28(1), competent authorities shall take duly account of the technical assessments carried out by the bodies and the authorities referred to in paragraph 2 and shall ensure supervisory convergence with the authorities referred to in Article 8 of Directive 2022/2555.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
Member States shall ensure close coordination through mechanisms and protocols between such authorities and the competent authorities designated pursuant to Article 28(1) of this Regulation.	
4. Where a public entity carrying out technical assessments in relation to the requirements laid down in Title IV, Chapter I and in Chapter V, is part of the administrative structure of the competent authority referred to in Article	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
28(1), the application referred to in paragraph 1 shall be submitted by the competent authority.	[redacted]
5. Entities referred to in paragraph 1 shall indicate for which of the matters covered by Title IV, Chapters I to V, the application to become a qualified technical body for space activities is submitted, and shall:	
(a) provide a description of all the technical assessment activities to be carried out;	
(b) indicate any accreditation certificate(s), where one exists, issued by a national accreditation body, which attests that the respective body fulfils the requirements laid down in Article 35;	
(c) indicate, as applicable, a valid document providing evidence on the designation of the applicant as a notified body under any relevant Union harmonisation legislation.	

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Commission proposal	Drafting Suggestions and Comments
6. Where an applicant cannot provide the accreditation certificate referred to in paragraph 5, point (b), it shall provide the authority referred to in Article 32 with all documentary evidence allowing that authority to carry out verifications or conduct regular monitoring to ensure compliance with the requirements laid down in Article 35.	
7. Where the applicant has been already designated as a notified body under a Union harmonisation legislation, all documents and certificates linked to such designation may be used to support its designation as a qualified technical body for space activities pursuant to this Regulation.	[redacted]
8. Where the conditions laid down in paragraph 5 are fulfilled, the authority referred to in Article 32 shall adopt a positive decision on the application. The decision shall be notified to the technical body, the competent authorities of the Member State concerned and the Commission.	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
9. A qualified technical body for space activities shall update the documentation referred to in paragraphs 5, 6 and 7, whenever relevant changes occur, to enable the notifying authority to monitor the continuous compliance of that qualified technical body for space activities with the requirements laid down in Article 35.	
Article 35	
Requirements for qualified technical bodies for space activities	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
1. Qualified technical bodies for space activities shall meet the requirements laid down in point 1, of Annex IX.	[redacted]
2. Where technical assessment activities are carried out in relation to Title IV, Chapter III, a qualified technical body for space activities shall meet, in addition to the obligation referred to in paragraph 1, the requirements laid down in point 2, of Annex IX.	
3. Qualified technical bodies for space activities carrying out technical assessment activities in relation to Title IV, Chapter I and V, shall be public bodies.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
4. A qualified technical body for space activities which subcontracts tasks related to the technical assessment shall inform the authority referred to in Article 32 accordingly and shall ensure that its subcontractor meets the requirements referred to in paragraphs 1 and 2.	[redacted]
Qualified technical bodies for space activities shall keep at the disposal of the authority referred to in Article 32 all documents related to the assessment of the qualifications of the subcontractor and to the work carried out by that subcontractor.	
Article 36	
Identification numbers	[redacted]
The Commission shall assign an identification number to each qualified technical body for space activities and shall make publicly available the list	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
of qualified technical bodies for space activities in the Union, their identification numbers and the matters covered by Title IV for which they have been notified.	[redacted]
Article 37	
Changes to notification	[redacted]

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Commission proposal	Drafting Suggestions and Comments
1. The authority referred to in Article 32 shall restrict, suspend or withdraw, as appropriate, the notification of a qualified technical body for space activities which no longer meets the requirements laid down in Article 35 or fails to fulfil its obligations. That authority shall inform the Commission and the other Member States accordingly.	
2. In the event of a restriction, suspension or withdrawal of the notification, or where a qualified technical body for space activities established on the territory of a Member State has ceased its activity, that Member State shall take appropriate steps to transfer the files of that qualified technical body for space activities to another qualified technical body for space activities or, where this is not possible, to the Agency or the international organisation referred to in Article 8(1), point (b).	[redacted]
Article 38	
Appeal against decisions of qualified technical bodies for space activities	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
Member States shall ensure that decisions of qualified technical bodies for space activities can be appealed.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]

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Commission proposal	Drafting Suggestions and Comments
Article 39	
Coordination of qualified technical bodies for space activities	[redacted]
The Commission shall enable appropriate coordination of qualified technical bodies for space activities bodies across the Union, including by setting-up sectoral groups of qualified technical bodies for space activities.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]

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Chapter II

GOVERNANCE AT UNION LEVEL

[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]

PUBLIC

PUBLIC

Commission proposal	Drafting Suggestions and Comments
SECTION 1 **TASKS AND STRUCTURES OF THE AGENCY**	[redacted]
Article 40	

PUBLIC

Commission proposal	Drafting Suggestions and Comments
Tasks of the Agency	[redacted]
1. The Agency shall have the following tasks in relation to the requirements laid down in Titles II to VI of this Regulation:	[redacted]
(a) carry out the technical assessments enabling the Commission to take decisions regarding the authorisation and the ongoing supervision of Union	[redacted]

Commission proposal	Drafting Suggestions and Comments
space operators of Union owned-assets and the registration and the ongoing supervision of third country operators;	[redacted]
(b) upon request, carry out the technical assessments referred to in Article 8(1), point (c);	
(c) carry out, on the basis of a decision of the Commission, the registration of third country space operators and of international organisations, in accordance with Article 17 and Article 18;	
(d) set-up and manage URSO, in accordance with Article 24;	
(e) issue the e-certificate referred to in Article 25(1);	
(f) manage the registration in URSO, and respectively, the suspension or withdrawal of registration thereof, in accordance with Article 22;	[redacted]

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Commission proposal	Drafting Suggestions and Comments
(g) set-up and manage the Union contact list database for high interest event alerts, in accordance with Article 67(1);	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
(h) report to the Commission on the application of simplified risk management across the Union, and submit appropriate recommendations, in accordance with Article 79(3), first subparagraph;	

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Commission proposal	Drafting Suggestions and Comments
(i) coordinate the activities of the Union Space Resilience Network (EUSRN) established in accordance with Article 94(1), and provide the secretariat of EUSRN;	[redacted]
(j) contribute to the establishment and maintenance of the Union Space Label Framework, in accordance with the provisions of Title VI, Chapter II;	
(k) maintain a website providing updated information on, and publicising, the Union Space Labelling Schemes and Union Space Labels, in accordance with Article 111(5);	

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Commission proposal	Drafting Suggestions and Comments
(l) assist the Commission in the preparation of delegated and implementing acts based on this Regulation, and in the preparation of proposals for amendments to this Regulation, by issuing formal technical opinions addressed to the Commission;	
(m) issue guidelines addressed to the competent authorities and the Union space operators, and issue recommendations to one or more competent authorities, to promote consistent supervisory practices across the Union and the uniform application of Union law;	[redacted]

Commission proposal	Drafting Suggestions and Comments
(n) upon request by the Commission, contribute, for matters covered by this Regulation, to the establishment, measurement, reporting and analysis of performance indicators, notably on significant incidents and on collisions;	[redacted]
(o) provide all necessary technical, scientific and administrative advice and support to the Commission, to allow the latter to carry out its supervisory tasks under this Regulation;	[redacted]
(p) establish cooperation with supervisory authorities of third countries, international organisations or bodies thereof, and promote and facilitate awareness at international level in respect to the requirements laid down in this Regulation;	
(q) cooperate, as appropriate, with other Union institutions, bodies, offices, and agencies, where the activities of such Union institutions, bodies, offices, and agencies, cover technical aspects related to the safety, resilience and environmental sustainability of space activities, or other relevant matters, such as the use of artificial intelligence when carrying out space activities.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
2. Before submitting the technical opinions referred to in paragraph 1, point (l), as well as before issuing the guidelines referred to in paragraph 1, point (m), the Agency shall conduct open public consultations.	
By 01.08.2028, the Agency shall submit to the Commission the technical opinions to assist the Commission in the preparation of the delegated acts referred to in Article 113 and of the implementing acts referred to in Article 59(3), first subparagraph, in Article 61(3), first subparagraph, in Article 63(2), in Article 68(2), first subparagraph, in Article 69(2), first subparagraph, in Article 70(3), first subparagraph, in Article 73(4), first	

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Commission proposal	Drafting Suggestions and Comments
subparagraph, in Article 93(8), in Article 96(7), second subparagraph, in Article 97(4), in Article 101(5), first subparagraph, in Article 104(2), and in Article 111(4), first subparagraph.	
3. Before issuing a new guideline or recommendation, the Agency shall review existing guidelines and recommendations to avoid duplication.	
Article 41	[redacted]
Agency fees	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
1. The Agency shall, in accordance with the delegated act referred to in paragraph 3, charge Union space operators, third country space operators and international organisations fees to fully cover the necessary expenditure	[redacted]

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Commission proposal	Drafting Suggestions and Comments
incurred by the Agency in carrying out tasks pursuant to this Regulation, including the reimbursement of costs incurred as a result of the work of the joint examination teams referred to in Article 44(2), first subparagraph, or the costs of the advice provided by independent experts.	[redacted]
2. The amount of a fee charged to a space services provider referred to in paragraph 1 shall cover all costs derived from the execution of the tasks set out in this Regulation. The amount shall be proportionate to the turnover of the respective space services provider.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]

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Commission proposal	Drafting Suggestions and Comments
3. The Commission is empowered to adopt delegated acts in accordance with Article 113 to supplement this Regulation by determining the amount of fees and the way in which they are to be paid.	
Article 42	
Agency structures	[redacted]
For the purposes of the tasks referred to in Article 43 a Compliance Board and a Board of Appeal are hereby established within the Agency.	[redacted]
Article 43	

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Commission proposal	Drafting Suggestions and Comments
Tasks of the Compliance Board	[redacted]
1. The Compliance Board shall be responsible for:	
(a) issuing technical proposals to the Commission for the authorisation, in accordance with Article 12(2), of operators of Union-owned assets which are entrusted by the Commission with the execution or operation of the respective component of the Union Programme, as referred to in that Article, and carrying out, throughout the duration of such authorisation, technical assessment activities to allow the Commission to exercise the ongoing supervision of such operators to ensure compliance with the requirements laid down in this Regulation;	
(b) carrying out technical assessment activities in relation to the requirements laid down in Title IV, Chapters I, II, III, IV and V, before	

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Commission proposal	Drafting Suggestions and Comments
competent authorities issue authorisations to Union space services providers, as regards the assets referred to in Article 5, first paragraph, point (21), where a Member State has decided to entrust the Agency with the task of carrying out such technical assessment, pursuant to Article 8(1), point (c);	
(c) assess, and issuing technical proposals to the Commission as regards, the ongoing compliance of third country space operators with the requirements laid down in Title IV, in the manner specified to in Articles 15 and Article 16 respectively.	
2. For the purposes of paragraph 1, the Compliance Board shall have the following powers:	
(a) take, in the manner specified in paragraph 3, technical assessment decisions proposing to the Commission the authorisation, in accordance with Article 11(1), first subparagraph, of Union space operators of Union-owned assets entrusted with the execution or operation of components of the Union Programme, in accordance with Article 12(2), as well as proposing to	[redacted]

Commission proposal	Drafting Suggestions and Comments
the Commission throughout the duration of such authorisation any needed supervisory measures;	[redacted]
(b) take technical assessment decisions regarding the fulfilment of the requirements laid down in Title IV, Chapters I, II, III, IV and V, where a Member State entrusts the Agency to carry out the technical assessment pursuant to Article 8(1), point (c);	
(c) ensure, on the basis of a decision of the Commission taken pursuant to Article 11(1), first subparagraph, Article 17(6), and Article 22(6), first subparagraph, the registration in URSO, and respectively, the suspension or withdrawal of registration in URSO, of Union space operators of Union-owned assets and third country space operators, and that of international organisations, pursuant to Articles 17, 18 and 22, and manage URSO and its associated platform;	
(d) take technical assessment decisions proposing to the Commission measures for ensuring the compliance of third country space operators, once	[redacted]

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Commission proposal	Drafting Suggestions and Comments
registered, with the requirements laid down in Title IV, in the manner specified in Articles 15 and Article 16;	[redacted]
(e) issue the e-certificates referred to in Article 25(1);	
(f) approve the conclusions of the reports submitted by the Technical Boards referred to in Article 44(2), second subparagraph, when carrying out the technical assessments referred to in paragraph 1;	
(g) draw up and publish the consolidated lists of space services providers registered in URSO pursuant to Article 24(2);	
(h) adopt and publish its rules of procedure.	
3. For the purposes of taking the decisions referred to in paragraph 2, the Compliance Board shall act as follows:	

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Commission proposal	Drafting Suggestions and Comments
(a) compliance with the requirements laid down in Title IV, Chapters I, III, IV and V, shall be established by means of technical assessments carried out in accordance with Article 44(1);	
(b) compliance with the requirements laid down in Title IV, Chapters II, shall be established as follows:	
(i) for technical assessment decisions regarding the space services providers referred to in paragraph 1, point (a), compliance shall be established by the Security Accreditation Board, in accordance with Chapter II of Regulation (EU) 2021/696;	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
(ii) for technical assessment decisions regarding the space services providers referred to in paragraph 1, points (b) and (c), compliance shall be established by in accordance with Article 44(1).	[redacted]
Article 44	
Technical configurations of the Compliance Board	
1. The Compliance Board shall work in three technical board configurations, as follows:	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
(a) the Safety Compliance Technical Board;	
(b) the Resilience Compliance Technical Board;	[redacted]
(c) the Environmental Sustainability Compliance Technical Board.	
2. The Technical Boards referred to in paragraph 1 shall be composed of joint examination teams comprising staff members from the Agency, competent authorities and qualified technical bodies for space activities.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
After completing their technical assessments, the Technical Boards shall submit reports to the Compliance Board.	
The Technical Boards shall be supported by a technical secretariat which shall carry out preparatory work necessary to enable the Compliance Board to fulfil its tasks pursuant this Regulation.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
3. The Commission is empowered to adopt delegated acts, in accordance with Article 113, to supplement this Regulation, by specifying the criteria for the composition and the expertise of staff composing the joint examination teams to the Technical Boards, to ensure balanced participation of staff from the competent authorities and the qualified technical bodies for space activities, as well as to specify the details for their designation, tasks and working arrangements.	
Article 45	
Composition of the Compliance Board and voting rules	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
1. The Compliance Board shall be composed of one representative of each Member State and one representative of the Commission.	
The term of office of the members of the Compliance Board shall be 4 years and shall be renewable.	
2. The representatives of the Union agencies or bodies and of third countries or international organisations may on an exceptional basis be invited to attend the meetings of the Compliance Board as observers, as follows:	

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Commission proposal	Drafting Suggestions and Comments
(a) as regarding the representatives of Union Agencies or bodies, for matters regarding tasks or aspects of interest to those Union Agencies or bodies;	
(b) as regards the representatives of third countries or international organisations, for matters directly related to them, notably regarding assets of space infrastructure which they own or are located on their territory, or for matters directly related to compliance of third country space operators and international organisations, with this Regulation;	
3. The arrangements regarding the conditions of participation of the representatives of third countries or international organisations referred to in paragraph 2 shall be laid down in the relevant agreements and shall comply with the rules of procedure of the Compliance Board.	
4. The decisions of the Compliance Board shall be reached by consensus of all its members with voting rights. If consensus cannot be reached, the Compliance Board shall take decisions based on qualified majority voting, in accordance with Article 16 TEU.	

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Commission proposal	Drafting Suggestions and Comments
The representative of the Commission shall not vote.	
The Chair of the Compliance Board shall sign, on behalf of the Registration Board, the decisions adopted by the latter.	[redacted]
Article 46	
Board of Appeal	[redacted]

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Commission proposal	Drafting Suggestions and Comments
1. A Board of Appeal is established. The Board of Appeal shall be responsible for deciding on appeals against decisions of the Agency.	[redacted]
2. The Board of Appeal shall be composed of six members and six alternates which shall be appointed, from a list of qualified candidates established by the Commission, by the Administrative Board, on the basis on their relevant expertise in the fields of space law or space activities, notably on matters related to the safety, risk management, cybersecurity, environmental sustainability of space activities, or ISOS.	[redacted]
3. Two members of the Board of Appeal and two alternates shall be appointed by the Administrative Board referred to in Article 72(1) of Regulation (EU) 2021/696, from a shortlist proposed by the Commission, following a public call for expressions of interest which shall be published in the Official Journal of the European Union.	[redacted]
	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
4. The members of the Board of Appeal shall be independent in making their decisions. They shall not be bound by any instruction. They shall not perform any other duties within, and in relation to, the Agency, its Administrative Board, Security Accreditation Board or Compliance Board.	
5. The term of office of the members of the Board of Appeal shall be 4 years. It may be prolonged once. Members of the Board of Appeal shall not be removed during their term of office unless found guilty of serious misconduct by decision of the Administrative Board.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
6. The decisions of the Board of Appeal shall be adopted based on a majority of four of its six members. The Board of Appeal shall designate its Chairperson.	
The Chairperson and the members shall have equal voting rights.	
7. The Agency shall ensure adequate operational and secretarial support for the Board of Appeal.	
Article 47	
Appeal	
1. An appeal may be brought against a decision of the Agency taken pursuant to Title II, Chapters II, III and IV, to Article 43(2), to Articles 49 to 52, and to Title IV, as well as against any other decision of the Agency	

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Commission proposal	Drafting Suggestions and Comments
addressed to a natural or legal person or which, although in the form of a decision addressed to another person, is of direct and individual concern to that person.	
2. The appeal, together with the statements of the grounds thereof, shall be filed in writing to the Agency within 3 months from the date of notification of that decision to the person concerned, or in the absence thereof, of the day on which the Agency published its decision.	
3. An appeal lodged pursuant to paragraph 1 shall not suspend the application of the decision referred to in that paragraph. The Board of Appeal may however suspend the application of the contested decision if it considers that circumstances so require.	
4. The Board of Appeal shall decide upon the appeal within 6 months after an appeal has been lodged. The Board of Appeal may confirm the decision, or it may remit the case to the Compliance Board. The latter shall be bound by the decision of the Board of Appeal.	

Commission proposal	Drafting Suggestions and Comments
The decisions taken by the Board of Appeal shall be reasoned and shall be made public by the Authority.	[redacted]
5. The Commission is empowered to determine the details of the procedure before the Board of Appeal in accordance with the examination procedure referred to in Article 114(2).	
6. Actions for the annulment of a decision issued by the Agency pursuant to this Regulation and actions for failure to act within the applicable	

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Commission proposal	Drafting Suggestions and Comments
time limits may be brought before the Court of Justice only after the exhaustion of the appeal procedure referred to above.	
SECTION 2 **POWERS OF THE COMMISSION AND THE AGENCY REGARDING UNION SPACE OPERATORS OF UNION-OWNED ASSETS AND THIRD COUNTRY SPACE SERVICES PROVIDERS**	[redacted]

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Commission proposal	Drafting Suggestions and Comments
Article 48	[redacted]
Scope and exercise of powers by the Agency and the Commission	[redacted]
1. The Commission, supported and assisted by the Agency, shall exercise the supervision of the following space services providers regarding compliance with the requirements laid down in this Regulation, in the manner specified in this section, as follows:	
(a) Union space operators of Union-owned assets who are entities entrusted with the execution or operation of the components of the Union	

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Commission proposal	Drafting Suggestions and Comments
Programme, based on the authorisation issued by the Commission in accordance with Article 12(2);	
(b) third country space operators;	
(c) international organisations, pursuant to Article 107(3), and Article 108, respectively.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
2. For the purposes of carrying out the technical assessments referred to in Article 40(1), point (a), the Agency shall have the powers referred to in Articles 49, 50, 51 and 52.	
The Agency shall inform the Commission on each of the actions referred to in Articles 49, 50, 51 and 52.	
3. The Commission and the Agency shall exercise separately or jointly any of the tasks referred to in Articles 49, 50, 51 and 52.	

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Commission proposal	Drafting Suggestions and Comments
4. Without prejudice to the respective competences of the Union institutions and of Member States, the Agency may, for the purposes of paragraph 1, point (b), after the conclusion of the international agreements referred to in Article 106(1), conclude administrative cooperation arrangements with the relevant authorities of third countries, to enable smooth conduct of inspections where the conditions laid down in Article 52(1) are met.	
Those cooperation arrangements shall not create legal obligations in respect of the Union and its Member States, nor shall they prevent Member States and competent authorities from concluding bilateral or multilateral arrangements with third countries and their relevant authorities.	
5. Those cooperation arrangements shall specify at least the following:	
(a) the detailed procedures and coordination aspects with relevant third country authorities which enable the Agency to conduct, pursuant to Article 52, inspections at the business premises of the space services providers referred to in paragraph 1, point (b), located outside the Union;	

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Commission proposal	Drafting Suggestions and Comments
(b) the details setting out the conditions for the participation of the representatives of relevant third country authorities in inspections conducted by the Agency pursuant to Article 52, notably where the space services providers referred to paragraph 1, point (b), are public entities;	
(c) the necessary protocols and mechanisms to ensure the transmission of any relevant information between the Agency and the third country authorities, notably the mechanisms for the prompt notification by a third country authority of situations where the space services providers referred to in paragraph 1, point (b), are deemed to have infringed requirements to which they are obliged to adhere to, pursuant to the applicable law of the third country concerned, as well as the remedies and penalties that have been applied;	
(d) any needed coordination of supervisory activities carried out under this Regulation and those carried out by the third country authorities, respectively;	

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Commission proposal	Drafting Suggestions and Comments
(e) the regular transmission of updates regarding regulatory or supervisory developments in the third country concerned.	
Article 49	
Request for information	[redacted]
1. The Commission and the Agency may require by decision that space services providers referred to in Article 48(1), points (a), (b) and (c), provide any information necessary for the Commission and the Agency to carry out their tasks under this Regulation, including any relevant business documents, audit or incident reports, or information on outsourced activities.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
	[redacted]
2. In their decisions adopted pursuant to paragraph 1, the Commission and the Agency shall state the purpose of the request, specify which information is required, set a time within which that information is to be provided, specify the fines applicable, pursuant to Article 55(1), point (c), for supplying incomplete, incorrect or misleading information or explanations, the possibility to have that decision reviewed by the Court of Justice and the legal remedies available under Article 47.	

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Commission proposal	Drafting Suggestions and Comments
3. The space services providers referred to in Article 48(1), points (a), (b) and (c), shall supply the information requested.	[redacted]
Article 50	
Power of investigations	
1. The Commission and the Agency shall conduct investigations at the space services providers referred to in Article 48(1), points (a), (b) and (c), respectively.	[redacted]
2. The Commission and the Agency shall issue an authorisation to their designated officials to allow them to conduct the investigations referred to in paragraph 1. The officers of the Commission and the Agency shall exercise their investigation powers upon the production of this authorisation.	

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Commission proposal	Drafting Suggestions and Comments
The Commission and the Agency may entrust other persons from the joint examinations teams referred to in Article 44(1) or auditors with the task to carry out investigation together with the officials of the Agency.	
3. The authorisation referred to in paragraph 2, first subparagraph, shall specify its purpose, subject matter, the actions to be carried out, as well as the fines provided for in Article 55(1), point (c), applicable where the production of the elements referred to in paragraph 4, first subparagraph, or the answers to the questions and explanations asked under paragraph 4, point (c), are incorrect or misleading.	
4. The officers of the Commission and the Agency shall be empowered to:	
(a) examine any records, data, procedure, and other material relevant to the execution of their tasks, irrespective of the medium on which they are stored;	

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Commission proposal	Drafting Suggestions and Comments
(b) take or obtain certified copies of, or extracts from, such records, data, procedure and other material;	
(c) summon and ask any of the persons subject to the investigation, or their representatives, or staff, for oral or written explanations on facts or documents relating to the subject matter and purpose of the inspection, and to record the answers;	
(d) request records of telephone and data traffic.	
5. The space services providers referred to in Article 48(1), points (a), (b) and (c), respectively are required to submit to investigations.	
In good time before the date of the investigation, the Commission and the Agency shall inform the competent authority of the Member State where the investigation is to be carried out of the planned investigation of the names of the authorised officers and other authorised persons referred to in paragraph 2, second subparagraph, as applicable.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
6. The officers of the competent authority concerned shall, at the request of the Commission and the Agency, assist the authorised officers of the Commission and the Agency and other authorised persons, in carrying out their duties. Upon request, the officers of the competent authority concerned may attend the respective investigation.	[redacted]
Article 51	
On-site inspections in the Union	

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Commission proposal	Drafting Suggestions and Comments
1. The Commission and the Agency may carry out all necessary on-site inspections at any of the business premises, land or property of the Union space operators of Union owned-assets, as well any of the business premises, land or property of the space services providers referred to in Article 48(1), points (b) and (c), located in the Union.	[redacted]
2. The inspections referred to in paragraph 1 shall be carried out on the basis of the decisions of the Commission and the Agency respectively, to carry out an on-site investigation.	
That decision shall designate the authorised officers of the Commission and the Agency and other persons authorised by the Commission and the Agency to conduct an inspection.	
It shall specify the purpose, the subject matter and the date of the inspection. It shall include the reference to the fines and the periodic penalty payments provided for in Article 56(1), for cases where the persons concerned do not submit to inspection, as well as to the possibility to have that decision	

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Commission proposal	Drafting Suggestions and Comments
reviewed by the Court of Justice and the legal remedies available under Article 47.	
3. The officers of the Commission and the Agency and other persons authorised to conduct an on-site inspection, in accordance with paragraph 2, second subparagraph, may enter any of the business premises, land or property of the Union space operators of Union owned-assets, and of the space services providers referred to in Article 48(1), points (b) and (c), respectively. They shall have all the powers set out in Article 50(4) and the powers to seal any business premises, books or records for the period of, and to the extent necessary for, that inspection.	
4. In sufficient time before the inspection, the Commission and the Agency shall give notice to the competent authority of the Member State where that inspection is to be carried out. Inspections shall be carried out if the relevant authority has raised no objections.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
The officers referred to in paragraph 2, second subparagraph, shall exercise their powers upon production of the decision referred to in paragraph 2, first subparagraph.	
5. Union space operators of Union owned assets and space services providers referred to in Article 48(1), points (b) and (c), respectively, shall submit to the on-site inspections ordered by decision of the Agency and the Commission.	
6. The officers of the competent authority of the Member State where the inspection is to be carried out and the persons authorised by such competent authorities shall, at the request of the Commission or the Agency, assist the officers referred to in paragraph 2, second subparagraph. The officials of the competent authorities may also attend the on-site inspections, upon request.	[redacted]
7. The Commission and the Agency may require the competent authorities to carry out specific investigatory tasks and on-site inspections, as provided for in this Article and in Article 50, on their behalf. To that end, the	

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Commission proposal	Drafting Suggestions and Comments
competent authorities shall enjoy at least the same powers as those set out in this Article and in Article 50.	
Article 52	
On-site inspections outside the Union	[redacted]
1. Where the Commission and the Agency cannot fulfil their tasks set out in this Regulation by means of interaction with the legal representatives referred to in Article 23 of the space services providers referred to in Article 48(1), point (b), the Commission and the Agency may carry out on-site inspections at the business premises, land or property of space services providers referred to in Article 48(1), point (b), which are located outside the Union, if all the following conditions are met:	[redacted]

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Commission proposal	Drafting Suggestions and Comments
(a) the concerned space services provider referred to in Article 48(1), point (b), consents to the conduct of an inspection in a third country; and	
(b) the relevant third country authority has been officially notified by the Agency and raised no objection thereto.	
2. When the Commission and the Agency act based on paragraph 1 they shall have the powers referred to in:	
(a) Article 49;	
(b) Article 50(4), points (a), (b) and (c);	
(c) Article 51(3).	

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Commission proposal	Drafting Suggestions and Comments
Article 53	
Procedure for investigation by the Agency	[redacted]
1. Where the Agency has serious indications of infringements to the technical requirements laid down in Title IV, the Agency shall open an investigation.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
2. Officers conducting the investigation shall have the power to request information, in accordance with Article 49, to carry out investigations, and respectively, on-site inspections, in accordance with Articles 50 and 51.	
	[redacted]
Article 54	
Measures following an investigation by the Agency	

Commission proposal	Drafting Suggestions and Comments
1. When, based on the investigation referred to in Article 53(2), the Agency finds on a preliminary basis that a Union space operator of Union-owned assets or respectively a space services provider referred to in Article 48(1), points (b) and (c), has committed an infringement of the requirements laid down by this Regulation, as specified in Annex X, the Agency shall make a proposal to the Commission to establish the existence an infringement of this Regulation and to adopt one or more of the measures referred to in Article 55(1), first subparagraph, as regards the concerned Union space operator of Union-owned assets or space services provider referred to in Article 48(1), points (b) and (c).	[redacted]
The Agency shall indicate all the factual elements, the rules breached and the proposed amount of the fine.	
The Commission may on its own initiative, upon request by a Member State or upon complaint investigate any infringement of this Regulation.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
2. When submitting the proposal to the Commission referred to in paragraph 1, first subparagraph, the Agency shall consider the nature and the seriousness of the infringement based on its preliminary findings, having regard to the following criteria:	
(a) the gravity and duration of the infringement and the permanence of the damages caused by the infringement;	
(b) previous infringements perpetrated by that Union space operator of Union-owned assets;	
(c) the material or non-material damage caused, or which could be caused, by or through the infringement, including financial or economic loss and adverse effects upon other services, as well as any relevant criteria as regards the impact of the infringement, such as the number of users affected or the magnitude of the losses incurred by a third-party as a result of that infringement;	

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Commission proposal	Drafting Suggestions and Comments
(d) the intent or negligence on the part of the perpetrator of the infringement;	
(e) the measures taken by the Union space operator of Union-owned assets to prevent or mitigate the material or non-material damage referred to in point (c);	
(f) the level of cooperation during the investigation procedure, including any obstruction of audits or monitoring activities, following the discovery of the infringement;	
(g) the importance of the profits gained, or of the losses avoided, by the natural or legal person responsible for the infringement;	
(h) potential systemic consequences that such infringement may entail;	

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Commission proposal	Drafting Suggestions and Comments
(i) the need for administrative fines to have a deterrent effect.	
3. When the result of an investigation under this section does not allow the Agency to conclude on the existence of an infringement to this Regulation, the Agency shall adopt a decision closing the investigation. It shall without delay inform the Commission.	
Article 55	
Supervisory measures of the Commission	
1. Upon receipt of the proposal of the Agency referred to in Article 54(1), first subparagraph, the Commission may take one or more of the following actions:	
(a) establish the existence of an infringement and require the concerned Union space operator of Union-owned assets or space services provider	

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Commission proposal	Drafting Suggestions and Comments
referred to in Article 48(1), points (b) and (c), to bring the infringement to an end;	
(b) where necessary, on the basis of a prima facie finding of infringement, order interim measures to avoid any irreparable damage;	
(c) impose, pursuant to Article 56, an administrative fine or, as applicable, a periodic penalty payment;	
(d) suspend or withdraw the authorisation of the concerned Union space operator of Union-owned assets, or respectively the registration in URSO of the concerned space services provider referred to in Article 48(1), points (b) and (c);	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
(e) issue a public notice indicating the Union space operator of Union-owned assets or Article 48(1), points (b) and (c), responsible for the infringement and the nature of the infringement.	[redacted]
2. When taking the actions referred to in paragraph 1, the Commission shall consider the nature and seriousness of the infringement, having regard to the criteria referred to in Article 54(2).	

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Commission proposal	Drafting Suggestions and Comments
Article 56	[redacted]
Fines and periodic penalty payments	[redacted]

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Commission proposal	Drafting Suggestions and Comments
1. Where the Agency proposes, pursuant to Article 54(1), first subparagraph, in respect to a Union space operator of Union owned-assets or a space services provider referred to in Article 48(1), points (b) and (c), that the Commission imposes a fine or a periodic penalty payment, for an infringement of this Regulation, the Commission may impose within the decision finding an infringement a fine or a periodic penalty payment, in accordance with paragraphs 2, 3, 4, 5, 6 and 7.	[redacted]
2. An infringement shall be considered to have been committed intentionally if objective factors demonstrate that a person acted deliberately to commit that infringement.	IE (Comments): IE: It is important to include consideration of whether an infringement is intentional, however it is also important to take into account whether the infringement was negligent and/or reckless, as distinct from purely accidental (cf. Article 54(2)(d))
3. The maximum amount of the fine referred to in paragraph 1 shall be twice the amount of the profits that have been gained or twice the amount of losses that have been avoided because of the breach, where those can be determined, or, where this determination is not possible, 2 % of the total	[redacted]

Commission proposal	Drafting Suggestions and Comments
worldwide annual turnover, as defined in the relevant Union law, of a legal person in the preceding financial year.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
4. When determining the level of the fine to be imposed pursuant to paragraph 1, the Commission shall take into account the criteria set out in Article 54(2).	
5. The Commission may impose periodic fines and penalty payments to compel Union space operators of Union-owned assets, and respectively space services providers referred to in Article 48(1), points (b) and (c), to put an end to the infringement or to submit to an investigation, and in particular to produce the complete records, data, procedure or any other material required, and to complete and correct any other information provided in an investigation launched by a decision taken pursuant to Article 50.	[redacted]
6. A periodic penalty payment shall be effective and proportionate. The periodic penalty payment shall be imposed for each day of delay.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
7. A periodic penalty payment shall be imposed for a maximum period of 6 months, following the notification of the decision of the Commission, unless it is determined, in the review of that measure, at the end of the period or 6 months, that the measure has not reached its purpose.	
8. The amounts of the fines and periodic penalty payments shall be allocated to the general budget of the European Union.	
9. With regard to the imposition of fines and periodic penalty payments in accordance with this Article, the Commission shall adopt delegated acts in accordance with Article 113, to supplement this Regulation, by laying down:	

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Commission proposal	Drafting Suggestions and Comments
(a) the detailed criteria and methodology for establishing the amounts of the fines and periodic penalty payments;	
(b) the detailed rules for the enquiries, associated measures and reporting, as well as the decision-making, including provisions on the rights of defence, access to file, legal representation, confidentiality and temporary provisions; and	
(c) the procedures for the collection of the fines and periodic penalty payments.	
10. The Court of Justice of the European Union shall have unlimited jurisdiction to review decisions imposing fines or periodic penalty payments. It may annul, reduce or increase the amount of a fine or periodic penalty payment imposed.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
Article 57	
Right to be heard of the persons subject to investigations	[redacted]
1. The Commission, before taking a decision pursuant to Articles 55 and 56, shall give Union space operators of Union-owned assets and space services providers referred to Article 48(1), points (b) and (c), which are subject to the proceedings, the opportunity to be heard on the findings and grounds on which the Commission intends to adopt a decision.	
The Commission shall base its decisions only on findings on which the persons subject to the proceedings have had an opportunity to comment.	
2. Persons subject to the proceedings shall be entitled to have access to the file held by the Commission, subject to the legitimate interest of other persons in the protection of business secrets.	

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Commission proposal	Drafting Suggestions and Comments
The right of access to the file shall not extend to confidential information or to internal preparatory documents of the Agency or of the Commission.	
Title IV **TECHNICAL RULES**	[redacted]
Chapter I **SAFETY AND SUSTAINABILITY IN SPACE**	
SECTION 1 **LAUNCHERS**	

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Commission proposal	Drafting Suggestions and Comments
Article 58	
Launch Safety Plan	
The Union launch operator shall submit to the competent authority a Launch Safety Plan in accordance with point 3, of Annex I.	
Article 59	
Safety and coordination measures during launch and re-entry	
1. Union launch operators shall take appropriate measures to mitigate the risk of collision between the launcher and aircraft, maritime vessels or spacecraft, and debris in orbit, during the launch and re-entry phases.	
2. The mitigation measures referred to in paragraph 1 shall include:	

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Commission proposal	Drafting Suggestions and Comments
(a) the implementation of the coordination requirements laid down in point 1.1, of Annex I with the competent authorities regarding air traffic services, the collision avoidance space services provider and the air traffic service providers that could be impacted.;	
(b) the performance of a risk assessment - the Launch Collision Avoidance ('LCOLA') - in accordance with point 1.2, of Annex I, and the implementation of the launch closure window accordingly;	
(c) the calculation and limitation of the casualty risk at launch and re-entry, in accordance with point 1.3, of Annex I.	
3. The Commission shall, by means of implementing acts:	[redacted]

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Commission proposal	Drafting Suggestions and Comments
(a) develop the method to calculate the LCOLA, based on the probability of collision which shall be adapted depending on the object of interest size, and on whether the spacecraft is habitable or active;	
(b) select, among existing methods, and develop, a new method for the calculation of the collective risk for casualties due to launch and re-entry, with due consideration for the following elements:	[redacted]
(i) all the phenomena leading to a risk of catastrophic damage (ascent phase, fallout from stage after separation, re-entry into the atmosphere of a deck put into orbit, recovery phase of a reusable deck);	
(ii) pre-fragmentation trajectories (atmospheric or in outer space), depending on the flight times and faults considered;	

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Commission proposal	Drafting Suggestions and Comments
(iii) the corresponding fragmentation and debris generation scenarios, at the re-entry or at the moment of neutralisation of the launch vehicle and the return to Earth of any element of the launcher;	
(iv) the dispersion on the ground of the debris and the evaluation of the effects thereof;	
(v) the reliability of the launch vehicle for the launch phase, including, where applicable, during the recovery phase;	
(vi) the reliability of the deorbiting manoeuvre of the launcher element put into orbit, in the case of controlled re-entry;	
(c) establish the thresholds for the casualty risks, in accordance with point 1.3, point (b), of Annex I, for the mentioned risk scenarios;	
(d) set up the minimum coordination requirements between the Union launch operator, the collision avoidance space services provider, the	[redacted]

Commission proposal	Drafting Suggestions and Comments
competent authorities and traffic services providers to assess the impact of launch operations on other air traffic services during the launch and re-entry phases and to minimise the disruption.	[redacted]
Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 114(2).	
Article 60	
Flight safety system	
1. Launch vehicles shall either incorporate tracking devices or establish means of tracking that enable real-time monitoring of the launch vehicle position and of velocity.	
2. Launch vehicles shall incorporate at least a telemetry data transmitting system for monitoring the launch vehicle performance data,	

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Commission proposal	Drafting Suggestions and Comments
except where the pre-flight analysis establishes that the flight of the launch vehicle will not result in an unknown and hazardous impact area of dispersion.	
3. Union launch operators shall conduct a risk assessment to identify potential risk scenarios and implement mitigatory measures, in accordance with point 2.1, of Annex I.	
4. Union launch operators shall add an on-board system for the neutralisation of the launcher, in accordance with point 2.2, of Annex I.	
Article 61	
Space debris mitigation for launchers	
1. Union launch operators shall limit debris creation through the implementation of the following measures:	

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Commission proposal	Drafting Suggestions and Comments
(a) limitation of planned release of debris into Earth, during nominal operations, through the implementation measures set out in point 1.1, of Annex II;	
(b) protection against accidental fragmentation, through the implementation measures set out in point 1.2, of Annex II and point 1.3, of Annex II;	
(c) end-of-life disposal, in accordance with point 2, of Annex II.	
2. Union launch operators shall submit the following space debris mitigation plans:	
(a) a debris control plan, in accordance with the technical and operational requirements laid down in point 3.1, of Annex II;	

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Commission proposal	Drafting Suggestions and Comments
(b) an end-of-life disposal plan, in accordance with point 3.2, of Annex II.	
3. The Commission shall, by means of implementing acts:	[redacted]
(a) establish the time period for when a launch vehicle deployed in Low Earth Orbit (LEO) shall be disposed, in accordance with point 1.1.1, point (e), of Annex II, including specific measures for the pyrotechnic system and the solid or hybrid propellant;	[redacted]
(b) establish the safe region and time for disposal of launch vehicles deployed in Medium Earth Orbit (MEO), in accordance with point 1.1.1, point (d), of Annex II, including specific measures for the pyrotechnic system and the solid or hybrid propellant;	[redacted]

Commission proposal	Drafting Suggestions and Comments
(c) establish the threshold of probability of the risk of accidental fragmentation in orbit due to internal causes point 1.2.1, of Annex II;	[redacted]
(d) establish the duration and the threshold of the risk of fragmentation due to collision in accordance with point 1.3, of Annex II;	[redacted]
(e) develop the conditions for design of the launch vehicle for demise for atmospheric re-entry and uncontrolled re-entry referred to in point 2.2, point (b)(ii), of Annex II; and	[redacted]
(f) develop the calculation method of the probability of successful disposal and the percentage threshold referred in point 2.5, of Annex II.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 114(2).	[redacted]
SECTION 2 **SPACECRAFT**	
Article 62	
Special regime for research and education spacecraft	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
1. Union spacecraft operators of research and education missions, are exempted from the requirements laid down in:	[redacted]
(a) Article 66, for research spacecraft intended to be placed in an orbit above the limit prescribed in that Article and below 600 km, where:	
(i) a trackability system enables a precise positioning of the spacecraft and;	

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Commission proposal	Drafting Suggestions and Comments
(ii) the relevant space mission documents demonstrated why manoeuvrability capabilities were not retained;	
(b) Article 72, for spacecraft intended to remain in orbit less than one year;	
(c) point 2.3, of Annex IV;	
(d) point 2.5, of Annex IV;	
(e) Point 1.2.1, point (e)(iv), of Annex V;	
(f) Point 4.3, point (f)(iii), of Annex V.	
For the purposes of point (c), of the first subparagraph, a contact point shall be available to respond in a reasonable operational time for LEO/MEO/GEO.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
For the purposes of point (d), of the first subparagraph, the Union spacecraft operator of the research spacecraft may request the Union collision avoidance space services provider referred to in Article 64(1) to assist in the delivery of its spacecraft ephemerides and covariances.	[redacted]
For the purposes of point (e), of the first subparagraph, an obligation of redundancy shall take into consideration the technical limitations linked to the size of the spacecraft.	
2. The exceptions referred to in paragraph 1 shall be assessed on a case-by-case basis, by taking into consideration the size and the weight of the spacecraft, and the duration and orbit of the mission.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
Article 63	
Trackability	[redacted]
1. Union spacecraft operators shall ensure that a spacecraft possesses the technical means to allow trackability and precise determination of the orbital position, in accordance with point 1, of Annex III.	
Union spacecraft operators shall ensure that systems at the ground segment are able to process data in an existing recognised data format, in accordance with point 2, of Annex III.	

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Commission proposal	Drafting Suggestions and Comments
2. The Commission shall, by means of implementing acts, specify the level of precision required for the trackability of spacecraft, as referred to in point 1.1, of Annex III. That implementing act shall be adopted accordance with the examination procedure referred to in Article 114(2).	[redacted]

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Commission proposal	Drafting Suggestions and Comments
Article 64	
Collision Avoidance (CA)	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
1. Union spacecraft operators shall subscribe to the CA space services provided by the collision avoidance space services provider in charge of the Space Surveillance and Tracking (SST) sub-component referred to in Article 58(2) of Regulation (EU) 2021/696 ('Union CA space services provider').	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
2. The subscription referred to in paragraph 1 shall cover all phases of a space mission, including orbit raising, ISOS and end of life phases, with the exclusion of the re-entry phase.	
3. During operation, Union spacecraft operators shall inform without delay the Union CA space services provider of any of the following:	
(a) any planned changes to the operation;	
(b) the decision to start the disposal phase and to initiate the end-of-life phase, by providing the relevant information three months in advance from the date of the start of the procedure;	
(c) any unplanned changes to the operations, including regarding problems encountered during the lifetime of the space mission and the	[redacted]

Commission proposal	Drafting Suggestions and Comments
disposal phase, that would impact compliance to this Regulation, without undue delay.	[redacted]
4. Union spacecraft operators shall comply with the requirements laid down in point 2, of Annex IV, and shall cooperate with the Union CA space services provider, in accordance with the requirements therein.	
5. Upon receipt of a high interest event alert, Union spacecraft operators shall inform without delay the Union CA space services provider of all actions taken to avoid the collision, in accordance with point 2, of Annex IV.	
	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
Article 65	
Re-entry services	[redacted]
1. Union spacecraft operators shall send the necessary data and information, such as positioning, state of the spacecraft, possibility to communicate, to enable a more accurate re-entry service to the Union CA space services provider referred to in Article 64(1), without prejudice to the transmission to the entity in charge of re-entry service in the Space	

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Commission proposal	Drafting Suggestions and Comments
Surveillance and Tracking (SST) sub-component referred to in Article 58(2) of Regulation (EU) 2021/696.	
2. The entity in charge of re-entry service referred to in paragraph 1 shall ensure the necessary coordination with the relevant authorities and air traffic services providers to minimise the impact of the re-entry on other traffic services.	
Article 66	
Spacecraft manoeuvrability	
1. Union spacecraft operators shall ensure that a spacecraft is designed, produced, and operated in a way that allows the spacecraft to have and enable manoeuvrability capabilities for orbits with an apogee above 400 km.	

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Commission proposal	Drafting Suggestions and Comments
2. The manoeuvrability capability referred to in paragraph 1 shall at least:	
(a) comply with the requirements set out in point 2, of Annex IV, and allow to respond to a high interest event alert, in accordance with Article 64(5);	
(b) enable the performance end-of-life disposal in accordance with Article 70(1), point (c);	
The ground segment shall be capable of receiving orbital forecasts and process data in accordance with point 2, of Annex III.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
Article 67	
Contact list database for high interest event alerts	[redacted]
1. The Agency shall set up and manage a Union contact list database for high interest event alerts (‘contact list database’).	
2. Union spacecraft operators shall report to the Agency the contact details of their relevant staff in charge of collision avoidance and re-entry	

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Commission proposal	Drafting Suggestions and Comments
activities, for inscription by the Agency into the contact list database established in accordance with paragraph 1.	
3. The Agency shall share the contact list database with the Union collision avoidance space services provider referred to in Article 64(1).	[redacted]
Article 68	
Orbital traffic rules	
1. Union spacecraft operators shall comply with the orbital traffic and coordination requirements laid down in point 2, of Annex IV.	

Commission proposal	Drafting Suggestions and Comments
2. The Commission shall, by means of implementing acts, adopt rules specifying the collision avoidance requirements laid down in point 2, of Annex IV.	[redacted]
Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 114(2).	
Article 69	
Positioning in orbit	

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Commission proposal	Drafting Suggestions and Comments
1. Before launch, Union spacecraft operators shall analyse the choice of orbit and shall give reasons for that choice.	[redacted]
Union spacecraft operators shall select the orbit based on an analysis taking into account the existing spacecraft and the debris in orbits.	

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Commission proposal	Drafting Suggestions and Comments
2. The Commission shall, by means of implementing acts, develop:	
(a) specific methods of calculating the congestion of LEO, MEO and GEO;	[redacted]
(b) methods to calculate the selection of the orbit, on the basis of recognised and state of the art methods.	[redacted]
Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 114(2).	
Article 70	
Space debris mitigation	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
1. Union spacecraft operators shall take the following measures:	
(a) limitation of planned generation of debris into Earth, during nominal operations, in accordance with point 1.1, of Annex V;	
(b) limitation of risk of accidental fragmentation, in accordance with point 1.2, of Annex V and point 1.3, of Annex V;	
(c) completion of the end-of-life disposal, in accordance with point 3, of Annex V;	
(d) implementation of a failure response plan, in accordance with point 4.3, of Annex V;	

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Commission proposal	Drafting Suggestions and Comments
(e) ensuring the reliability of the design, in accordance with point 2.1, of Annex V; and	
(f) setting-up the operational procedures for the quality and reliability control, in accordance with point 2.2, of Annex V.	
2. Union spacecraft operators shall draw up the following space debris mitigation plans and shall demonstrate fulfilment of the requirements laid down in paragraph 1:	
(a) a debris control plan, in accordance with point 4.1, of Annex V;	
(b) an end-of-life disposal plan, in accordance with point 4.2, of Annex V;	
(c) a failure response plan, in accordance with point 4.3, of Annex V.	

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Commission proposal	Drafting Suggestions and Comments
3. The Commission may, by means of implementing acts:	
(a) develop the measures to limit the generation of debris, by restricting projected releases of debris by numbers and duration in orbit, including specific rules for pyrotechnic devise and solid rocket motors design as referred to in point 1.1, of Annex V;	[redacted]
(b) develop measures to limit risk of fragmentation to:	
(i) limit the internal causes of fragmentation and the risk of collision referred to in point 1.2.1, point (a), of Annex V;	
(ii) develop the design and manufacture requirements to limit the risk of fragmentation due to collision referred to in point 1.3, points (a) and (b), of Annex V;	[redacted]

Commission proposal	Drafting Suggestions and Comments
(iii) develop the method to calculate the probability of collision and the threshold referred to in point 1.3, points (c) and (d), of Annex V;	[redacted]
(c) specify the end of life measures by:	
(i) determining the threshold for the probability of successful disposal and the method for calculation referred to in point 3.1.2, of Annex V and point 3.1.3, of Annex V;	
(ii) defining the maximum orbital lifetime in LEO before re-entry, referred to in point 3.4.2, of Annex V;	
(iii) developing the requirements related to re-entry for LEO, referred to in point 3.5.4, of Annex V, point 3.5.6, of Annex V and point 3.5.8, of Annex V;	

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Commission proposal	Drafting Suggestions and Comments
(iv) setting out the specific requirements for re-entry for MEO, referred to in point 3.6, of Annex V;	
(d) specify the technical conditions for soft passivation referred to point 1.2.1, point (e)(v)(2), of Annex V, and for passivation for re-entry referred to in point 1.2.1, point (f), of Annex V;	
Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 114(2).	
4. The Commission is empowered to adopt delegated acts in accordance with Article 113 to amend the order of preference laid down in point 3.3, of Annex V, in order to reflect and adapt such order to the technological progress as regards ISOS.	
Article 71	

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Commission proposal	Drafting Suggestions and Comments
Mission extension	
1. Where a Union spacecraft operator wishes to extend a space mission, that Union spacecraft operator shall submit to the competent authority a request to extend a space mission, at the latest 3 months before the planned end of the concerned space mission.	
2. Upon request submitted in accordance with paragraph 1, the competent authorities may decide to extend the duration of a space mission carried out by a Union spacecraft operator beyond the period for which the initial authorisation has been granted.	
3. Competent authority shall approve the request for the extension of the space mission if the spacecraft still meets the requirements laid down in Annex V.	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
Article 72	
Light and radio pollution	[redacted]
1. Union spacecraft operators shall establish a plan containing measures that are adequate to limit light and radio pollution in accordance with paragraph 2.	
2. The visual magnitude for spacecraft during the entire lifetime, including the design requirements on low reflectivity coating or shielding, shall be at least 7 magnitude.	[redacted]
The plan referred to in paragraph 1 shall include all of the following elements:	

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Commission proposal	Drafting Suggestions and Comments
(a) a description of the technical and operational measures implemented by the Union spacecraft operator to reduce the visible brightness of the spacecraft and to minimise the impact of satellites on astronomical observations;	
(b) a description of the technical and operational measures implemented by the Union spacecraft operator to limit disruptions for radio astronomy observatories and to minimise the impact of satellites on astronomical observations.	
Article 73	
Constellations	
1. Union spacecraft operators of a constellation, a mega-constellation or a giga-constellation shall:	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
(a) ensure that each individual spacecraft has a propulsion system;	
(b) maintain at the ground segment a catalogue of the individual spacecraft trajectories and perform on a daily basis collision risk screenings;	
(c) ensure the safety in accordance with the requirements laid down in point 1, of Annex VI, as regards intra-constellation collision avoidance measures;	
(d) comply with the additional reporting obligations referred to in point 2, of Annex VI.	
2. Union spacecraft operators of a mega-constellation or a giga-constellation shall:	

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Commission proposal	Drafting Suggestions and Comments
(a) take into consideration, for the choice of the orbit, the following elements:	
(i) the full constellation deployment's impact on the orbit congestion;	
(ii) before choosing the orbit, existing constellations in orbit;	
(iii) ensure that the orbit chosen does not collocate with other space object implying a high number of recurrent and systematic conjunction situations;	
(iv) the total number of collision avoidance manoeuvres expected during the lifetime of the satellite constellation.	
(b) limit the consequences of dead-on arrival spacecraft, by injecting spacecraft at an orbit:	
(i) that allows a short re-entry period of the spacecraft;	

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Commission proposal	Drafting Suggestions and Comments
(ii) where there are limited collision risks.	
(c) ensure that the requested probability of successful disposal referred to in Article 70(1), point (c), is proportionate to the number of spacecraft;	[redacted]
(d) ensure that the time spent in orbit after the end-of-life is lower compared to the one laid down in Annex V.	
3. Union space operators of a giga-constellation shall provide to the competent authority, during the spacecraft design and operation, a plan evidencing the availability of propellant necessary to tackle the high number of manoeuvres related to the anticipated number of required collision avoidance.	

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Commission proposal	Drafting Suggestions and Comments
4. The Commission shall, by means of implementing acts:	
(a) specify the risk of intra-constellation collision, in accordance with point 1.2, point (c), of Annex VI;	
(b) limit light and radio pollution, in accordance with point 2.1, of Annex VI.	
Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 114(2).	
Article 74	
Applicability of product requirements	

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Commission proposal	Drafting Suggestions and Comments
In their contracts concluded with supplier manufacturers, Union space operators shall ensure the conformity of contracted space objects or, as applicable, conformity of components, with the design and the manufacturing requirements as laid down in this Chapter.	

Chapter II **RESILIENCE OF SPACE INFRASTRUCTURE**	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
SECTION 1 **GENERAL PROVISIONS**	

Commission proposal	Drafting Suggestions and Comments
Article 75	[redacted]

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Commission proposal	Drafting Suggestions and Comments
Relationship with NIS 2 and CER Directives	[redacted]
1. In relation to Union space operators qualifying as essential or important entities pursuant to Article 3 of Directive (EU) 2022/2555 with regard to space activities and space services covered by this Regulation, this Regulation shall be considered, as regards Article 21 of Directive (EU) 2022/2555, related to cybersecurity risk-management measures, a sector-specific Union legal act, for the purposes of Article 4 of that Directive.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
	[redacted]
2. Where Union space operators have been identified as critical entities in accordance with Directive (EU) 2022/2557, this Regulation shall apply in complementarity with Directive (EU) 2022/2557.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
3. For the purposes of this Chapter, the competent authorities shall cooperate with the relevant authorities designated or established pursuant to Article 9(1) of Directive 2022/2557, as follows:	[redacted]

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Commission proposal	Drafting Suggestions and Comments
(a) in the context of supporting the risk assessments to be carried out under this Regulation, pursuant to Article 78(2), and the risk assessments to be carried out under Directive (EU) 2022/2557, pursuant to Article 12(2), second subparagraph, and to Article 13(2);	
(b) whenever necessary for the purposes of ensuring consistency in the application of this Regulation and Directive (EU) 2022/2557, and of sharing information, including for the purposes referred to in Articles 11, 15, 18 and 21 of that Directive.	
SECTION 2 **RISK MANAGEMENT**	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
Article 76	[redacted]
Risk management through the lifecycle of space missions	
1. Union space operators shall take all the necessary measures to manage the risks posed to the security of network and information systems and the security of the physical infrastructure and environment, in accordance with the principle of proportionality, taking into account their risk profile and size, as well as the nature, scale and complexity of their space activities.	[redacted]
The measures referred to in the first subparagraph shall be:	

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Commission proposal	Drafting Suggestions and Comments
(a) comprehensive, to cover, depending on the tasks being carried out, all segments of space infrastructure, including the ground infrastructure, encompassing the systems and subsystems thereof;	
(b) appropriate and proportionate to risks;	
(c) based on an all hazard-approach.	
2. The measures referred to in paragraph 1, first subparagraph, shall allow Union space operators to:	
(a) ensure at all times the resilience of space infrastructure;	[redacted]
(b) maintain effective technical control of their space missions, while allowing a level of risk that is appropriate and consistent with the objectives	

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Commission proposal	Drafting Suggestions and Comments
and the features of each space mission and compliant with supervisory instructions.	
3. Union space operators shall take into account at least the following criteria when assessing the appropriate and consistent level of risk in accordance with paragraph 2, point (b):	
(a) the type and features of the space mission, such as its specific objectives, the orbit, the constellation size;	[redacted]
(b) the impact upon other space activities;	
(c) the size of the respective entity, the degree of exposure to risk and the likelihood and severity of incidents, including their societal and economic impact.	

Commission proposal	Drafting Suggestions and Comments
4. Union space operators shall manage the risks referred to in paragraph 1, first subparagraph, to ensure the digital and physical resilience of space infrastructure, throughout the lifecycle of space missions, with due regard to:	[redacted]
(a) the conception and design phases, including the preparatory activities to the manufacturing phase, such as mission analysis, system analysis, system definition, system design, until the complete determination of systems;	
(b) the manufacturing and test phases, such as manufacture, assembly, integration, verification, validation and qualification phases;	[redacted]
(c) the operational phase, including:	
(i) the transport, commissioning, launch and early orbit phase (‘LEOP’);	

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Commission proposal	Drafting Suggestions and Comments
(ii) the operation of a space object, the routine phase, the activities related to the control, management and monitoring of a space mission and any relevant coordination thereof;	
(iii) maintenance of the ground segment and space segment;	
(iv) carrying out in-space operations and services, such as on-orbit servicing;	
(d) the end of life phases, notably the end of the space mission, the passivation, the disposal, the decommissioning and de orbiting phases;	
(e) any supporting activities, such as transport, storage, logistics, maintenance services, management of general ICT infrastructure.	

Commission proposal	Drafting Suggestions and Comments
5. Union space operators shall establish, implement and maintain an information security management system in accordance with relevant standards.	[redacted]
The information security management system referred to in the first subparagraph shall be part of the overall risk management of Union space operators and shall be implemented in a way that allows them to efficiently and comprehensively address all sources of risk, pursuant to Article 78(1), point (a), and the principles laid down in paragraph 2, point (b).	
6. Union space operators shall establish, implement and apply a policy and procedures to assess whether the cybersecurity risk-management measures taken are effectively implemented and maintained.	

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Commission proposal	Drafting Suggestions and Comments
Article 77	
Organisational aspects	
1. The management body of a Union space operator shall oversee, be responsible and held liable for, the implementation of the risk management measures taken to ensure compliance with the requirements laid down in this Chapter.	[redacted]
2. Union space operators shall set up, revise and monitor internal mechanisms regarding the human resources security policy, to ensure that all personnel, understand and commit to security responsibilities, in line with roles and responsibilities. Union space operators shall set up human resources polices to ensure throughout the hiring and disciplinary processes any needed vetting and checks.	

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Commission proposal	Drafting Suggestions and Comments
Article 78	
Risk assessments	[redacted]
1. Throughout the life cycle of space missions, Union space operators, shall:	
(a) identify and assess, on a continuous basis, all sources of risks;	
(b) regularly review the identified risks;	

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Commission proposal	Drafting Suggestions and Comments
(c) identify cybersecurity and physical vulnerabilities and incidents and analyse, in view of the risk assessment referred to in paragraph 2, when such vulnerabilities cannot be fixed or mitigated immediately;	
(d) establish dedicated risk treatment plans for all the cybersecurity vulnerabilities identified which create a risk above the level of risk referred to in Article 76(2), point (b).	
2. Union space operators shall carry out risk assessments in accordance with point 1, of Annex VII.	
3. The Commission is empowered to adopt delegated acts, in accordance with Article 113, to supplement this Regulation by:	

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Commission proposal	Drafting Suggestions and Comments
(a) establishing, for the purposes of the risk scenarios referred to in point 1.4, point (f), of Annex VII, the criteria for the identification of:	
(i) critical assets, critical functions, critical operations and critical stages, throughout the lifecycle of space missions, for which Union space operators shall develop security risk scenarios;	
(ii) critical assets and critical functions referred to in Article 79(1), first subparagraph, for which the entities applying a simplified risk management shall develop security risk scenarios;	
(b) developing risk scenarios that are tailored to the risks addressed by Union space operators, and respectively entities applying a simplified risk management;	
(c) establishing a minimal list of security objectives, including the risk levels to be taken into account;	

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Commission proposal	Drafting Suggestions and Comments
(d) developing the criteria and the methodology to ensure the comparability of risk assessments, to facilitate the supervisory activities ('supervisory reviews') of competent authorities;	
(e) develop threat modelling methods to support the risk assessments for different segments and systems of space infrastructure;	
(f) develop risk treatment measures to be applied by the Union space operators.	
Article 79	
Simplified risk management	
1. Entities subject to the simplified risk management referred to in Article 10(3) shall apply the measures laid down in point 9, of Annex VII,	

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Commission proposal	Drafting Suggestions and Comments
only in relation to critical assets and critical functions, needed to address the risks of:	
(a) loss of control of assets with propulsion;	
(b) loss of control of assets with capacity to emit interferences susceptible to adversely impact the security of other space operations.	
2. Competent authorities shall submit to the Agency the list of entities applying a simplified risk management.	
3. The Agency shall report to the Commission annually on the application of the simplified risk management across the Union. The Agency may submit recommendations to facilitate supervisory convergence across the internal market.	

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Commission proposal	Drafting Suggestions and Comments
The main findings of the reports referred to in the first subparagraph shall be tabled, as appropriate, on the agenda of the meetings of the EU Space Resilience Network established in accordance with Article 94(1).	
4. To allow the provisions of this Regulation to be adapted to scientific and technical progress, based on the best available techniques, the Commission is empowered to adopt delegated acts in accordance with Article 113 to amend the requirements laid down in point 9, of Annex VII.	
Article 80	
Identification and management of information and assets of space infrastructure	
1. Union space operators shall establish, maintain and update comprehensive policies for the categorization and management of information and assets of space infrastructure.	

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Commission proposal	Drafting Suggestions and Comments
2. Union space operators shall identify and document assets in accordance with point 2, of Annex VII, considering the risk assessments referred to in Article 78(2), and proportionately with the need to monitor and detect incidents referred to in Article 83.	
3. Union space operators shall categorise information according to information security needs, based on, at least:	
(a) the need to ensure the confidentiality, integrity, authenticity and availability of information;	[redacted]
(b) the level of criticality required by the security level of the respective space mission.	

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Commission proposal	Drafting Suggestions and Comments
4. For the purposes of paragraphs 1, 2 and 3, Union space operators, and respectively entities applying a simplified risk management, as regards the critical assets and critical functions referred to in Article 79(1), first subparagraph, shall set up and maintain inventories.	
The inventories referred to in first subparagraph shall be drawn-up by individual space mission, indicating the origin and the current physical location of assets, including the identification of a cloud-based service, when relevant. Inventories shall be up to date.	
Article 81	
Management and control of access rights	
1. Union space operators shall implement the management and control of access rights through identity and access management protocols.	

PUBLIC

Commission proposal	Drafting Suggestions and Comments
2. The protocols referred to in paragraph 1 shall set-out the conditions and procedures for the logical and physical access rights to systems and assets, including for remote access.	
3. The identity and access management protocols referred to in paragraph 1 shall:	
(a) be capable of safeguarding accesses to the ground segment and to the centres for the control of the space segment;	
(b) allow restriction of physical and logical access to all critical assets, critical information, critical functions, critical operations and, as appropriate, critical equipment or information identified in accordance with Article 80(2);	
(c) be tailored to standard operations and to emergency situations, to enable effective and timely emergency responses upon the activation of the response and recovery plans referred to in Article 87.	

PUBLIC

Commission proposal	Drafting Suggestions and Comments
4. When setting-out the conditions and procedures referred to in paragraph 2, Union space operators shall cover the issuance, the continuous management (including change, upgrade or downgrade), the revocation, termination, verification and the audit of logical and physical access rights for all authorised devices, processes, and users.	
Those conditions and procedures shall be based on the principles of 'need to know' and 'the least privilege' (limitation to what is required for ensuring a legitimate and approved use or activity).	
5. The identity and access rights referred to in paragraph 2 shall be revoked automatically when the authorizations of staff or devices expire or are no longer needed.	
6. The identity and access management protocols referred to in paragraph 1 shall ensure adequate protection of information and assets identified in accordance with Article 80(2) from risks, including from damage, misuse or unauthorised access or usage.	

PUBLIC

Commission proposal	Drafting Suggestions and Comments
Article 82	
Physical resilience	
1. Union space operators shall take the measures laid down in point 3, of Annex VII, and any other measures that are necessary and adequate to ensure the resilience of the physical assets and which are at least equivalent to the technical, security and organisational measures referred to in Article 13 of Directive (EU) 2022/2557 to ensure the resilience of the ground segments.	[redacted]

Commission proposal	Drafting Suggestions and Comments
2. Where Union space operators have been identified as critical entities in accordance with Directive (EU) 2022/2557, this Regulation shall apply without prejudice to, and in complementarity with, that Directive.	[redacted]
3. Union space operators shall define, protect and segregate areas that contain assets and information which are deemed sensitive or identified as critical, based on the identification carried out pursuant to Article 80(2).	
4. The Commission is empowered to adopt delegated acts in accordance with Article 113, to amend the requirements laid down in point 3, of Annex VII, to adapt them to the scientific and technical progress, based on the best available techniques.	
Article 83	[redacted]

PUBLIC

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Commission proposal	Drafting Suggestions and Comments
Detection and monitoring of incidents	
1. Union space operators shall monitor on a continuous basis the occurrence of anomalies and incidents by using appropriate detection systems and mechanisms.	
2. Union space operators, and respectively entities applying the simplified risk management, as regards the critical assets and critical functions referred to in Article 79(1), first subparagraph, shall ensure that the ground stations have access to detection systems and mechanisms that comply with at least the requirements laid down in point 4, of Annex VII.	
3. The spacecraft and the ground segment shall be configured to generate and respectively receive, upon detection of an incident, a security event which shall be sent to a security monitoring subsystem. The security monitoring subsystem of the ground segment shall be, in terms of information technology, segregated from the rest of the infrastructure (logical segregation).	

PUBLIC

Commission proposal	Drafting Suggestions and Comments
4. Union space operators shall ensure that the detection systems and mechanisms are regularly tested in accordance with Articles 88 and 89.	
5. The Commission is empowered to adopt delegated acts in accordance with Article 113, to amend the list of requirements laid down in point 4, of Annex VII, to adapt them to the scientific and technical progress, based on the best available techniques.	
Article 84	[redacted]
Prevention and protection	

PUBLIC

Commission proposal	Drafting Suggestions and Comments
1. Union space operators shall tailor the measures concerning the cybersecurity of the spacecraft and the ground segment adopted in accordance with this Chapter to the specific needs of the space mission and shall adequately cover the risks identified in the security risk assessment referred to in Article 78(2).	
2. Union space operators shall ensure that the network and information systems fulfil the following conditions:	
(a) they comply with the requirements laid down in point 5.1, of Annex VII;	
(b) they are configured to allow the ground segment to supervise the telemetry/telecommand on ground and to supervise the state of the spacecraft;	

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Commission proposal	Drafting Suggestions and Comments
(c) they enable Union space operators to maintain effective technical control of the space segment.	
3. Union space operators, and respectively entities applying a simplified risk management, as regards the critical assets and critical functions referred to in Article 79(1), first subparagraph, shall ensure that only authorised devices communicate with the systems in charge of the control, command of a satellite, and configuration of the space mission.	
They shall comply to that effect with at least the requirements laid down in point 5.2, of Annex VII and point 5.3, of Annex VII.	
4. Union space operators shall implement preventive and protective measures that are necessary and adequate to ensure the resilience of space activities, by taking at least the measures regarding the ground segment which are laid down in point 5.4, of Annex VII.	

PUBLIC

Commission proposal	Drafting Suggestions and Comments
5. The Commission is empowered to adopt delegated acts in accordance with Article 113 to amend the requirements laid down in point 5, of Annex VII, to adapt them to the scientific and technical progress, based on the best available techniques.	
Article 85	
Cryptography and encryption	
1. Based on the risk assessment referred to in Article 78(2), Union space operators, and respectively entities applying a simplified risk management, as regards the critical assets and critical functions referred to in Article 79(1), first subparagraph, shall comply with the following:	
(a) they shall define a cryptographic concept to ensure the cybersecurity of the space missions, by duly considering all the relevant criteria, such as	

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Commission proposal	Drafting Suggestions and Comments
the objective of the space mission, the features of the payload, any functional requirement and any relevant threat scenarios;	
(b) they shall select cryptographic mechanisms in accordance with the relevant standards and recommendations of competent authorities;	
(c) they shall implement policies and procedures for the use of cryptography and encryption for their space missions.	
2. Union space operators shall establish a lifecycle management policy for the cryptographic keys which shall set out rules for the protection and management of cryptographic key to ensure the secure generation, use, storage, distribution, and disposal thereof.	
3. For the purposes of paragraph 1, first subparagraph, Union space operators shall implement at least the following requirements:	

PUBLIC

Commission proposal	Drafting Suggestions and Comments
(a) end-to-end authentication of the links between the satellite control centres and the space segment, by using cryptographic mechanisms between the ground segment and the satellite;	
(b) ensure the encryption of telecommands considering the risk assessments referred to in Article 78(2), and following recommendations from supervisory reviews;	
(c) ensuring the availability of cryptographic keys and parameters that are necessary to ensure the implementation of the response and recovery plans referred to in Article 87, through redundant cryptographic equipment, or by implementing key escrowing.	
4. The Commission is empowered, in accordance with Article 113, to adopt delegated acts to further supplement the use by Union space operators of cryptographic products and related key management products or services certified under the European cybersecurity certification schemes adopted pursuant to Article 49 of Regulation (EU) 2019/881, to ensure the protection of the telemetry and telecommands.	

Commission proposal	Drafting Suggestions and Comments
Article 86	[redacted]
Backup management and redundancies	[redacted]
1. Union space operators and respectively entities applying a simplified risk management, as regards the critical assets and critical functions referred to in Article 79(1), first subparagraph, shall ensure a sound and comprehensive backup management policy to enable the restoration of the network and information systems, and to facilitate, with minimum downtime	

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Commission proposal	Drafting Suggestions and Comments
and limited disruption or loss recovery, the recovery processes and the retrieval of data, upon the activation of the response and disaster recovery measures.	
That policy shall specify the data subject to the backup management, the frequency of backups, and the restoration and recovery procedures and methods used.	
2. Union space operators shall ensure that the backup systems do not jeopardise the security of the network and information systems, or the confidentiality, integrity, authenticity, and availability of data.	
3. Union space operators and respectively entities applying a simplified risk management, as regards the critical assets and critical functions referred to in Article 79(1), first subparagraph, shall ensure sufficient redundancies of relevant components of the network and information systems in the ground segment.	

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Commission proposal	Drafting Suggestions and Comments
They shall in particular:	
(a) ensure redundancies of elements, other than the components of the network and information systems, as necessary to safeguard the continuity of operations, for instance redundancies of power supply in the form of generators for secondary processing sites;	
(b) ensure geographical splitting into distinct locations, as deemed appropriate, of redundant elements and of back-up;	
(c) ensure an adequate survivability of the space segment, without intervention, to facilitate quick recovery from incidents, such as notably from cyber-attacks, disasters, failures, as well as from an accidental interruption of services.	
4. The Commission is empowered to adopt delegated acts in accordance with Article 113, to specify further the requirements on backup needed to ensure adequate survivability of the space segment and to facilitate quick	[redacted]

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Commission proposal	Drafting Suggestions and Comments
recovery from incidents in order to allow the provisions of this Regulation to be adapted to scientific and technical progress, based on the best available techniques.	
Article 87	
Business continuity policy and response and recovery plans	[redacted]
1. As part of their risk management, Union space operators shall put in place and shall document incident and crisis management measures. The measures shall be structured into a business continuity policy which shall be implemented through tailored response and recovery plans.	[redacted]
2. The response and recovery plans referred to in paragraph 1 shall allow Union space operators to quickly and effectively respond to incidents and contain the adverse effects thereof.	

PUBLIC

Commission proposal	Drafting Suggestions and Comments
3. The crisis management measures taken by Union space operators shall build on the measures established, within the space segment and the ground segment, including redundancies and backups, to mitigate in particular the following:	
(a) natural disasters;	
(b) operation accidents;	
(c) disruptions in the supply of utilities, notably during the operation phases;	
(d) loss of power generation, power failures and disturbances and changes of conditioning of the relevant equipment;	

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Commission proposal	Drafting Suggestions and Comments
(e) loss of physical assets at the ground segment, including, for instance, loss of mission control centres, loss of satellite control centres, and loss of terrestrial interconnection between them;	
(f) interferences on the ground-to-space, space-to-ground and the space-to-space radio frequency links;	
(g) altered or compromised parts of the ground segment, including as regards the cryptographic keys.	
When implementing the requirements set out in the first subparagraph, Union space operators shall take into consideration the need to maintain effective technical control of the space segment, and ensuring the continuity of services and minimising the areas of the unavailability of services.	
4. Union space operators shall ensure that staff involved in carrying out business continuity measures and implementing response and recovery plans have acquired full and adequate trainings needed to fulfil their roles.	

PUBLIC

Commission proposal	Drafting Suggestions and Comments
Article 88	
Testing	
1. Union space operators shall establish, maintain and review a testing programme for the network and information systems, as an integral part of their risk-management.	
2. The testing programme referred to in paragraph 1 shall include testing campaigns comprising all necessary tests, notably considering the risk assessment referred to in Article 78(2).	
3. Union space operators shall ensure that, prior to launch, or in the case of satellites part of a constellation, prior to the launch of the first batch of satellites, and at least every 3 years afterwards, they carry out Threat Led Penetration Testing (TLPT).	

PUBLIC

Commission proposal	Drafting Suggestions and Comments
The plan for testers carrying out a TLPT shall outline the scope and the methodology of the TLPT, the entity in charge of carrying out such test, the mitigation strategy for any risks which carrying out of a TLPT may entail.	
Testers carrying out TLPT shall comply with the following requirements:	
(a) they shall be of the highest suitability and reputability;	
(b) they shall possess all technical and organisational capabilities and shall demonstrate specific expertise in penetration testing;	
(c) they shall provide an independent assurance or an audit report;	
(d) they shall present a redress plan to address the identified risks.	

PUBLIC

Commission proposal	Drafting Suggestions and Comments
Testers that are external to the corporate structure of the Union space operators shall be certified by an accreditation body of a Member State or shall adhere to formal codes of conduct or ethical frameworks. They shall be fully covered by a relevant professional indemnity insurance against risks of misconduct and negligence.	
Union space operators shall monitor system failures and anomalies observed during the testing processes and evaluate their criticality.	
Article 89	
Learning and training	
1. Union space operators shall provide their staff with appropriate training, in accordance with paragraphs 2, 3, 4, 5 and 6.	

PUBLIC

Commission proposal	Drafting Suggestions and Comments
2. All staff of Union space operators shall be adequately and continuously trained and shall follow the trainings referred to in point 7.1, of Annex VII.	
3. Union space operators shall ensure that all staff receive tailored trainings in accordance with point 7.2, of Annex VII.	
4. All security personnel working for the Union space operators shall have the required security skills and shall be adequately trained.	
5. Staff of Union space operators operating in sensitive environments or handling sensitive equipment or data shall be regularly trained on the best methods and practices to carrying out such tasks.	
6. Union space operators shall incorporate the lessons learned from the handling of incidents by updating business continuity plans, training sessions and staff testing programmes.	

PUBLIC

Commission proposal	Drafting Suggestions and Comments
Article 90	
Crisis communication and disclosure policy	
1. Union space operators shall put in place a crisis communication strategy which shall enable responsible disclosure of significant incidents and shall be targeted to, and tailored for, each of the following categories:	
(a) staff involved in the execution of risk management tasks, notably response and response and recovery measures;	
(b) staff, other than that staff referred to in point (a), to the extent that communication to such staff is deemed appropriate for ensuring general corporate awareness, based on the need-to-know principle;	
(c) clients, to alert them of, and raise awareness of, significant cyber threats;	

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Commission proposal	Drafting Suggestions and Comments
(d) in the case of satellites hosting third-party payloads, where an incident has adverse impact on the satellite platform operations, the concerned third-party entity, according to a pre-defined agreement and following instructions set out in its response and disaster recovery plan.	
2. At least one person in the corporate structure of Union space operators shall be responsible of the implementation of the communication strategy referred to in paragraph 1 and shall fulfil the function of media officer.	
Article 91	[redacted]
Handling of incidents	

PUBLIC

Commission proposal	Drafting Suggestions and Comments
1. Union space operators shall establish and implement an incident management process that allows them to promptly detect, identify, handle and respond to incidents and to report significant incidents in accordance with Article 93.	
Union space operators shall set up roles and responsibilities in relation to the different types of incidents which shall be adapted to the different risk scenarios.	
2. Union space operators shall ensure that at least the significant incidents are reported to the senior risk management staff immediately.	
The management body shall receive, on a regular basis, to be determined by the chief information security officer, the security manager or the senior risk management officer, sufficient information about the significant incident, an assessment of their impact, information about the response and recovery measures which have been taken and any additional controls and procedures to be established in the follow-up of that significant incident.	

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Commission proposal	Drafting Suggestions and Comments
3. When a satellite hosts third-party payloads, and an incident has adverse impact on the satellite platform operations, Union space operators shall inform the concerned third-party entity and shall follow the instructions set out in the pre-defined agreements referred to in the second subparagraph and those set out in the response and disaster recovery plans.	
For those purposes of ensuring speed and effective handling of incidents, Union space operators shall conclude agreements with third-party entities for which a satellite host a payload.	
4. Union space operators shall address the root causes of incidents to prevent the occurrence of future incidents.	
Article 92	
Supply chain risk management	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
1. Union space operators shall establish a supply chain risk management framework. Their contracts with supplier manufacturers and service providers shall contain supply-chain security-related aspects in particular on information security requirements.	
2. Union space operators shall base their supply chain risk management on a strategy to reduce risks in the supply chain which shall include at least the measures referred to in point 6, of Annex VII.	
3. Union space operators shall establish an inventory of at least the critical assets of non-Union origin, which, considering the risk assessment referred to in Article 78(2), are needed to maintain an effective technical control of the space mission, such as the orbital control, with a view to supporting the analysis of the level of dependence of the space missions of the respective assets.	
4. To allow the provisions of this Regulation to be adapted to scientific and technical progress, based on the best available techniques, the	

PUBLIC

Commission proposal	Drafting Suggestions and Comments
Commission is empowered to adopt delegated acts in accordance with Article 113, to amend the list of requirements laid down in point 6, of Annex VII.	
SECTION 3 **REPORTING OF INCIDENTS**	
Article 93	
Reporting of significant incidents	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
1. Union space operators shall report to the structure referred to in Article 34(4) of Regulation (EU) 2021/696 significant incidents affecting the Union-owned assets.	
2. Without prejudice to paragraph 3, Union space operators shall report to the competent authorities referred to in Article 28(1) the significant incidents affecting the assets referred to in Article 5, first paragraph, point (21). The competent authorities referred to in Article 28(1) shall in turn transmit a summary of each reported incident to the Agency.	
3. Where Union space operators qualify as essential or important entities pursuant to Annexes I or II of Directive (EU) 2022/2555, the reporting referred to in paragraph 2, shall be carried out through the CSIRTs, established pursuant to Article 10 (1) of Directive 2022/2555 or, where applicable, the competent authority, established pursuant to Article 8(1) of Directive 2022/2555, which shall, without delay, transmit all the relevant reported information to the competent authorities referred to in Article 28(1), including any technical support and feedback that such CSIRTs or authorities provided to space operators pursuant to Articles 23 of that Directive.	

Commission proposal	Drafting Suggestions and Comments
Where Union space operators have been identified as critical entities pursuant to Directive (EU) 2022/2557, Member States shall determine whether the reporting referred to in the first subparagraph shall be carried out by the Union space operators directly to the competent authorities referred to in Article 28(1), or to the authorities referred to in Article 15 of that Directive or by other means.	[redacted]
The provisions of paragraph 7 shall in that case apply accordingly as regards the information to be transmitted.	
4. For Union space operators qualifying as essential or important entities pursuant to Annexes I or II of Directive (EU) 2022/2555, or which are	

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Commission proposal	Drafting Suggestions and Comments
identified as critical entities pursuant to Directive (EU) 2022/2557, respectively, the reporting requirement referred to in paragraphs 2 and 3 shall be without prejudice to the reporting obligations provided for in Article 23 of Directive (EU) 2022/2555 or the notification obligations provided for in Article 15(1) and (2) of Directive (EU) 2022/2557, respectively.	
5. Without prejudice to the technical input, advice, remedies and subsequent follow-up which may be provided, as applicable, in accordance with national law, by the CSIRTs, in accordance with Article 11 of Directive (EU) 2022/2555, competent authorities may provide feedback to Union space operators, by making available any relevant anonymised information on cyber threats and may discuss remedies or ways to minimise and mitigate potential adverse impact across borders.	
6. An incident shall be considered significant if:	[redacted]

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Commission proposal	Drafting Suggestions and Comments
(a) it has caused or can cause a severe operational disruption of space activities carried out by Union space operators, or of services provided, or considerable financial loss for the Union space operators concerned;	
(b) it has an impact on, or can impact, other natural or legal persons by causing considerable material or non-material damage.	
	[redacted]
7. Union space operators shall submit to the Agency, as regards the requirement referred to in paragraph 1, and respectively to the competent authorities, as regards the requirement referred to in paragraph 2, the following information:	[redacted]
(a) without undue delay, and in any event within 12 hours of becoming aware of the significant incident, as regards the Union-owned assets, and within 24 hours for assets referred to in Article 5, first paragraph, point (21),	

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Commission proposal	Drafting Suggestions and Comments
respectively, an early warning which shall indicate whether the significant incident may have been caused by unlawful or malicious acts, or if it could have a cross-border impact;	
(b) without undue delay, and in any event within 72 hours of becoming aware of the significant incident, a report, which shall update the information referred to in point (a), and shall provide an initial assessment of the significant incident, including its severity and impact, as well as, where available, the indicators of compromise;	
(c) upon the request of the competent authority, or as applicable, of the Agency, an intermediate report with relevant status updates;	
(d) a final report, not later than 1 month after the submission of the report referred to in point (b), including the following:	
(i) a detailed description of the significant incident, including its severity and impact;	

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Commission proposal	Drafting Suggestions and Comments
(ii) the type of threat or the root cause that is likely to have triggered that significant incident;	
(iii) the applied and ongoing mitigation measures;	
(iv) as applicable, the cross-border impact of the significant incident;	
(e) if a significant incident is still ongoing at the time of the submission of the final report referred to in point (d), a progress report at that time, as well as a final report within 1 month from the date of the handling the significant incident.	
The Commission is empowered to adopt delegated acts, in accordance with Article 113, to supplement this Regulation, by specifying the criteria to determine what constitutes a severe operational disruption of space activities, or of services provided by a Union space operator, as referred to in paragraph 6, point (a), including the relevant materiality thresholds.	

Commission proposal	Drafting Suggestions and Comments
8. The Commission is empowered to adopt implementing acts, in accordance with the examination procedure referred to in Article 114(2), to specify in further detail the content of the information to be reported pursuant to paragraph 7, and to lay down the templates and procedures for the reporting of that information.	
Article 94	
Union Space Resilience Network	
1. The Union Space Resilience Network ('EUSRN') is established to support coordination and exchanges between the Agency and the competent authorities in fulfilling their respective mandates as regards Union-owned assets and respectively the assets referred to in Article 5, first paragraph, point (21).	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
2. The EUSRN shall have the following tasks:	
(a) to ensure consistent approaches among the competent authorities when providing the advice and support referred to in Article 93(5), and support the Union space operators in achieving coherence in their monitoring and handling of significant incidents;	
(b) to prevent, as regards significant incidents affecting the assets referred to in Article 5, first paragraph, point (21), adverse impacts in the functioning of the Union Space Programme referred to in Article 1 of Regulation (EU) 2021/696, as well as to promote, for that purpose, the necessary coordination and to support the adoption, by the Commission and the Agency, of measures needed to mitigate such adverse impacts, under the mandates conferred by Articles 28, 29 and 34 of Regulation (EU) 2021/696, with a view to fulfil the objectives laid down in Article 4(1), point (c), of that Regulation;	

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Commission proposal	Drafting Suggestions and Comments
(c) to ensure coherence of the national measures taken pursuant to Article 34(6) and Article 42 of Regulation (EU) 2021/696 for the protection of the assets of infrastructure located on the territories of Member States, at the ground segments, which are an integral part of the Union Space Programme;	
(d) to discuss any relevant developments on risks affecting the assets of space infrastructure, promote a consistent approach in the monitoring and management of cyber risk for the space sector in the Union, discuss best practices and share information regarding relevant resilience measures;	
(e) organise joint meetings with the NIS Cooperation Group established pursuant to Article 14(1) or EU-CyCLONe established pursuant to Article 16 (1) of Directive (EU) 2022/2555 to exchange relevant information in relation to the space sector concerning cyber threats, incidents, vulnerabilities, awareness raising initiatives, trainings, exercises and skills, capacity building, standards and technical specifications.	

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Commission proposal	Drafting Suggestions and Comments
3. The EUSRN shall be composed of representatives of competent authorities, the Commission, the Agency and the European External Action Service (EEAS).	
Where appropriate, the Commission or the Agency may invite representatives of other Union institutions, agencies or bodies, in particular the European Union Agency for Cybersecurity (ENISA), the European Defence Agency (EDA), or the European Union Military Staff (EUMS) to attend specific sessions of the EUSRN.	
4. The EUSRN shall, on a regular basis, exchange information with, and report to, the computer security incident response teams network ('CSIRTs network') referred to in Article 15 of Directive (EU) 2022/2555, to ENISA and to the European Cyber Crisis Liaison Organisation Network (EU-CyCLONe) referred to in Article 16 of that Directive, with a view to provide situational updates and assessments in relation to significant incidents impacting the assets referred to in Article 5, first paragraph, point (21), of this Regulation, and to discuss any potential consequences that significant	

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Commission proposal	Drafting Suggestions and Comments
incidents may entail upon other sectors and services falling within the scope of that Directive.	
5. The Commission shall ensure coordination between the EUSRN and the Critical Entities Resilience Group established pursuant to Article 19 of Directive (EU) 2022/2557, and respectively, between the EUSRN and the Cooperation Group established pursuant to Article 14 of Directive (EU) 2022/2555.	
6. The EUSRN shall meet on a regular basis and at least twice a year. The Agency shall chair the technical working groups.	
In addition to the regular meetings referred to in first subparagraph, the EUSRN shall hold, every 18 months, a general session dedicated to the facilitation of strategic cooperation in the domain of space and the sharing of relevant updates and analyses. The Commission shall chair the general sessions.	

PUBLIC

Commission proposal	Drafting Suggestions and Comments
SECTION 4 **INFORMATION SHARING AND AWARENESS**	[redacted]
Article 95	
Information sharing on cyber threats	
1. Union space operators may, on a voluntary basis, exchange among themselves relevant information in the area of cybersecurity, including relevant information on cyber-attacks, cyber threats, electronic interferences such as jamming, spoofing, information on indicators of compromise, adversarial tactics, techniques and procedures, near misses, vulnerabilities, threat-actor-specific information, and share cybersecurity alerts and recommendations for the configuration of cybersecurity tools allowing detection of cyberattacks, to the extent that such information sharing:	[redacted]

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Commission proposal	Drafting Suggestions and Comments
(a) aims at preventing, detecting, responding to, or recovering from incidents, or mitigating the impact thereof;	
(b) enhances the level of cybersecurity and the overall resilience of Union space operators, in particular by raising awareness on cyber threats, by limiting or impeding the ability of such threats to spread, by supporting the development of defensive capabilities and common knowledge regarding vulnerability remediation, threat detection, containment and prevention techniques, mitigation strategies, response and recovery stages, or by promoting collaborative cyber threat research between public and private entities;	
(c) takes places within trusted communities of Union space operators;	
(d) is implemented through arrangements that protect the potentially sensitive nature of the information shared and are governed by rules of conduct, in full respect of business confidentiality, of the rules on the protection of personal data, in accordance with Regulation (EU) 2016/679, and the guidelines on competition policy.	

PUBLIC

Commission proposal	Drafting Suggestions and Comments
2. The arrangements referred to in paragraph 1, point (d), shall:	
(a) specify the conditions to enter, and the rules to participate in, information-sharing arrangements, as well as the type of information to be shared;	
(b) specify the operational aspects, such as use of dedicated ICT platforms and automation tools;	
(c) set out the details governing the involvement of public authorities in the information-sharing arrangements and the capacity in which those authorities may participate in such arrangements.	
3. Union space operators shall notify competent authorities of their participation in the cybersecurity information-sharing arrangements referred to in paragraph 1, upon entry into, and exit from, such arrangements.	

PUBLIC

Commission proposal	Drafting Suggestions and Comments
4. The Commission, shall, with the assistance of the Agency, facilitate the establishment of cybersecurity information-sharing arrangements referred to in paragraph 1, point (d), by supporting or promoting the activities of EU Space Information Sharing and Analysis Centre.	

Chapter III **ENVIRONMENTAL SUSTAINABILITY OF SPACE ACTIVITIES**	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
Article 96	
Environmental footprint of space activities	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
1. Sustainability shall cover sustainability in space and sustainability on Earth (environmental sustainability).	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
2. Union space operators, except for those referred to in Article 10(4), shall calculate the EF of the space activities they carry out.	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
3. Union space operators shall by contract require their suppliers to provide all data needed by Union space operators to meet the obligation referred to in paragraph 2.	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
4. As part of the application for authorisation referred to in Article 6, applicants shall submit an Environmental Footprint Declaration ('EFD') to competent authorities.	[redacted]
5. The EFD shall attest that the Union space operators have calculated, in accordance with Article 97, the EF of the space activities they intend to carry out.	
6. The EFD referred to in paragraph 4 shall be accompanied by all of the following:	

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Commission proposal	Drafting Suggestions and Comments
(a) an EF certificate which shall be delivered in accordance with Article 98(2);	
(b) the EF study supporting the results of the EFD;	
(c) the aggregated and disaggregated datasets on the basis of the EF which has been calculated in accordance with paragraph 2;	[redacted]
(d) the proof of transmission of the aggregated and disaggregated datasets to the Commission, in accordance with Article 99(1), first subparagraph.	
7. The EFD shall contain the following information:	

Commission proposal	Drafting Suggestions and Comments
(a) the name, the registered trade name or registered trademark of the Union space operators, their postal address and electronic means of communication;	[redacted]
(b) information about the type of space activities that are planned to be carried out and the type of products, substances or materials to which the EFD applies;	
(c) the proof that the EF that has been calculated and verified in accordance with the calculation and verification rules laid down in the implemented act adopted pursuant to Article 97(4);	
(d) the EF performance class to which the spacecraft belongs to, in accordance with the rules laid down in the implemented act adopted pursuant to Article 97(4);	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
The Commission is empowered to adopt implementing acts in accordance with the examination procedure referred to in Article 114(2), to lay down the templates and content for the information to be reported pursuant to the paragraph 6, first subparagraph.	
8. Until 31 December 2031 the following Union space operators shall be exempt from the obligations laid down in Articles 96, 97, 98, 99 and 100:	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
(a) small-sized enterprises;	[redacted]

[16] Feedback provided by MCAST on 27 August 2025

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Commission proposal	Drafting Suggestions and Comments
(b) research and education institutions.	
	[redacted]
Article 97	
EF calculation and verification of the space activities	
1. The EF of space activities shall cover the space missions carried out in any of the Earth orbits including graveyard orbits.	
2. The calculation referred to in Article 96(2) shall cover all the activities carried out throughout the lifecycle of a space mission, including	

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Commission proposal	Drafting Suggestions and Comments
during initial stages, such as design and development, during the manufacturing phase, the operation phases and the end of life stages.	
3. The EF of space activities carried out under the Union Space Programme and the Union Secure Connectivity Programme shall cover the components referred to in Article 3(1), points (a) to (c) and point (e), of Regulation (EU) 2021/696 and in Article 1 of Regulation (EU) 2023/588.	
4. The Commission is empowered to adopt implementing acts, in accordance with the examination procedure referred to in Article 114(2), to specify the method of calculation and verification of the EF of space activities, by taking into account scientifically sound assessment methods and the relevant international standards aligned with the Commission Recommendation (EU) 2021/2279[(18)]. Those implementing acts shall be reviewed to take into account scientific and technological developments and adapt to technological progress.	[redacted]

[(18)] Commission Recommendation (EU) 2021/2279 of 15 December 2021 on the use of the Environmental Footprint methods to measure and communicate the life cycle environmental performance of products and organisations (OJ L 471, 30.12.2021, p. 1, ELI: http://data.europa.eu/eli/reco/2021/2279/oj).

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Commission proposal	Drafting Suggestions and Comments
Article 98	
EF certificate	[redacted]
1. When applying for authorisation, pursuant to Article 7(1), an applicant shall be in possession of a certificate attesting that the EF of their foreseen space activities has been calculated in accordance with the requirements laid down in Article 96(2).	[redacted]
2. The certificate referred to in paragraph 1 shall be delivered by a qualified technical body for space activities carrying technical assessment, including verification and validation, for the purposes of Articles 96, 97, 98, 99 and 100.	

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Commission proposal	Drafting Suggestions and Comments
Article 99	
Transmission of datasets to the Union EF-related database	[redacted]
1. Before applying for authorisation, in accordance with Article 7(1), applicants shall transmit the aggregated and disaggregated datasets referred to in Article 96(6), point (c), to the Commission.	
The Commission shall integrate those datasets in the Union database storing EF-related data and issue a proof of receipt to the applicants thereof.	
2. Within 2 weeks from the date of the notification to third country space operators and international organisations of the decision of their registration in URSO, the Agency shall transmit to the Commission for integration into the Union database storing EF-related data, the aggregated and disaggregated datasets referred to in Article 96(6), point (c), which those	[redacted]

Commission proposal	Drafting Suggestions and Comments
space services providers have submitted, pursuant to Article 15(1), first subparagraph, or to Article 15(2), in their application for registration in URSO.	[redacted]
The Commission shall issue a proof of receipt.	
3. The Commission shall ensure the confidentiality of the data that is included in the disaggregated datasets.	
4. The aggregated datasets referred to in paragraph 1 shall be made publicly available by the Commission through the Union EF-related database.	
Article 100	

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Commission proposal	Drafting Suggestions and Comments
Use of disaggregated datasets informing policy making	
1. The Commission shall make use of the disaggregated datasets referred to in Article 99, exclusively for the purposes of informing policymaking activities, of providing regulatory updates, and for the creation of derived datasets.	[redacted]
2. Union space operators, third country space operators and international organisations shall retain full ownership of the data included in the aggregated and disaggregated datasets transmitted pursuant to Article 99.	
3. The Union shall acquire exclusive worldwide ownership of intellectual property rights related to the derived datasets which have been created on the basis of the disaggregated datasets referred to in paragraph 1.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]

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[redacted] by Xjenza Malta

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Commission proposal	Drafting Suggestions and Comments
Chapter IV **IN-SPACE OPERATIONS AND SERVICES (ISOS)**	[redacted]
Article 101	[redacted]
ISOS	
1. Union space operators carrying out ISOS shall comply with the requirements laid down in this Article and Annex VIII from 1 January 2034.	

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Commission proposal	Drafting Suggestions and Comments
2. For Union owned assets, spacecraft above the mini-satellite class that are operated by Union space operators shall possess a minimal technical capacity to receiving in-space services.	
3. For the purposes of ensuring the minimal technical capacity referred to in paragraph 2, a client spacecraft operated by Union space operators shall be equipped with dedicated Spacecraft Service Interfaces (SSI).	
4. The Commission is empowered to adopt delegated acts in accordance with Article 113 to further supplement this Regulation by specifying:	
(a) the main features of the dedicated operational mode for the service that ensures a cooperative behaviour of the client spacecraft and minimises the risk of collision and malfunctions after the service;	[redacted]
(b) where space debris objects are threatening other spacecraft and increase the risk of orbit pollution, the requirements needed to enable removal of debris objects from orbits by means of ISOS (active debris	[redacted]

Commission proposal	Drafting Suggestions and Comments
removal), including those requirements applicable to the concept of operations.	[redacted]
5. The Commission shall, by means of implementing acts, lay down:	
(a) the design principles for the dedicated SSI referred to in paragraph 3;	[redacted]
(b) the design principles for Composable and Exchangeable Functional Satellite Modules (satAPPs) that can be connected to a spacecraft to deliver new spacecraft functionality or payload, making use of SSIs.	[redacted]
Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 114(2).	

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Commission proposal	Drafting Suggestions and Comments
Chapter V **ORBITAL TRAFFIC RULES**	
Article 102	
Supervisory reviews and updates from the collision avoidance entity	
1. A competent authority may request the Union collision avoidance space services provider referred to in Article 64(1) to provide it with up-to-date information about its spacecraft, in the context of the annual reporting or of specific investigations carried out on Union spacecraft operators.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
2. Upon receipt of such request, the Union collision avoidance space services provider referred to in Article 64(1) shall report to the competent authority on whether:	[redacted]
(a) the measures set-up by the Union spacecraft operator meet the requirements outlined in the space debris mitigation plans referred to	

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Commission proposal	Drafting Suggestions and Comments
in Article 70(2), first subparagraph, throughout all phases of the space mission;	
(b) the orbit position is in line with the selected orbit, pursuant to Article 69;	
(c) the Union spacecraft operator complies with the requirements laid down in Article 64(1), (2), (3) and (4), and, as applicable, in Article 101(3).	
Article 103	
Conditions for collision avoidance manoeuvres in case of HIE	[redacted]

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Commission proposal	Drafting Suggestions and Comments
1. When the CA entity referred to in Article 64(1), publishes a High Interest Event Alert between two manoeuvrable spacecraft and decides that one of the two concerned spacecraft have to perform a Collision Avoidance Manoeuvre (CAM), their proposed CAM shall be based on the following principles:	[redacted]
(a) take the utmost account of the protection of crewed vehicles;	
(b) reduce the initial collision risk by at least one order of magnitude below the manoeuvre threshold for High Interest Event Alert; and	
(c) not create unreasonable risks of secondary conjunctions.	
2. Where both spacecraft are registered to the CA entity referred to in Article 64(1), Union spacecraft operators shall seek to agree on a strategy to implement the CAM referred to in paragraph 1under the coordination of that CA entity, within a reasonable period.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
3. If no agreement can be found under paragraph 2 within a reasonable period, the CA entity referred to in Article 64(1) shall propose a strategy for action. That strategy shall take into consideration the right of the way rules, based on at least the following elements:	[redacted]
(a) protection of crew vehicle;	

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Commission proposal	Drafting Suggestions and Comments
(b) involvement of a spacecraft that is part of a constellation;	[redacted].
(c) the operational capacity for CA manoeuvres;	
(d) the state of the spacecraft;	
(e) the eccentricity of the spacecraft's orbits;	
(f) the age of the spacecraft;	
(g) the phase and type of the respective space mission.	
4. Where one of the two spacecraft is not registered to the CA entity referred to in Article 64(1), that entity shall establish contact with the respective spacecraft.	

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Commission proposal	Drafting Suggestions and Comments
5. In case of successful contact under paragraph 4, the CA entity referred to in Article 64(1) shall, to the extent possible:	[redacted]
(a) exchange information on the tools and methods used for calculation of collision risks;	
(b) share all the necessary data and calculation results to ensure avoidance of the collision;	
(c) determine, in collaboration with both spacecraft's operators, the best collision avoidance's manoeuvres, taking into consideration the elements of the manoeuvres' action plan specified to in paragraph 3.	
6. Where the contacts referred to in paragraph 4 are unsuccessful or if, after a reasonable period of time, contacts cannot be initiated, the CA entity referred to in Article 64(1) shall recommend to the Union spacecraft operator a strategy for action that ensures at least the respect of the principles outlined	

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Commission proposal	Drafting Suggestions and Comments
in paragraph 1 and shall inform the other Union spacecraft operator about the intended action.	
Chapter VI **STANDARDISATION AND COMMON SPECIFICATIONS**	
Article 104	
Standards	
1. The Commission shall, in accordance with Article 10(1) of Regulation (EU) No 1025/2012, request one or more European standardisation organisations to draft standards in relation to the following essential requirements:	[redacted]

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Commission proposal	Drafting Suggestions and Comments
(a) the requirements laid down in Article 72(2), first subparagraph, for the purposes of demonstrating compliance with Article 72(1);	
(b) the requirements laid down in Article 25(5), first subparagraph, for the purposes of demonstrating compliance with Article 25(2).	
When preparing the standardisation requests referred to in the first subparagraph, the Commission may take into account existing European or international standards in place or under development, to simplify the development of standards, in accordance with Regulation (EU) No 1025/2012.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
2. Where the conditions referred to in paragraph 3 are fulfilled, the Commission shall adopt implementing acts establishing common specifications covering the technical requirements which provide the means to comply with the essential requirements referred to in paragraph 1, first subparagraph.	[redacted]
3. The implementing acts referred to in paragraph 2 shall be adopted in any of the following cases where the Commission has requested, pursuant to Article 10(1) of Regulation (EU) No 1025/2012, one or more European	[redacted]

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Commission proposal	Drafting Suggestions and Comments
standardisation organisations to draft a standard for the essential requirements referred to in paragraph 1, first subparagraph, and one of the following situations occurs:	[redacted]
(a) requirements are not covered by harmonised standards, or parts thereof, the references of which have been published in the Official Journal of the European Union;	[redacted]

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Commission proposal	Drafting Suggestions and Comments
(b) requirements are covered by harmonised standards, or parts thereof, the references of which have been published in the Official Journal of the European Union, but application of those standards or parts thereof result in non-compliance with the essential requirements, or	[redacted]
(c) where the Commission considers that there is a need to address an urgent concern.	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 114(3).	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
	[redacted]

[redacted]

Title V

EQUIVALENCE DECISIONS, INTERNATIONAL AGREEMENTS AND REGIMES FOR INTERNATIONAL ORGANISATIONS

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
Article 105	
Equivalence	[redacted]
1. The Commission may adopt, on the basis of a detailed assessment, an equivalence decision, by means of implementing acts, in accordance with Article 114(2), stating that the legal and supervisory framework of a third country ensures that the third country space operators established in that third country comply with legally binding requirements that are equivalent to the requirements laid down in this Regulation and are subject to an effective supervision and enforcement in that third country.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
2. The legal and supervisory framework of a third country shall be considered equivalent to this Regulation only if it fulfils at least the following conditions:	

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Commission proposal	Drafting Suggestions and Comments
(a) the third country space operators established in that third country are subject to authorisation and effective supervision and enforcement on an ongoing basis;	
(b) the third country space operators, established in that third country are subject to legally binding rules that are equivalent to the requirements laid down in Article 15; and	
(c) the legal and supervisory framework of that third country provides for an effective equivalent system of recognition of space services providers authorised under third country legal regimes.	
3. The Commission may attach specific conditions to the equivalence decisions, such as where the scale and scope of the space-based data or the space services provided by third country space operators are likely to be of strategic importance for the Union, or to ensure that the Commission, the Agency and the competent authorities have the necessary tools to prevent regulatory arbitrage.	

PUBLIC

Commission proposal	Drafting Suggestions and Comments
A decision shall specify whether it is granted for a definite period.	
4. The Commission shall inform the European Parliament and the Council annually of the equivalence decisions which have been taken or withdrawn by the Commission in the reporting year.	[redacted]
5. The Agency shall establish cooperation arrangements with the relevant competent authorities of third countries whose legal and supervisory frameworks have been recognised as equivalent in accordance with paragraph 1.	[redacted]
Such arrangements shall specify at least:	

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Commission proposal	Drafting Suggestions and Comments
(a) the mechanisms for the exchange of information between the Agency, and the relevant supervisory authorities of the third countries concerned, including access to all information regarding the third country space operators authorised in the third countries, which are requested by the Agency;	[redacted]
(b) the mechanisms for a prompt notification to the Agency, where a third country competent authority deems that the third country space operators, which the Agency has registered in URSO, pursuant to Article 24, infringe the conditions of authorisation in that third country, or other law which those third country space operators are obliged to adhere to;	

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Commission proposal	Drafting Suggestions and Comments
(c) the procedures concerning the coordination of activities, including investigation and on- site inspections that the Agency may carry out, in cooperation with the competent authorities of Member States, having duly informed the competent authority of the third country thereof.	
6. The Commission shall, in cooperation with the Agency, monitor whether the legal and supervisory framework of a third country continues to be equivalent with the requirements laid down in this Regulation.	
Where the legal and supervisory framework of a third country ceases to be equivalent, the Commission shall repeal the equivalence decision concerned.	
Article 106	
International agreements with third countries	

Commission proposal	Drafting Suggestions and Comments
1. The Union may conclude agreements for cooperation with third countries on matters covered by this Regulation, in particular for:	[redacted]
(a) facilitating the mutual recognition of rules on matters covered by this Regulation;	[redacted]
(b) facilitating the mutual recognition of technical assessments carried out by qualified technical bodies for space activities and by relevant authorities and technical bodies of third countries;	
(c) setting out the details and procedures for the derogation for launch services referred to in Article 19;	

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Commission proposal	Drafting Suggestions and Comments
(d) setting out the conditions for the use in the Union of space services or space-based data provided by a third country space operator which is a governmental entity, or which operates or owns military assets of space infrastructure, including with a civilian use.	[redacted]
2. The Agency may cooperate with the relevant supervisory authorities of third countries, other than those referred to in paragraph 1, point (b), and, subject to the approval of the Commission, may conclude Memorandums of Understanding and working arrangements with such authorities or with bodies of international organisations.	[redacted]
Article 107	[redacted] .
Regimes applicable to international organisations	[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
	[redacted]
1. The Commission may, by means of contribution agreements, entrust an international organisation with the implementation of tasks for the operation of Union owned-assets.	
Those contribution agreements shall set out the conditions and the practical and operational arrangements for the control of the application by that international organisation of the requirements laid down in Title IV.	
2. Where an international organisation operates the assets referred to in Article 5, first paragraph, point (21), Member States shall ensure the compliance of that international organisation with the requirements laid	[redacted]

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Commission proposal	Drafting Suggestions and Comments
down in Title IV, in the context of the authorisations referred to in Article 6(1).	[redacted]
3. Where an international organisation operates its own assets of space infrastructure, the Union shall endeavour to conclude agreements with that international organisation.	[redacted]
The agreement referred to in the first subparagraph shall set out the conditions and the practical and operational arrangements to ensure the control of the application by that international organisation of the	

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Commission proposal	Drafting Suggestions and Comments
requirements laid down in Title IV, with due regard to its institutional framework.	
Article 108	[redacted]
Relations with the European Space Agency	
1. The Union shall endeavour to conclude an agreement with the European Space Agency (ESA) to advance the objectives pursued by this Regulation and to strengthen the cooperation between the Union and ESA.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
2. The agreement referred to in paragraph 1 shall set forth the conditions for the implementation by ESA of the requirements laid down in Title IV, and the practical and operational arrangements for ensuring the control of the application of such requirements, and in particular:	
(a) where ESA is not the operator of the Union-owned assets, the arrangements needed for ESA to carry out the technical assessment allowing the Commission to assess the compliance of the Union space operator of Union-owned space assets, with the requirements laid down in the Regulation, with a view to issuing the authorisation and carrying out the ongoing supervision referred to in Article 11(1), first subparagraph;	
(b) where Union-owned assets are either operated or owned by ESA, the needed arrangements and conditions for allowing the technical assessment activities and the tasks of authorisation and supervision;	

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Commission proposal	Drafting Suggestions and Comments
(c) any support which may be provided by ESA regarding the technical specifications needed for standardisation, under the supervision of the Commission, while taking into account the existing international technical standards for space activities.	
3. ESA may provide support to Member States by carrying out technical assessments, pursuant to Article 8(1), point (b).	
The agreement referred to in paragraph 1 shall set out the conditions for ESA to be recognised as a qualified technical body for space activities.	
4. Upon request by the Commission, ESA may attend as observer or member, any relevant advisory group of technical nature that may be established under this Regulation.	

Commission proposal	Drafting Suggestions and Comments
Title VI **SUPPORTING MEASURES**	[redacted]

[redacted]

PUBLIC

Commission proposal	Drafting Suggestions and Comments
Chapter I **CAPACITY-BUILDING MEASURES**	
Article 109	
Capacity building	
1. The Commission shall support space operators, competent authorities and qualified technical bodies for space activities in the implementation of this Regulation, by:	
(a) developing, in close cooperation with the Agency and ENISA, as appropriate, guidance materials, methodologies and best practices on the following:	

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Commission proposal	Drafting Suggestions and Comments
(i) the use, in the context of public procurement procedures carried out at national level, of Union Space Safety Labels issued in accordance to Article 112(4);	
(ii) requirements applying to novel areas or to areas under development, such as on-orbit servicing or orbital traffic rules;	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]

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Commission proposal	Drafting Suggestions and Comments
(iii) as appropriate, other matters covered by this Regulation;	
(b) promoting, with the assistance of the Agency, collaboration and information sharing on matters covered by Title IV, Chapter II, by facilitating the establishment of information sharing arrangements referred to in Article 29 of Directive (EU) 2022/2555.	[redacted]
2. The Commission shall support capacity-building, as well as research and innovation activities, by co-funding joint research and development projects to enable industry uptake of technological solutions facilitating compliance with the requirements laid down in this Regulation in the following areas:	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
(a) the development of encryption technologies and protocols;	[redacted]
(b) the development of on-board safety systems;	[redacted]
(c) the development of ISOS technologies and concepts;	[redacted]
(d) any other matters covered by this Regulation.	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
The Commission shall adopt delegated acts, in accordance with Article 113, to supplement this Regulation, by specifying the matters referred to in point (c), of the first subparagraph.	
3. The Commission shall fund:	
(a) the development of standards for launcher neutralizers;	[redacted]
(b) the provision of vouchers to support the participation of space operators to coaching programmes aimed at offsetting part of costs incurred with the implementation of the requirements laid down in Article 96(2).	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]

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Commission proposal	Drafting Suggestions and Comments
4. The Commission shall facilitate access to the threat-led penetration testing referred to in Article 88(3), first subparagraph, by mapping the availability of such testing services in the Union and by developing framework contracts to ensure fast and affordable access, notably for SMEs and small mid-caps.	[redacted]
	[redacted]

[redacted]

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Commission proposal	Drafting Suggestions and Comments
Article 110	[redacted]
Information portal	
1. The Commission, with the support of the Agency, shall set-up and manage an Information Portal in support of this Regulation ('Information Portal').	[redacted]
2. The Information Portal shall carry out the following tasks:	
(a) assist space operators in the implementation of this Regulation;	

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Commission proposal	Drafting Suggestions and Comments
(b) provide compliance checklists to facilitate voluntary adherence to the Union Space Labelling Schemes established pursuant to Article 111(4), first subparagraph;	
(c) support any relevant single point of contact setup by the Member States.	[redacted]
3. Member States shall inform the Commission of any national helpdesk portals established to manage queries on rules, procedures and authorisation processes.	

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Commission proposal	Drafting Suggestions and Comments
The Commission shall ensure the interoperability of such helpdesk portals with the Information Portal.	
Chapter II **UNION SPACE LABEL FRAMEWORK**	[redacted]

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Commission proposal	Drafting Suggestions and Comments
Article 111	[redacted]
Union Space Labelling Schemes	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
1. The Commission shall develop a Union Space Label Framework to promote enhanced voluntary adherence to high standards of protection of space activities.	
The Union Space Label Framework shall be composed of Union Labelling schemes as referred to in paragraphs 2 and 3.	
2. A Union Space Labelling Scheme shall establish the detailed requirements to:	
(a) limit the risks associated to space debris;	
(b) improve the safety and sustainability of space objects in orbit, the safety of aircraft in flight, or the safety of persons and property on ground when carrying out space activities;	

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Commission proposal	Drafting Suggestions and Comments
(c) reduce the light pollution of spacecraft;	
(d) reduce the radio pollution of spacecraft;	
(e) safeguard the resilience of space infrastructure, in particular as regards critical assets and the resilience of the supply chain;	[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
(f) enable in space operations and services;	
(g) contribute to reducing the environmental impacts of carrying out space activities.	
3. Following a request by the Commission, the Agency shall prepare a candidate scheme, or propose an update of an existing Union Space Labelling Scheme.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
A Union Space Labelling Scheme may specify one or more of the following protection levels for the specific space missions, services or products that it covers: ‘basic’, ‘substantial’ or ‘high’.	
In such a case, it shall ensure that the specified protection level is commensurate with the level of protection associated with the requirements laid down in the respective Union Space Labelling Scheme.	
4. The Commission shall adopt by means of implementing acts:	
(a) a template for the elements of the Union Space Label Scheme, including their duration;	
(b) Union Space Labelling Schemes based on the candidate scheme or updates of an existing Union space Labelling Scheme.	

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Commission proposal	Drafting Suggestions and Comments
Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 114(2).	
5. The Agency shall maintain a dedicated website providing updated information on, and publicising, the Union Space Labelling Schemes and the Union Space Labels.	
Article 112	
Award and use of a Union Space Label	
1. Where a space operator intends to obtain a Union Space Label, that space operator shall submit to the Agency an application for Union Space Label accompanied by a detailed technical file demonstrating the fulfilment of the requirements established in the Union Labelling Scheme(s) for which the Union Space Label is sought.	

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Commission proposal	Drafting Suggestions and Comments
The Agency shall immediately inform the Commission of the application.	
2. The Agency shall provide to the Commission a detailed opinion as regards the compliance of the application with the requirements of the relevant Union Space Labelling Scheme(s).	
3. Based on the Agency's assessment, the Commission shall decide, by means of implementing acts, on the applications.	
4. The Agency shall issue Union Space Labels to space operators whose applications have been approved by the Commission, in accordance with paragraph 3, for a duration of a Space Label which shall be specified in the corresponding Union Space Labelling Scheme.	
5. The Agency shall verify regularly on its own initiative, or upon complaint, the compliance of a holder of a Union Space Label with the requirements of the respective Union Space Label. Where the Agency establishes that the holder of a Union Space Label does not meet the	[redacted]

Commission proposal	Drafting Suggestions and Comments
requirements, it shall revoke the Union Space Label. Before revoking the Union Space Label, the Agency has to allow the holder of the Union Space Label to submit a reasoned statement.	[redacted]
6. The holder of a Union Space Label shall inform the Agency of any subsequently detected irregularities concerning the labelled space mission, service or product, that may have an impact on its compliance with the requirements of the respective Union Space Label.	
7. Any false or misleading advertising or use of a Union Space Label or of a logo which leads to confusion with a Union Space Label shall be prohibited.	

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Commission proposal	Drafting Suggestions and Comments
Title VII **TRANSITIONAL AND FINAL PROVISIONS**	
Article 113	
Exercise of the delegation	
1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	
2. The power to adopt the delegated acts referred to in Article 41(3), Article 44(3), Article 56(9), first subparagraph, Article 70(4), Article 78(3), Article 79(4), Article 82(4), Article 83(5), Article 84(5), Article 85(4), Article 86(4), Article 92(4), Article 93(7), second subparagraph, Article 101(4), first subparagraph, and Article 109(2), second subparagraph, shall be	

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Commission proposal	Drafting Suggestions and Comments
conferred on the Commission for an indeterminate period of time from 1 January 2027.	
3. For each delegated act referred to in paragraph 2, the Agency, after carrying out public consultations, shall submit to the Commission formal technical opinions by 1.7.2028. For matters covered by Title IV, Chapter II, the Agency shall consult ENISA.	[redacted]
4. The delegation of power referred to Article 41(3), Article 44(3), Article 56(9), first subparagraph, Article 70(4), Article 78(3), Article 79(4), Article 82(4), Article 83(5), Article 84(5), Article 85(4), Article 86(4),	

[redacted]

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Commission proposal	Drafting Suggestions and Comments
Article 92(4), Article 93(7), second subparagraph, Article 101(4), first subparagraph and Article 109(2), second subparagraph, may be revoked at any time by the European Parliament or by the Council.	
A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	
5. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	
6. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	

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Commission proposal	Drafting Suggestions and Comments
7. A delegated act adopted pursuant to Article 41(3), Article 44(3),Article 56(9), first subparagraph, Article 70(4), Article 78(3), Article 79(4), Article 82(4), Article 83(5), Article 84(5), Article 85(4), Article 86(4), Article 92(4), Article 93(7), second subparagraph, Article 101(4), first subparagraph and Article 109(2), second subparagraph, shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of 2 months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by 2 months at the initiative of the European Parliament or of the Council.	
Article 114	
Committee procedure	
1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	PT (Comments):

Commission proposal	Drafting Suggestions and Comments
	[redacted]
2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	
3. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.	
4. The Committee shall meet in specific different configurations as follows:	
(a) Safety configuration;	
(b) Resilience configuration;	
(c) Environmental sustainability configuration;	

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Commission proposal	Drafting Suggestions and Comments
(d) ISOS configuration;	
(e) Space-based data configuration.	
5. In accordance with the international agreements concluded by the Union, the representatives of third countries or international organisations may be invited as observers in the meetings of the Committee under the conditions laid down in its rules of procedure, taking into account the security of the Union.	
Article 115	
Professional secrecy	
1. Any confidential information received, exchanged or transmitted pursuant to this Regulation, by any person, body, or authority referred to	

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Commission proposal	Drafting Suggestions and Comments
in paragraph 2, shall be subject to the condition of professional secrecy, as laid down in paragraphs 2 and 3.	
2. Without prejudice to the exchange and use of information in accordance with this Regulation, an obligation of professional secrecy shall apply to all persons who work or who have worked for the Commission, the Agency, the competent authorities, or a qualified technical body for space activities, an authority, a natural or legal person to whom the competent authorities or the qualified technical bodies for space activities have delegated powers and tasks, including auditors and experts contracted by them.	
3. Information covered by the professional secrecy, including in the context of exchange of information among competent authorities under this Regulation, and competent authorities designated or established in accordance with Directive (EU) 2022/2555 and Directive (EU) 2022/2557, shall not be disclosed to any other person or authority, except by virtue of provisions laid down by Union or national law.	

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Commission proposal	Drafting Suggestions and Comments
4. All information exchanged pursuant to this Regulation between competent authorities which concerns business or operational conditions, and economic or personal affairs, shall be confidential and subject to the requirement of professional secrecy, except where a competent authority states, at the time of initiating the communication, that such information may be disclosed, or where such disclosure is necessary for the purpose of legal proceedings.	
Article 116	[redacted]
Evaluation and review	[redacted]

[redacted]

Commission proposal	Drafting Suggestions and Comments
	[redacted]
1. By 1 December 2035, and every five years thereafter, the Commission shall submit to the European Parliament and the Council a report on the evaluation of this Regulation, including an assessment of the environmental, economic and social impacts of space activities on other sectors, and shall submit, as appropriate, a report on its review, accompanied, where necessary, by a legislative proposal. The reports shall be made public.	[redacted]
2. For the purposes of the evaluation and review referred to in paragraph 1, the Commission may request the Agency and the Member States to provide data and information. The Agency and the Member States shall promptly provide the requested data and information to the Commission.	

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Commission proposal	Drafting Suggestions and Comments
3. In carrying out the evaluation and review referred to in paragraph 1, the Commission shall take into account the opinions, positions and findings of the Agency, the European Parliament, the Council, the Member States and the competent authorities, as well as other relevant bodies and organisations or relevant sources.	
Article 117	
Reports to the Commission	
By 1 December 2031 and every year after that date, Member States shall report to the Commission on the status of the implementation of this Regulation. The report shall include information on enforcement actions and updates on the space sector at national level, such as competitiveness aspects with impact on the functioning of the internal market and elements on public and private spending needs.	

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Commission proposal	Drafting Suggestions and Comments
In their first report Member States shall indicate to the Commission their preparatory actions and measures taken at national level including adaptations to ensure the smooth application of this Regulation.	
Article 118	
Transitional period	[redacted]
1. For authorisations regarding assets planned to be launched after 1 January 2030 for which the critical design review phase ended on [JO: calculate 12 months from the date of entry into force of this Regulation] this Regulation shall only apply from 1 January 2032.	[redacted]

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Commission proposal	Drafting Suggestions and Comments
	[redacted]
2. Competent authorities, as regards Union space operators, and the Agency, as regards third country space operators, shall ascertain the end of the critical design review stage referred to in paragraph 1 at the moment when the space operators submit the proof obtained from the relevant entity entrusted by contract with the technical approval of the design of the spacecraft.	

[redacted]

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Commission proposal	Drafting Suggestions and Comments
Article 119	
Entry into force and application	
This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.	
It shall apply from 1 January 2030.	
This Regulation shall be binding in its entirety and directly applicable in all Member States.	
Done at Brussels,	

PUBLIC

Commission proposal		Drafting Suggestions and Comments
For the European Parliament	*For the Council*	
The President	*The President*	
[...]	*[...]*	