

**Liechtenstein Law Gazette**  
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(unofficial translation)

**Act**

from 5<sup>th</sup> October 2023

**On the authorization of space activities and the registration of  
space objects  
(Space Act; WRG)**

I give my consent to the following resolution adopted by the Parliament:<sup>1</sup>

**I. General provisions**

Art. 1

*Purpose*

1) The purpose of this Act is to implement Liechtenstein's obligations under international law with respect to activities for the exploration and use of outer space and to prevent damage caused by space objects for which Liechtenstein may be held internationally liable.

2) It serves in particular:

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<sup>1</sup> Report and motion as well as government statement no. 40/2023 and 62/2023

- a) the implementation of a licensing and notification requirement for space activities;
- b) the performance of Liechtenstein's supervisory duties over space activities and the safeguarding of its economic and political interests in connection therewith;
- c) ensuring the highest possible safety of space activities, in particular the prevention of personal injury and damage to property, ensuring public safety and health, and protecting the environment;
- d) the preservation of the long-term usability of space and the prevention of space debris;
- e) the establishment of a public registry for space objects.

## Art. 2

### *Scope*

1) This Act shall apply to space activities conducted or initiated to be conducted:

- a) on the territory of Liechtenstein;
- b) on movable or immovable assets registered in Liechtenstein or otherwise subject to Liechtenstein legislation; or
- c) from an operator who:
  - 1. has Liechtenstein citizenship; or
  - 2. is a legal entity that has its registered office or is registered in Liechtenstein.

2) Except as specifically provided in this Act, other legislation related to the conduct of space activities shall remain unaffected.

Art. 3

*Definitions and designations*

1) For the purposes of this Act, the following shall be considered as:

- a) "Space activity": an activity that consists of:
  - 1. conducting or initiating the launch of a space object;
  - 2. controlling or utilizing a space object during its stay in space and its return to Earth;
  - 3. any other activity taking place in space for which Liechtenstein may be held internationally liable;
- b) "Space object": an object that has been launched or is intended to be launched into space, including its components and its launch vehicle and its components;
- c) "Operator": a natural or legal person conducting or initiating space activities;
- d) "Qualified ownership": a direct or indirect ownership of at least 10 % of the capital or voting rights in a legal entity acting as an operator, or any other means of exercising significant influence on the management of the legal entity acting as an operator.

2) The personal designations used in this Act shall be understood as referring to all individuals regardless of their gender, unless the personal designations explicitly refer to a specific gender.

## II. Exercise of Space Activities

### Art. 4

#### *Authorization requirement and application*

1) Subject to Art. 6, the conduct or initiation of space activities requires the approval of the Supervisory Authority.

2) The operator shall submit the application for an authorization under paragraph 1 to the Supervisory Authority.

3) The application shall be accompanied by the information and documents required to demonstrate compliance the requirements set forth in Art. 5.

4) The Government shall specify the details regarding the application, in particular the information and documents required to demonstrate compliance with the requirements, by ordinance.

### Art. 5

#### *Authorization requirements and issuance*

1) The Supervisory Authority shall grant authorization if:

- a) the operator and its governing bodies and key personnel have the professional qualifications and personal integrity required to conduct a space activity;
- b) the operator is financially capable and has a cost and financing plan of the space activity;

- c) the space activity is conducted in accordance with the state-of-the-art technology and does not pose an immediate threat to public order, the safety of individuals and property, or health;
- d) the space activity is in accordance with the obligations under international law and the foreign policy interests of Liechtenstein;
- e) the space activity does not pose a threat to the national security of Liechtenstein;
- f) the space activity does not cause harmful contamination of outer space, including celestial bodies, or harmful alteration of the environment on Earth;
- g) adequate measures have been taken to prevent space debris, in particular mission debris;
- h) the operator complies with the requirements of the International Telecommunication Union (ITU) and telecommunications legislation with regard to frequencies and orbital position;
- i) the operator complies, with regard to export control, with the Swiss legal provisions applicable in Liechtenstein under the Customs Treaty, in particular with the Swiss legislation on arms, goods control and weapons;
- k) the operator has obtained liability insurance in accordance with Art. 8 to cover the risks.

2) The Supervisory Authority shall decide on the application for authorization after receiving all required information and documents pursuant to Art. 4. The authorization may be granted subject to conditions and requirements.

3) The Government may specify the details of the authorization requirements and issuance by ordinance.

Art. 6

*Notification Requirement*

1) Space activities shall be exempted from the authorization requirement under Art. 4 and shall be notified to the Supervisory Authority, submitting the required information and documents, if they:

- a) have already been approved and supervised by another state; or
- b) are limited to a payload.

2) The Government may specify the details of the notification requirement by ordinance.

Art. 7

*Liability*

1) The operator is liable for any damage caused by a space object on Earth or to an aircraft in flight as a result of the space activity.

2) The liability of an operator under other legal provisions remains unaffected.

Art. 8

*Insurance requirement*

1) The operator shall obtain insurance coverage of at least 100 million Swiss francs with an insurance company to cover its liability for personal injury or property damage that may arise to third parties as a result of the space activity. The insurance company must not have any economic affiliation with the operator.

2) The Supervisory Authority may, upon request, grant an exemption from the insurance requirement or a reduction in the insurance amount if:

- a) there is a public interest in the space activity, taking into account the associated risks and the financial capacity of the operator; or
- b) the operator can demonstrate that it has the bank guarantee to cover its liability for personal injury or property damage; the bank must not have any economic affiliation with the operator.

3) Activities serving science, research, or education are particularly considered to be in the public interest under Para. 2(a).

4) The Government shall specify the details of the insurance requirement, in particular the documents to be submitted with the application under Para. 2, by ordinance.

#### Art. 9

##### *Recourse*

If Liechtenstein has compensated an injured party for damage caused by a space activity on the basis of obligations under international law, Liechtenstein has a right of recourse against the operator.

#### Art. 10

##### *Modification or termination of space activity*

1) The operator is obliged to immediately report any event that may delay or make it impossible to carry out the authorized space activity or that could require modification or revocation of the authorization under Art. 11.

2) The operator shall immediately notify the Supervisory Authority of the planned or impending termination of the space activity due to compelling circumstances. The Supervisory Authority may issue orders to the operator regarding a safe termination of the space activity. The obligations arising from the authorization shall remain in force until the Supervisory Authority confirms that the space activity has been safely terminated.

#### Art. 11

##### *Modification or revocation of the authorization*

- 1) The authorization shall be modified or revoked in terms of its content if:
- a) the requirements set forth in Art. 5 Para. 1 are no longer met; or
  - b) the requirements and conditions specified in Art. 5 Para. 2 are not complied with.

2) In the event of a modification or revocation of the authorization, measures may be ordered for the temporary continuation or safe termination of the space activity. If the operator fails to comply with these orders, control of the space activity shall be transferred by order to another operator. The operator shall provide the documentation necessary for the temporary continuation or safe termination of the space activity to the new operator and shall bear the resulting costs.

#### Art. 12

##### *Change of operator*

1) A change of operator requires the authorization of the Supervisory Authority. The application shall be submitted jointly by the transferring and the acquiring operator.

2) The Supervisory Authority shall grant approval if the requirements under Art. 5 and 8 are met.

3) If the acquiring operator does not fall within the scope of this Act, the authorization shall be denied.

4) The denial of an authorization pursuant to Para. 3 may be waived if an agreement has been concluded between Liechtenstein and the home state of the receiving operator or the state from which the receiving operator conducts or initiates the space activity, in accordance with the provisions of international law on:

- a) the international liability and corresponding indemnification of Liechtenstein; and
- b) registration at national and international level.

#### Art. 13

##### *Change of control of the operator*

1) Any intended direct or indirect acquisition, and any intended direct or indirect disposition, of a qualified ownership in an operator shall be notified in writing to the Supervisory Authority by the person or persons interested in the acquisition and disposition. Similarly, the Supervisory Authority shall be informed of any intended direct or indirect increase or any intended direct or indirect reduction of a qualified ownership if this would result in the proportion of capital shares or voting rights held reaching, exceeding or falling below the thresholds of 20%, 30% or 50%, or if the operator would become a subsidiary of an acquirer or would cease to be a subsidiary of the disposer.

2) The Supervisory Authority may cooperate with the competent authorities of other states in assessing a change of control pursuant to Para. 1. Such

cooperation shall include, in particular, the exchange of all information relevant to the assessment of the change of control.

3) The Supervisory Authority shall, in the interest of sound and prudent management of the interested acquirer and taking into account the likely influence of the interested acquirer on the operator, examine the reliability of the interested acquirer and the financial soundness of the intended acquisition.

4) It may object to the change of control or take appropriate measures if concrete and current facts and events suggest that an interested acquirer does not meet the requirements under Para. 3 or the information or documents to be submitted are incomplete.

5) If a change of control is carried out despite the objection of the Supervisory Authority, the voting rights of the acquirer may not be exercised until the objection is amended or revoked through legal recourse or withdrawn by the Supervisory Authority. Any vote cast nonetheless shall be null and void.

6) The Government shall specify the details of the change of control of the operator by ordinance.

### **III. Register for space objects**

Art. 14

*General*

1) The Supervisory Authority shall maintain a public register of space objects.

2) Space objects shall be registered in this register for which Liechtenstein is considered as the launching state pursuant to Art. I of the Convention on the Registration of Objects Launched into Outer Space (Registration Convention).

3) If other countries besides Liechtenstein are considered as starting countries, the relevant agreement according to Art. II Para. 2 of the Registration Convention shall determine the registration.

4) A space object to be registered in this register and its entire personnel shall be subject to the jurisdiction and control of Liechtenstein during its presence in space or on a celestial body.

#### Art. 15

##### *Registration and information*

1) The following information shall be entered in the register:

- a) the name of the launching state or states;
- b) an appropriate designation of the space object and its registration number and, if applicable, its ITU designation;
- c) the date and territory or location of the launch;
- d) the basic parameters of the orbit, including orbital period, orbital inclination, maximum Earth distance (apogee) and minimum Earth distance (perigee);
- e) the general function of the space object;
- f) the manufacturer of the space object;
- g) the owner of the space object;
- h) the operator of the space object;
- (i) the date and circumstances of the termination of the space activity;

k) other information determined by the government by ordinance.

2) The Operator shall immediately provide the Supervisory Authority with the information referred to in Para. 1 as well as any changes with respect to such information.

3) The Supervisory Authority shall transmit the information referred to in Para. 1 a to e, including any amendments referred to in Para. 2, to the Secretary-General of the United Nations.

#### **IV. Organization and implementation**

##### **Art. 16**

##### *Supervisory Authority*

1) The Supervisory Authority is the Office of Communications.

2) The Supervisory Authority shall be responsible for the enforcement of this Act. It shall be responsible in particular for:

- a) the granting, modification or revocation of authorizations (Art. 5 and 11);
- b) the receipt of notifications (Art. 6);
- c) the granting of exemption from compulsory insurance or reduction of the insured amount (Art. 8);
- d) the approval of the change of operator (Art. 12);
- e) raising objections or taking appropriate measures in the event of changes in the operator's control (Art. 13);
- f) the maintenance of the register of space objects (Art. 14);

- (g) the transmission of information registered in the register to the Secretary-General of the United Nations (Art. 15);
- h) the collection of fees, costs and supervisory charges (Art. 17);
- (i) supervising compliance with the provisions of this Act and the ordinances issued thereunder.

3) To fulfill its responsibilities, the Supervisory Authority may, as necessary:

- a) consult domestic and foreign professional organizations or experts, in particular for advice and expert opinion on technical matters;
- (b) cooperate with other foreign supervisory authorities, competent authorities, and international organizations; and
- c) utilize suitable entities and delegate tasks to them, in particular for carrying out supervision or maintaining the register.

4) The Government may specify the details of the tasks of the Supervisory Authority by ordinance.

#### Art. 17

##### *Fees, costs and supervisory charges*

1) The Supervisory Authority shall collect fees for its activities under this Act (administrative fees).

2) The total revenue from administrative fees shall not exceed the total costs of the Supervisory Authority in perpetuity.

3) Costs and expenses charged to the Supervisory Authority by third parties it uses for advice or supervision shall be passed on to the respective operator.

4) The Supervisory Authority shall publish annually, in an appropriate manner, a statement of its total costs and the total administrative fees collected.

5) An annual supervisory fee shall be levied on operators for maintenance of the register referred to in Article 14 Para. 1.

6) The Government shall specify the details of fees, costs and supervisory levies by ordinance.

## **V. Supervision**

### Art. 18

#### *Principle*

1) Supervision shall be exercised by the Supervisory Authority in accordance with the provisions of this Chapter.

2) Unless otherwise provided in this Chapter, the General Administration and Procedure Act shall apply to the exercise of supervision, in particular its provisions on administrative enforcement.

3) The Supervisory Authority may oblige operators within the scope of supervision:

- a) to provide all necessary information, including personal data, required for the enforcement of this Act and the ordinances issued thereunder, as well as the decisions or rulings based thereon; this shall apply in particular to the case-by-case review of obligations if a complaint has been filed or the

Supervisory Authority for other reasons assumes a breach of obligations or conducts investigations on its own initiative;

- b) to grant access to all operational premises and facilities, provide access to documents, and provide information to the organs of the Supervisory Authority, as far as necessary for the proper exercise of supervision.

#### Art. 19

##### *Orders*

1) If the Supervisory Authority has indications that an operator violates provisions of this Act, the ordinances issued thereunder or decisions or orders based thereon, it shall notify the operator thereof and set a reasonable time limit for the operator to comply:

- a) to comment on the notification; or
- b) to rectify the lawful situation.

2) In justified cases, the Supervisory Authority may, upon request, reasonably extend the time limit in accordance with Para. 1 b if this is likely to enable the operator to rectify the lawful situation.

3) Orders pursuant to Para. 1 shall be issued with an administrative enforcement order. The order shall expressly state the legal consequences of disregarding the order.

#### Art. 20

##### *Establishment of the lawful situation*

1) If the Supervisory Authority determines that, after the expiry of the time limit set in accordance with Art. 19, the lawful situation has not been rectified by

the operator concerned, it shall take all necessary measures to restore the lawful situation by means of an administrative enforcement order.

2) Measures referred to in Para. 1 may include:

- a) the issuance of a replacement action at the expense of the operator concerned, to ensure the temporary continuation or safe termination of the space activity by another operator. The operator concerned shall provide the necessary documentation for this purpose and, if necessary, also grant access to facilities, in particular control centers;
- b) the imposition of a penalty for disobedience.

3) If the measures under Para. 2 have been unsuccessful, the Supervisory Authority may order the operator who grossly or repeatedly violates its obligations:

- a) prohibit the conduct of space activities;
- b) withdraw the authorization.

4) If the risk of an immediate and serious infringement of the rights or legally protected interests of other operators or users is credibly demonstrated, or if there is an immediate and serious threat to public interests, in particular to public order, safety or health, the Supervisory Authority may issue temporary orders to restore the lawful situation. In particular, economic or operational disadvantages to other operators or users constitute an infringement of rights or legally protected interests.

Art. 21

*Disobedience penalty*

Disobedience penalties shall be imposed by the Supervisory Authority in the form of fines of up to 10,000 francs for each day of disobedience of the relevant order.

Art. 22

*Complaint*

Anyone may file a complaint to the Supervisory Authority regarding alleged irregularities falling within the scope of this Act. Complaints shall not give rise to any rights or obligations. The Supervisory Authority shall take the necessary measures if required.

**VI. Legal protection**

Art. 23

*Appeal*

1) Appeals against decisions and orders of the Supervisory Authority may be filed with the Administrative Appeals Commission within 14 days of notification.

2) Appeals against decisions and orders of the Administrative Appeals Commission may be filed with the Administrative Court within 14 days of notification.

3) The power of review of the Administrative Appeals Commission and of the Administrative Court shall be limited to legal and factual issues. The exercise of discretion shall be reviewed solely on a legal basis.

4) An appeal against a decision or order shall not have a suspensive effect. The chairman of the appeal body may, at the request of the appellant, grant suspensive effect to an appeal, unless there are compelling public interests to the contrary and the execution would cause disproportionate disadvantage to the appellant.

5) In all other respects, the provisions of the General Administration and Procedure Act shall apply to the procedure.

## **VII. Penal provisions**

### **Art. 24**

#### *Administrative Violations*

1) The Supervisory Authority shall impose a fine of up to 1,000,000 Swiss francs on anyone who:

- a) conducts or initiates space activities contrary to Art. 5 Para. 1 without the authorization of the Supervisory Authority;
- b) makes a change of operator contrary to Art. 12 Para. 1 without prior authorization of the Supervisory Authority;
- c) makes a change in the operator's control contrary to Art. 13 Para. 1 without prior written notification to the Supervisory Authority.

2) The Supervisory Authority shall impose a fine of up to 500,000 francs on anyone who:

- a) fails to comply with the conditions and requirements pursuant to Art. 5 Para. 2; or

b) violates the duty of notification or orders pursuant to Art. 10.

3) The Supervisory Authority shall impose a fine of up to 150,000 francs on anyone who:

a) violates the obligation to notify pursuant to Art. 6 Para. 1;

b) violates the information obligations pursuant to Art. 15 Para. 2;

c) violates the duty to notify pursuant to Art. 28;

d) violates provisions of ordinances, the violation of which is declared punishable.

4) In assessing the fines under Para. 1 to 3, consideration shall also be given to whether the offence was committed commercially or repeatedly. If the offence was committed on a commercial basis, the unlawful advantage thereby obtained shall be taken into account in the assessment in accordance with the results of the preliminary investigation.

#### Art. 25

##### *Responsibility*

If violations are committed in the business operations of a legal entity, a partnership or a sole proprietorship, the penal provisions shall apply to those individuals who acted or should have acted on their behalf, with the legal entity, partnership or sole proprietorship jointly and severally liable of for the fines and costs.

Art. 26

*Benefit confiscation*

1) If an operator has disregarded an order under Art. 19 or committed an administrative offence under Art. 24 and thereby obtained an economic benefit, the Supervisory Authority shall order the confiscation of the economic benefit and shall order the operator to pay a corresponding sum of money.

2) Para. 1 shall not apply if the economic benefit is compensated for by damage compensation or other payments. To the extent that the operator makes such payments after the benefit confiscation, the amount of money transferred shall be refunded to the operator in the amount of the documented payments.

3) If carrying out benefit confiscation would be an undue hardship, the order shall be limited to an appropriate monetary amount or omitted altogether. It shall also be omitted if the economic benefit is minor.

4) The amount of the economic benefit may be estimated. The amount of money to be paid shall be determined quantitatively.

5) Benefit confiscation can only be ordered within a period of five years from the termination of the infringement and for a maximum period of five years.

6) The procedure shall be governed by the provisions of the General Administration and Procedure Act.

## **VIII. Transitional and final provisions**

### **Art. 27**

#### *Implementing Ordinances*

The Government shall issue the ordinances necessary for the implementation of this Law, in particular on:

- a) the authorization requirements and the authorization procedure according to Art. 4 and 5;
- b) the insurance requirements according to Art. 8;
- c) the change of the control of the operator according to Art. 13;
- d) additional information to be entered in the register in accordance with Art. 15 Para. 1 k;
- e) the fees, costs and supervisory charges pursuant to Art. 17.

### **Art. 28**

#### *Transitional provision*

This Act shall apply to space activities conducted after its entry into force. For space activities commissioned prior to the entry into force of this Act, the authorization requirements under Articles 4 and 5 shall be replaced by a notification requirement on the part of the operator. Within three months of the entry into force of this Act, the operator shall submit to the Supervisory Authority all documents enabling verification of the existence of the requirements under Art. 5 Para. 1.

Art. 29

*Entry into force*

This Act shall enter into force on January 1, 2024, subject to the expiration of the referendum period; otherwise on the day following its publication.

