THE REMOTE SENSING SPACE SYSTEMS ACT MODERNIZATION TASK

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Remote Sensing Space Systems Act

- In Canada, the RADARSAT-2 program in 1998, raised national security, defense and foreign policy concerns.
- Canada's Access Control Policy was announced in 1999.
- An Agreement (Treaty) with the USA, concerning remote sensing, was signed on June 16, 2000.
- The Act was jointly sponsored by the Minister of Foreign Affairs, the Minister of Public Safety and Emergency Preparedness, the Minister of National Defence and the Minister of Industry.
Remote Sensing Space Systems Act

- For systems CAPABLE of Remote Sensing
- Public and Private systems
- Covers both operations and data through five Controlled Activities
- Ministerial considerations
- Flexible rather than prescriptive
- Requires an Independent Review every 5 years
Ministerial Discretion

• Exemptions
• Additional Conditions in a licence
• Length of time for the licence
• Arrangement satisfactory to the Minister re guarantee of performance for the disposal plan
Independent Review Recommendations

- Need to be more transparent
- Need to account for technological advances
- Need to nurture and support R&D initiatives
- Need to support commercial operations
- Need to support the regulatory team
- Need to have a comprehensive Canadian Outer Space Strategy
RSSSA Modernization Task

• 3 Year task from 2019-2021
  • Year One focus – Process
  • Year Two focus – Positive Momentum Despite the Pandemic
  • Year Three focus – Health
Modernization Task - Year One

• Ad-Hoc RSSSA Advisory Committee
• Outreach Activities
• Bilateral Renewal
• Streamline application review processes
Ad-Hoc RSSSA Advisory Committee

- Embraces Space Community: private sector, public sector (academic and government), international sector
- Included Joanne Gabrynowicz, University of Mississippi
- Eight meetings over 15 months
- Comment on the revised US regulations.
  - no discussion other than commerce seems to like it
  - Will Canada adapt a similar approach?
  - the US “Tier” approach can be compared to the “Class Exemptions”
• Ad-Hoc RSSSA Review Committee contributed extensive input and feedback
• Anonymized notes from Committee meetings available from Global Affairs Canada and on McGill Space Law Website
• Client Procedural Circular produced.
  – The RSSSA Operating License Application Guide (published on website)
  – RSSSA 101 Guide to the Act and Regulations
• Increased transparency through outreach activities
• Bilateral consultations reinvigorated
• Multilateral consultations being planned
Year Two – Positive Momentum Despite the Pandemic

• Further alignment with international standards and obligations
• Impact of Canada as a “launching state” for remote sensing satellites
• Impact of new technology and business models on the Regulations and the Act.
• Coordination with other space-faring nations
• SURVIVE COVID
Year Two - Results

• Ad-Hoc Committee:
  – considered Processes, Regulation and Act changes
  – Praised the Operating Licence Application Guide
  – Perhaps edits to Guide are better than Regulation (or Act) changes
  – Bottom Line – successful Canadian Space Industry

• US regulation changes noted

• Online presentations
Year Three - Health

- Continued respect for COVID
- Continued virtual outreach
- Bilateral engagement with US counterparts
- Multilateral engagement with other space-faring nations
- Consider a new Advisory Committee
A Final Word

Simply put, if the applicant is better informed of the material needed to be submitted in the application and the regulator is provided with guidelines for unique considerations and a “cookbook” approach for more regular inputs, then a speedier conclusion to an application review will occur with positive results.

Questions and Comments to
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