

Act on Launching Spacecraft and Launch Vehicle and Control of Spacecraft

(Act No. 76 of November 16, 2016)

Table of Content

Chapter I General Provisions (Articles 1 through 3)

Chapter II Licenses Related to Launching Spacecraft and Launch Vehicle

Section 1 Licenses Related to Launching Spacecraft and Launch Vehicle
(Articles 4 through 12)

Section 2 Type Certification for Launch Vehicles (Articles 13 through 15)

Section 3 Compliance Certification for Launch Sites (Articles 16 through 18)

Section 4 Special Provisions on for Application Procedures by the Japan
Aerospace Exploration Agency, National Research and Development
Agency (Article 19)

Chapter III Licenses Related to the Control of Spacecraft (Articles 20 through
30)

Chapter IV Supervision by the Prime Minister (Articles 31 through 34)

Chapter V Compensation for Launch Vehicle Fall Damage

Section 1 Liability for Damages for Launch Vehicle Fall (Articles 35 through
38)

Section 2 Launch Vehicle Fall Damages Liability Insurance Contracts
(Article 39)

Section 3 Launch Vehicle Fall Damages Liability Indemnification Contracts
(Articles 40 through 48)

Section 4 Deposits with Official Depository (Articles 49 through 52)

Chapter VI Compensation for Spacecraft Fall Damage (Articles 53 and 54)

Chapter VII Miscellaneous Provisions (Articles 55 through 59)

Chapter VIII Penal Provisions (Articles 60 through 65)

Supplementary Provisions

Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is the smooth and precise implementation of conventions on the development and use of outer space, and to establish a licensing system related to the launching of a spacecraft and launch vehicle and the control of spacecraft in Japan as well as a system for compensating damage due to fall of a spacecraft and launch vehicle in Japan in accordance with the basic principles of the Basic Space Act (Act No. 43 of 2008) (simply

referred to below as the "basic principles"), to ensure public safety and protect victims of that damage, thereby contributing to improving the lives of the citizens as well as developing the economy and society.

(Definitions)

Article 2 In this Act, the meanings of the terms in the following items are as provided respectively in those items:

- (i) "conventions on development and use of outer space" means, collectively, the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (referred to as the "Outer Space Treaty" in Article 22, item (ii)), the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space, the Convention on International Liability for Damage Caused by Space Objects, and the Convention on Registration of Objects Launched into Outer Space;
- (ii) "spacecraft" means an artificial object that is used by putting it into the Earth's orbit or beyond, or placing it on a celestial body other than the Earth;
- (iii) "spacecraft and launch vehicle" means a spacecraft and a vehicle for launching the spacecraft;
- (iv) "launch site" means a facility equipped with a function of launching a launch vehicle;
- (v) "launching spacecraft and launch vehicle" means a person using a launch site that they or another person manages and operates to load a spacecraft onto a launch vehicle, launching and accelerating the launch vehicle until it reaches a certain speed and altitude, then separating the spacecraft at that point;
- (vi) "spacecraft control facility" means radio equipment installed with functions to detect signals indicating the position, attitude, and condition of a spacecraft transmitted by spacecraft-borne radio equipment (meaning electrical equipment for transmitting or receiving codes using electromagnetic waves, and a computer connected to the equipment via telecommunication lines; the same applies in this item and Article 6, item (ii)) either directly or by receiving it via other radio equipment using electromagnetic waves, or to detect the position of the spacecraft by transmitting signals to the spacecraft either directly or via other radio equipment and then receiving the reflected signals from the spacecraft directly or via other radio equipment, or by other means, and to transmit signals to control the position, attitude and condition of the spacecraft to the spacecraft-borne radio equipment directly or via other radio equipment using electromagnetic waves;
- (vii) "control of spacecraft" means to detect the position, attitude, and condition

- of a spacecraft and to control these using a spacecraft control facility;
- (viii) "launch vehicle fall damage" means damage caused to human life, body, or property on the ground surface or water surface, or an aircraft in flight or other flying objects caused by the fall, collision, or explosion of a spacecraft and launch vehicle in whole or part, that has not successfully separated from the launch vehicle after the launch, or by the launch vehicle after the successful separation of all of the spacecraft; provided, however, that this excludes damage suffered by a worker of the person carrying out launching of the spacecraft and launch vehicle or other person specified by Cabinet Office Order as being in a close business relationship with the person carrying out launching of the spacecraft and launch vehicle in the course of their duties;
- (ix) "launch vehicle fall damages liability insurance contract" means a contract under which an insurer (limited to a non-life insurance company provided for in Article 2, paragraph (4) of the Insurance Business Act (Act No. 105 of 1995) or a foreign non-life insurance company and other insurers provided for in paragraph (9) of that Article that underwrites a liability insurance policy; the same applies below) promises to compensate a person that carries out a launching a spacecraft and launch vehicle and incurs liability to compensate for launch vehicle fall damage (excluding launch vehicle fall damage caused by the fall, collision, or explosion of a spacecraft and launch vehicle primarily caused by an act of terrorism or any other event specified by Cabinet Office Order as that for which the calculation of the reasonable amount of insurance premiums would be difficult if the payment of the property benefits under the insurance contract are conditional on the event occurring (referred to as "specific launch vehicle fall damage" in Article 9, paragraph (2) and Article 40, paragraph (1))) for that person's loss and the policyholder promises to pay insurance premiums to the insurer;
- (x) "launch vehicle fall damages liability indemnification contract" means a contract in which the government promises to indemnify the person that conducts launching of a spacecraft and launch vehicle against losses caused by compensating for launch vehicle fall damage for which the person became liable that cannot be covered by a launch vehicle fall damages liability insurance contract or any other means of compensating for launch vehicle fall damage; and
- (xi) "spacecraft fall damage" means damage to human life, body, or property on the ground surface or water surface, or an aircraft in flight or other flying object caused by the fall or explosion of a spacecraft successfully separated from its launch vehicle; provided, however, that this excludes damage suffered by a worker of the person carrying out the spacecraft control or other persons specified by Cabinet Office Order as being in a close business relationship with the person carrying out the control of the spacecraft in the

course of their duties.

(Considerations in Enforcing this Act)

Article 3 In enforcing this Act, the national government is to pay due consideration for the strengthening of technical competence and international competitiveness of Japanese industries related to the launching of a spacecraft and launch vehicle and spacecraft control, as a part of policy measures for the promotion of the development and use of outer space by private businesses as provided for in Article 16 of the Basic Space Act.

Chapter II Licenses Related to Launching Spacecraft and Launch Vehicle

Section 1 Licenses Related to Launching Spacecraft and Launch Vehicle

(Licenses)

Article 4 (1) A person that intends to conduct the launching of a spacecraft and launch vehicle using a launch site located in Japan or onboard a ship or aircraft with Japanese nationality must obtain a license from the Prime Minister for each launch.

(2) A person that intends to obtain a license under the preceding paragraph must submit a written application to the Prime Minister, pursuant to the provisions of Cabinet Office Order, specifying the following information, attaching the documents specified by Cabinet Office Order:

(i) the person's name and address;

(ii) the design of the launch vehicle (in the case of a launch vehicle which obtained a type certification under Article 13, paragraph (1), its type certification number; or in the case of a launch vehicle certified by the government of the foreign state specified by Cabinet Office Order as having a system for the certification for designs of a launch vehicle which is considered to be of an equivalent level to that of Japan for ensuring the safety of the vicinity of the trajectory and launch site of a launch vehicle (referred to below as a "foreign certification"), to the effect that the foreign certification has been obtained);

(iii) the location of the launch site (in the case of a launch site onboard a ship or aircraft, the name or registration code of the ship or aircraft), as well as its design and equipment (in the case of a launch site which has obtained a compliance certification under Article 16, paragraph (1), the compliance certification number);

(iv) a plan stating the methods for launching of a spacecraft and launch vehicle, including the schedule for launching the spacecraft and launch vehicle, the trajectory of the launch vehicle, and the method of ensuring the safety of the vicinity of the trajectory and launch site referred to below as a "launch

- plan");
- (v) the number of spacecraft to be placed on the launch vehicle, as well as the purposes and methods of use of the respective spacecraft; and
 - (vi) other matters specified by Cabinet Office Order.

(Grounds for Ineligibility)

Article 5 A person that falls under any of the following items is ineligible to obtain a license under paragraph (1) of the preceding Article:

- (i) a person that has violated the provisions of this Act or an order based on this Act or the laws and regulations of a foreign country (meaning countries or regions outside Japan; the same applies below) equivalent to them, and has been sentenced to a fine or severer punishment (including a punishment under the laws and regulations of a foreign country equivalent to them), and for whom three years have not elapsed since the date on which execution of the sentence was completed or since the date on which that person ceased to be subject to the execution of the sentence;
- (ii) a person whose license has been revoked pursuant to Article 12, and for whom three years have not elapsed since the date of that revocation;
- (iii) any person specified by Cabinet Office Order as being unable to properly carry out launching of a spacecraft and launch vehicle due to mental or physical disorder;
- (iv) a corporation anyone of whose officers engaged in its business or employees specified by Cabinet Office Order falls under any of the preceding three items; and
- (v) an individual anyone of whose employees specified by Cabinet Office Order falls under any of items (i) through (iii).

(Standards for License)

Article 6 The Prime Minister must not grant the license under Article 4, paragraph (1), unless the Prime Minister determines that the application for the license under that paragraph meets all of the following:

- (i) the design of the launch vehicle complies with the standard specified by Cabinet Office Order as the safety standard concerning a launch vehicle for ensuring the safety of the vicinity of the trajectory and launch site of the launch vehicle (referred to below as a "launch vehicle safety standard"), or the design has obtained a type certification under Article 13, paragraph (1) or a foreign certification;
- (ii) the launch site is equipped with radio equipment in the following items (a) and (b) or otherwise complies with the standard specified by Cabinet Office Order according to the type of launch vehicle as the safety standard concerning a launch site for ensuring the safety of the vicinity of the

trajectory and launch site of the launch vehicle (referred to below as a "type-specific site safety standard"), or the launch site has obtained a compliance certification under Article 16, paragraph (1):

- (a) radio equipment equipped with a function to detect signals indicating the position, attitude and condition of a launch vehicle transmitted by radio equipment onboard the launch vehicle either directly or by receiving it via other radio equipment using electromagnetic waves, or to detect the position of the launch vehicle by transmitting signals to the launch vehicle either directly or via other radio equipment and then receiving the reflected signals either directly or via other radio equipment; and
- (b) radio equipment equipped with a function of transmitting signals necessary for the destruction of a launch vehicle or any other measures to terminate the flight in the case of the deviation of the launch vehicle from the scheduled trajectory or any other extraordinary circumstances (referred to as "flight termination measures" in the following item and Article 16, paragraph (2), item (iv)) to the radio equipment onboard the launch vehicle either directly or via other radio equipment using electromagnetic waves;
- (iii) the launch plan states the flight termination measures or other means of ensuring the safety of the vicinity of the trajectory and launch site of the launch vehicle, that the details of the plan are appropriate in light of ensuring public safety, and that the applicant has a sufficient ability to execute the launch plan; and
- (iv) the purposes and methods of use of the spacecraft loaded on the launch vehicle are in compliance with the basic principles and are not likely to have an adverse effect on the smooth and precise implementation of the conventions on development and use of outer space and ensuring public safety.

(Licenses Related to Change)

Article 7 (1) When a person that obtained the license under Article 4, paragraph (1) (referred to below as a "launch operator") intends to change any matter in items (ii) through (v) of paragraph (2) of that Article (including when a change has been made to the launch vehicle safety standard and the design of the launch vehicle for which the license was granted no longer satisfies the launch vehicle safety standard, and when a change has been made to the type-specific site safety standard and the launch site for which the license was granted no longer satisfies the type-specific site safety standard), the person must obtain permission from the Prime Minister pursuant to the provisions of Cabinet Office Order; provided, however, that this does not apply to minor changes specified by Cabinet Office Order.

- (2) When there has been a change to any of the items in Article 4, paragraph (2), item (i) or (vi), or a minor change specified by Cabinet Office Order in the proviso to the preceding paragraph, a launch operator must notify the Prime Minister to that effect without delay.
- (3) The provisions of the preceding Article apply mutatis mutandis to the license under paragraph (1).

(Obligation to Ensure Designs are Compliant)

- Article 8 (1) When a launch operator conducts the launching of a spacecraft and launch vehicle, the launch operator must ensure that the launch vehicle related to the launching of the spacecraft and launch vehicle complies with the design for which the license under Article 4, paragraph (1) was granted.
- (2) When a launch operator conducts the launching of a spacecraft and launch vehicle, the launch operator must comply with the launch plan for which the license under Article 4, paragraph (1) was granted, except in the case of a disaster or any unavoidable situation.

(Obligation to Provide Security for Damages)

- Article 9 (1) A launch operator must not conduct the launching of a spacecraft and launch vehicle for which a license under Article 4, paragraph (1) was granted unless it has taken measures to provide security for damages.
- (2) The "measures to provide security for damages" provided for in the preceding paragraph means the execution of a launch vehicle fall damages liability insurance contract and a launch vehicle fall damages liability indemnification contract (limited to a contract related to specific launch vehicle fall damages) or a deposit with an official depository as approved by the Prime Minister, which enables an amount specified by Cabinet Office Order as the appropriate amount in order to protect launch vehicle fall damage victims, considering the design of the launch vehicle, the location of the launch site and other circumstances (referred to as the "compensation measures amount" in Article 40, paragraphs (1) and (2)) to be appropriated to compensation for launch vehicle fall damage, or a measure equivalent to these measures as approved by the Prime Minister (referred to as an "equivalent measure" in Article 40, paragraph (2)).

(Succession)

- Article 10 (1) When a launch operator transfers the business related to the launching of a spacecraft and launch vehicle licensed under Article 4, paragraph (1), if the transferor and the transferee have obtained authorization of that transfer from the Prime Minister in advance pursuant to the provisions of Cabinet Office Order, the transferee succeeds to the status of the launch

operator under the provisions of this Act.

- (2) When a corporation, that is a launch operator, is to be dissolved by a merger or a consolidation previously authorized by the Prime Minister pursuant to the provisions of Cabinet Office Order, a corporation surviving the merger or newly-established as a result of the consolidation succeeds the status of the launch operator under the provisions of this Act.
- (3) When a corporation that is a launch operator has another corporation succeed to its business related to the launching of a spacecraft and launch vehicle licensed under Article 4, paragraph (1) through a split, and the split has been authorized in advance by the Prime Minister pursuant to the provisions of Cabinet Office Order, the corporation that succeeded to the business as a result of the split succeeds to the status of the launch operator under the provisions of this Act.
- (4) Articles 5 and 6 (limited to the part concerning item (iii) (limited to the part concerning the ability to execute the launch plan)) apply mutatis mutandis to the authorization under the preceding three paragraphs.
- (5) When a launch operator transfers its business related to the launching of a spacecraft and launch vehicle licensed under Article 4, paragraph (1) or when a corporation that is a launch operator is dissolved by a merger or has another corporate succeed to the business through a split, if an administrative disposition refuses the authorization under paragraphs (1) through (3) (if an application for authorization is not submitted, when the transfer of business, merger, or split takes place), the license under Article 4, paragraph (1) ceases to be effective.

(Invalidation of License Due to Death or Other Reasons)

Article 11 In addition to the case provided in paragraph (5) of the preceding Article, if a launch operator falls under any of the following items, the license under Article 4, paragraph (1) ceases to be effective; in this case, the persons respectively specified in these items must notify the Prime Minister to that effect within thirty days from the date when they fall under the relevant item:

- (i) when the person has deceased: the heir;
- (ii) when the corporation has dissolved due to an order commencing bankruptcy proceedings: its bankruptcy trustee;
- (iii) when the corporation has dissolved for reasons other than a merger or an order commencing bankruptcy proceedings: its liquidator; and
- (iv) when launching of a spacecraft and launch vehicle has been completed: an individual who was formerly the launch operator, or an officer representing the corporation that was formerly the launch operator.

(Revocation of License)

Article 12 If a launch operator falls under any of the following items, the Prime Minister may revoke the license under Article 4, paragraph (1):

- (i) the launch operator has obtained the license under Article 4, paragraph (1) or Article 7, paragraph (1), or the authorization under Article 10, paragraphs (1) through (3), by deception or other wrongful means;
- (ii) the launch operator has come to fall under any of the items of Article 5, item (i) or (iii) through (v);
- (iii) the design of the launch vehicle to be used for the launch operator's launching of a spacecraft and launch vehicle no longer complies with the launch vehicle safety standard;
- (iv) the launch site used for the launch operator's launching of a spacecraft and launch vehicle no longer complies with the type-specific site safety standard;
- (v) the launch operator has changed a matter without obtaining the permission required under Article 7, paragraph (1);
- (vi) the Prime Minister determines that the launch operator is in violation of the provisions of Article 8; or
- (vii) the launch operator has violated the conditions attached to the license under Article 4, paragraph (1) or Article 7, paragraph (1), or the authorization under Article 10, paragraphs (1) through (3), pursuant to Article 34, paragraph (1).

Section 2 Type Certification for Launch Vehicles

(Type Certification)

Article 13 (1) The Prime Minister grants a type certification for the design of a launch vehicle upon application.

(2) A person that intends to obtain a type certification referred to in the preceding paragraph must submit a written application with the following information to the Prime Minister pursuant to the provisions of Cabinet Office Order, along with a document certifying that the design of the launch vehicle complies with the launch vehicle safety standard and other documents specified by Cabinet Office Order.

- (i) the person's name and address;
- (ii) the design of the launch vehicle; and
- (iii) other matters specified by Cabinet Office Order.

(3) When the application under paragraph (1) is submitted, the Prime Minister must grant the type certification under that paragraph if the Prime Minister determines the design of the launch vehicle, to which the application pertains, to be in compliance with the launch vehicle safety standard.

(4) The type certification under paragraph (1) is to be granted by delivering a type certificate specifying the type certification number to the applicant.

(Change of Design)

- Article 14 (1) When a person that obtained a type certification under paragraph (1) of the preceding Article intends to change any matter in paragraph (2), item (ii) of that Article (including when a change has been made to the launch vehicle safety standard and the design of the launch vehicle for which the type certification was granted no longer satisfies the launch vehicle safety standard), the person must obtain authorization from the Prime Minister pursuant to the provisions of Cabinet Office Order; provided, however, that this does not apply to minor changes specified by Cabinet Office Order.
- (2) When there has been a change to any of the items in Article 13, paragraph (2), item (i) or (iii), or a minor change specified by Cabinet Office Order in the proviso to the preceding paragraph, the person that obtained a type certification under Article 13, paragraph (1) must notify the Prime Minister to that effect without delay.
- (3) The provisions of paragraph (3) of the preceding Article apply mutatis mutandis to the approval under paragraph (1).

(Revocation of Type Certification)

- Article 15 (1) When a person that obtained the type certification under Article 13, paragraph (1) falls under any of the following items, the Prime Minister may revoke the type certification:
- (i) the design of the launch vehicle no longer complies with the launch vehicle safety standard; or
 - (ii) the person has violated an order under Article 33, paragraph (1).
- (2) When the type certification is revoked pursuant to the preceding paragraph, the person that obtained the type certification under Article 13, paragraph (1) must return the type certificate to the Prime Minister without delay.

Section 3 Compliance Certification for Launch Sites

(Compliance Certification)

- Article 16 (1) The Prime Minister grants a compliance certification on application concerning a launch site located in Japan or onboard a ship or aircraft with Japanese nationality, according to the type of launch vehicle related to the launching of a spacecraft and launch vehicle to be conducted using the relevant launch site (limited to a type of launch vehicle whose design has obtained a type certification under Article 13, paragraph (1) or foreign certification).
- (2) A person that intends to obtain a compliance certification under the preceding paragraph must submit a written application to the Prime Minister, pursuant

to the provisions of Cabinet Office Order, specifying the following information, attaching a document certifying that the launch site complies with the type-specific site safety standard and other documents specified by Cabinet Office Order.

- (i) the person's name and address;
 - (ii) the location of launch site (in the case of a launch site onboard the ship or aircraft, the name or registration code of the ship or aircraft), as well as its design and equipment;
 - (iii) the type certification number related to the type certification under Article 13, paragraph (1) or the fact that a foreign certification has been obtained for the type of launch vehicle;
 - (iv) the flight termination measures or other means of ensuring the safety of the vicinity of the trajectory and launch site of the launch vehicle; and
 - (v) other matters specified by Cabinet Office Order.
- (3) When the application under paragraph (1) is submitted, the Prime Minister must grant the compliance certification under that paragraph if the Prime Minister determines the launch site to which the application pertains to be in compliance with the type-specific site safety standard.
- (4) The compliance certification under paragraph (1) is to be granted by delivering a launch site certificate specifying the compliance certification number to the applicant.

(Change of Location of Launch Site)

- Article 17 (1) When a person that obtained a compliance certification under paragraph (1) of the preceding Article intends to change any matter in item (ii) or (iv) of paragraph (2) of that Article (including the case when a change has been made to the type-specific site safety standard and the launch site for which the compliance certification was granted no longer satisfies the type-specific site safety standard), the person must obtain authorization from the Prime Minister pursuant to the provisions of Cabinet Office Order; provided, however, that this does not apply to minor changes specified by Cabinet Office Order.
- (2) When there has been a change to any of the matters in Article 16, paragraph (2), item (i) or (v), or a minor change specified by Cabinet Office Order in the proviso to the preceding paragraph, the person that obtained a compliance certification under Article 16, paragraph (1) must notify the Prime Minister to that effect without delay.
- (3) The provisions of paragraph (3) of the preceding Article apply mutatis mutandis to the approval under paragraph (1).

(Revocation of Compliance Certification)

Article 18 (1) When a person that obtained the compliance certification under Article 16, paragraph (1) falls under any of the following items, the Prime Minister may revoke the compliance certification.

(i) the launch site no longer complies with the type-specific site safety standard; or

(ii) the person has violated an order under Article 33, paragraph (2).

(2) When the compliance certification is revoked pursuant to the preceding paragraph, the person that obtained the compliance certification under Article 16, paragraph (1) must return the launch site certificate to the Prime Minister without delay.

Section 4 Special Provisions on Application Procedures for Japan Aerospace Exploration Agency, National Research and Development Agency

Article 19 (1) If the Japan Aerospace Exploration Agency, National Research and Development Agency (referred to below as "JAXA") submits an application for the type certification under Article 13, paragraph (1) for its design of a launch vehicle, notwithstanding the provisions of paragraph (2) of that Article, procedures without requiring a part of information or attachments related to the application or other simplified procedures specified by Cabinet Office Order may be applied.

(2) If JAXA submits an application for the compliance certification under Article 16, paragraph (1) for the launch site managed and operated by it, notwithstanding the provisions of paragraph (2) of that Article, procedures without requiring a part of information or attachments related to the application or other simplified procedures specified by Cabinet Office Order may be applied.

Chapter III Licenses Related to the Control of Spacecraft

(License)

Article 20 (1) A person that intends to implement the control of a spacecraft using a spacecraft control facility located in Japan, or onboard a ship or aircraft registered in Japan or onboard a spacecraft prescribed in Cabinet Office Order as those over which Japan has jurisdiction (referred to below as the "spacecraft control facility in Japan etc.") must obtain a license from the Prime Minister for each spacecraft.

(2) A person that intends to obtain the license under the preceding paragraph must submit a written application to the Prime Minister stating the following information along with the documents provided for by Cabinet Office Order,

pursuant to the provisions of Cabinet Office Order:

- (i) the person's name and address;
- (ii) the location (in case of spacecraft control facility onboard a ship or aircraft, the name or registration mark of the ship or aircraft, in case of spacecraft control facility onboard spacecraft, the name of the spacecraft or other matters prescribed in Cabinet Office Order as those identifying the spacecraft) of the spacecraft control facility;
- (iii) if the spacecraft is to be used by putting it into the Earth's orbit, the orbit of the spacecraft;
- (iv) the purposes and methods of use of the spacecraft;
- (v) the configuration of the spacecraft;
- (vi) the details of the measures to be taken when terminating the control of the spacecraft (referred to below as "termination measures");
- (vii) other than what is stated in the preceding items, a plan stating the methods of the control of the spacecraft (referred to below as a "control plan");
- (viii) if the applicant is an individual, the name and address of the person who will take over the control of the spacecraft upon the death of the applicant (referred to below as the "representative in case of death"); and
- (ix) other matters specified by Cabinet Office Order.

(Grounds for Ineligibility)

Article 21 A person that falls under any of the following items may not obtain a license under paragraph (1) of the preceding Article:

- (i) a person that has violated the provisions of this Act or orders based on this Act or comparable laws or regulations of a foreign country, and has been sentenced to a fine or greater punishment (including a punishment under the comparable laws or regulations of a foreign country), for whom three years have not elapsed since the date on which the term of the sentence was completed or is no longer subject to the execution of the sentence;
- (ii) a person whose license has been revoked pursuant to Article 30, paragraph (1), for whom three years have not elapsed since the date of that revocation;
- (iii) any person specified by Cabinet Office Order as being unable to properly carry out control of a spacecraft, due to a mental or physical disorder;
- (iv) a corporation for whom any of its officers who carry out its business or its employees specified by Cabinet Office Order fall under any of the preceding three items;
- (v) an individual whose employees specified by Cabinet Office Order fall under any of items (i) through (iii); and
- (vi) an individual whose representative in case of death falls under any of the preceding items.

(Standards for Granting of License)

Article 22 The Prime Minister must not grant the license under Article 20, paragraph (1), unless the Prime Minister determines that the application for the license under that paragraph meets all of the following requirements:

- (i) the purposes and methods of use of the spacecraft comply with the basic principles, and are not likely to have an adverse effect on the smooth and precise implementation of the conventions on development and use of outer space and ensuring public safety;
- (ii) the configuration of the spacecraft, a mechanism for preventing the dispersion of its components and parts and otherwise complies with the standards specified by Cabinet Office Order as being those that are not likely to have an adverse effect on preventing the harmful contamination of outer space including the Moon and other celestial bodies and preventing potentially harmful interference with activities of other countries in the peaceful exploration and use of outer space provided for in Article 9 of the Outer Space Treaty (referred to as "harmful contamination of outer space, etc." in the following item and item (iv), (d)) and the ensuring of public safety;
- (iii) the control plan requires the implementation of measures to avoid collision with other spacecraft and other measures specified by Cabinet Office Order that are necessary to prevent harmful contamination of outer space, etc. as well as termination measures, and the applicant (in the case of an individual, including the representative in case of death) has sufficient ability to execute the control plan; and
- (iv) the details of the termination measures satisfy any of the conditions specified in the following items (a) through (d):
 - (a) they control the position, attitude and condition of the spacecraft to descend in altitude and make it burn up in the atmosphere (including the retrieval of part of the components by guiding them to fall on the ground surface or water surface without burning up), while ensuring the safety of the vicinity of the trajectory of the spacecraft and the expected point of landing or water landing of the part of the components;
 - (b) they control the position, attitude, and condition of the spacecraft to increase its altitude and put it into an Earth orbit from which its altitude will not decrease as time passes, without any risk of an adverse effect on the control of other spacecraft;
 - (c) they control the position, attitude and condition of the spacecraft to put it into the orbit around a celestial body other than the Earth or guide it to fall to the celestial body, without any risk of significantly worsening the environment of the celestial body; or

- (d) if it is impossible to implement the measures in items (a) through (c), they suspend the control of the spacecraft after taking measures to prevent its malfunction and explosion and other measures that specified as necessary by Cabinet Office Order, including for preventing the harmful contamination of outer space, etc., and notifying the Prime Minister of the position, attitude, and condition of the spacecraft.

(Permission to Make Changes)

- Article 23 (1) When a person that has obtained a license under Article 20, paragraph (1) (referred to below as a "spacecraft control operator") intends to change any matter in paragraph (2), items (iv) through (viii) of that Article, the person must obtain permission from the Prime Minister pursuant to the provisions of Cabinet Office Order; provided, however, that this does not apply to minor changes specified by Cabinet Office Order.
- (2) When there has been a change to any of the matters in Article 20, paragraph (2), items (i) through (iii) or item (ix), or a minor changes specified by Cabinet Office Order in the proviso to the preceding paragraph, the spacecraft control operator must notify the Prime Minister to that effect without delay.
- (3) The provisions of the preceding Article apply mutatis mutandis to the license under paragraph (1).

(Compliance with Control Plan)

- Article 24 When a spacecraft control operator implements the control of a spacecraft, the operator must comply with the control plan for which the license under Article 20, paragraph (1) was granted, except in the case of disasters or other unavoidable circumstances.

(Measures in Case of Accident)

- Article 25 If a spacecraft control operator becomes unable to implement the control of a spacecraft without taking termination measures related to the license under Article 20, paragraph (1) due to the collision of a spacecraft related to the license under that paragraph with another object or any other accident, and if there is no prospect of recovery, the spacecraft control operator must promptly notify the Prime Minister to that effect, the circumstances of the accident and the matters specified by Cabinet Office Order as matters that will assist with identifying the position of the spacecraft after the accident has occurred, pursuant to the provisions of Cabinet Office Order. In this case, the license under that paragraph ceases to be effective.

(Succession)

- Article 26 (1) When a spacecraft control operator intends to transfer its business

- with respect to the control of spacecraft licensed under Article 20, paragraph (1) to a person that intends to implement the control of spacecraft using a spacecraft control facility in Japan etc., if the transferor and transferee have obtained authorization for that transfer and acquisition from the Prime Minister in advance pursuant to the provisions of Cabinet Office Order, the transferee succeeds to the status of the spacecraft control operator under the provisions of this Act.
- (2) When a spacecraft control operator intends to transfer the business with respect to the control of spacecraft licensed under Article 20, paragraph (1) to a person that intends to implement the control of spacecraft without using a spacecraft control facility in Japan etc., the spacecraft control operator must notify the Prime Minister in advance to that effect pursuant to the provisions of Cabinet Office Order.
- (3) When a corporation that is a spacecraft control operator is to be dissolved by merger and that merger has been authorized in advance by the Prime Minister pursuant to the provisions of Cabinet Office Order, a corporation surviving the merger or a corporation established as a result of the merger succeeds to the status of the spacecraft control operator under this Act.
- (4) When a corporation that is a spacecraft control operator has a business related to the control of spacecraft licensed under Article 20, paragraph (1) taken over through a split, and the split has been authorized in advance by the Prime Minister pursuant to the provisions of Cabinet Office Order, the corporation that succeeds to the business as a result of the split succeeds to the status of the spacecraft control operator under the provisions of this Act.
- (5) Articles 21 and 22 (limited to the parts concerning item (iii) (limited to the parts concerning ability to implement the control plan)) apply *mutatis mutandis* to the authorization under paragraph (1) and the preceding two paragraphs.
- (6) When a spacecraft control operator transfers its business related to the control of spacecraft licensed under Article 20, paragraph (1) or a spacecraft control operator corporation is dissolved by a merger or has its business taken over through a split and a disposition refuses the authorization under paragraphs (1), (3), or (4) (if an application for the authorization is not submitted, when the transfer of business, merger, or split-up takes place), the license under Article 20, paragraph (1) ceases to be effective, and its transferee (except for transferees with respect to the business transfers provided for in paragraph (2)), a corporation surviving the merger or a corporation established as a result of the merger, or a corporation that has succeeded to that business through the split, must take termination measures related to the license under paragraph (1) of that Article, within 120 days from the day of the disposition (if an application for the authorization is not submitted, the day of the transfer of

business, merger or split). In this case, until the termination measures are completed (in the case provided in the preceding Article, until the notification under that Article is submitted), the provisions of Article 24, the first sentence of the preceding Article, Article 31, Article 32, and Article 33, paragraph (3) (including penal provisions related to these provisions) apply by deeming these persons to be spacecraft control operators.

(Notifications Related to Death)

Article 27 (1) When a spacecraft control operator has died, their heir must notify the Prime Minister to that effect without delay.

(2) When a spacecraft control operator has died, the license under Article 20, paragraph (1) ceases to be effective, and the representative in case of death must take termination measures related to the license under Article 20, paragraph (1), within 120 days from the date of death, unless the transfer of business with respect to the control of the spacecraft has been authorized under paragraph (1) of the preceding Article. In this case, until the implementation of the business transfer or the completion of the termination measures (in the case provided in Article 25, until the notification as provided in it is submitted), provisions of Article 24, the first sentence of Article 25, Article 26, paragraphs (1) and (5), Article 31, Article 32, and Article 33, paragraph (3) (including penal provisions related to these provisions) apply by deeming the representative in case of death to be the spacecraft control operator.

(Termination Measures)

Article 28 (1) When a spacecraft control operator intends to terminate the control of a spacecraft pursuant to the control plan related to the license under Article 20, paragraph (1), the spacecraft control operator must notify the Prime Minister to that effect in advance and take termination measures related to the license under that paragraph, pursuant to the provisions of Cabinet Office Order.

(2) When termination measures are taken pursuant to the preceding paragraph, the license under Article 20, paragraph (1) ceases to be effective.

(Notifications Related to Dissolution)

Article 29 (1) When a corporation that is a spacecraft control operator dissolves for reasons other than a merger, a liquidator or a bankruptcy trustee must notify the Prime Minister to that effect without delay.

(2) When a corporation that is a spacecraft control operator dissolves for reasons other than a merger, the license under Article 20, paragraph (1) ceases to be effective, and the corporation undergoing liquidation (meaning a corporation

undergoing liquidation or special liquidation, or a corporation against which bankruptcy proceedings have been commenced; the same applies below in this paragraph) must take termination measures related to the license under Article 20, paragraph (1) within 120 days from the date of dissolution, unless the transfer of the business related to control of the spacecraft has been authorized under Article 26, paragraph (1). In this case, until the implementation of the business transfer or the completion of the termination measures (in the case provided in Article 25, until the notification as provided in it is submitted), the provisions of Article 24, the first sentence of Article 25, Article 26, paragraphs (1) and (5), Article 31, Article 32, and Article 33, paragraph (3) (including penal provisions related to these provisions) apply by deeming the corporation undergoing liquidation to be the spacecraft control operator.

(Revocation of License)

Article 30 (1) If a spacecraft control operator falls under any of the following items, the Prime Minister may revoke their license under Article 20, paragraph (1):

- (i) the spacecraft control operator has obtained the license under Article 20, paragraph (1) or Article 23, paragraph (1), or the authorization under Article 26, paragraph (1), (3), or (4) by deception or other wrongful means;
 - (ii) the spacecraft control operator has come under any of the items of Article 21, item (i) or items (iii) through (iv);
 - (iii) the spacecraft control operator has changed a matter for which permission must be obtained pursuant to Article 23, paragraph (1) without obtaining permission under that paragraph;
 - (iv) the spacecraft control operator has violated an order under Article 33, paragraph (3); or
 - (v) the spacecraft control operator has violated the conditions attached to the license under Article 20, paragraph (1) or Article 23, paragraph (1), or the authorization under Article 26, paragraph (1), (3), or (4), pursuant to Article 34, paragraph (1).
- (2) If the license of a spacecraft control operator under Article 20, paragraph (1) is revoked pursuant to the preceding paragraph, the spacecraft control operator must take termination measures related to the license under Article 20, paragraph (1) within 120 days from the date of the revocation unless the transfer of the business related to the control of the spacecraft has been authorized under Article 26, paragraph (1). In this case, until the implementation of the business transfer or the completion of the termination measures (in the case provided in Article 25, until the notification as provided in it is submitted), provisions of Article 24, the first sentence of Article 25,

Article 26, paragraphs (1) and (5), Article 31, Article 32, and Article 33, paragraph (3) (including penal regulations related to these provisions) apply by deeming the person to be the spacecraft control operator.

Chapter IV Supervision by the Prime Minister

(On-Site Inspection, etc.)

Article 31 (1) To the extent necessary to enforce this Act, the Prime Minister may request a launch operator, a person that has obtained a type certification under Article 13, paragraph (1), a person that has obtained a compliance certification under Article 16, paragraph (1), or a spacecraft control operator to provide necessary reports or have Cabinet Office employees enter its office or any other places of business to inspect books, documents, or other items, or to question relevant persons.

(2) The employee who conducts an on-site inspection under the preceding paragraph must carry identification and present it at the request of persons involved.

(3) The authority to conduct an on-site inspection under paragraph (1) must not be construed as being granted for criminal investigation purposes.

(Guidance)

Article 32 The Prime Minister may give necessary guidance, advice, and recommendations to launch operators, persons that have obtained a type certification under Article 13, paragraph (1), persons that have obtained a compliance certification under Article 16, paragraph (1), or spacecraft control operators in order to ensure the smooth and precise implementation of the conventions on development and use of outer space and ensure public safety, in accordance with the basic principles.

(Correction Orders)

Article 33 (1) When the Prime Minister determines that design of a launch vehicle which obtained a type certification under Article 13, paragraph (1) fails or is likely to fail to comply with the launch vehicle safety standard, the Prime Minister may order the person that obtained the type certification to make necessary changes to the design to comply with the launch vehicle safety standard or preclude the possibility of failing to comply with the launch vehicle safety standard.

(2) When the Prime Minister determines that a launch site that obtained a compliance certification under Article 16, paragraph (1) fails or is likely to fail to comply with the type-specific site safety standard, the Prime Minister may order the person that obtained the compliance certification to take measures to

the extent necessary for ensuring compliance with the type-specific site safety standard or precluding the possibility of failing to comply with the type-specific site safety standard.

- (3) When the Prime Minister determines that a spacecraft control operator is in violation of the provisions of Article 24, the Prime Minister may order the spacecraft control operator to take necessary measures for remedying that violation.

(Conditions for the License)

Article 34 (1) Conditions may be imposed on the license under Article 4, paragraph (1), Article 7, paragraph (1), the license under Article 20, paragraph (1), the license under Article 23, paragraph (1), or the authorization under Article 10, paragraphs (1) through (3) or Article 26, paragraph (1), (3), or (4), and changes may be made to the conditions.

- (2) The conditions in the preceding paragraph must be limited to the minimum extent required to ensure the proper implementation of the matters related to the licenses or authorizations and must not result in imposing unreasonable duties on the person obtaining the license or authorization.

Chapter V Compensation for Launch Vehicle Fall Damage

Section 1 Liability for Damages for Launch Vehicle Fall Damage

(Strict Liability)

Article 35 A person that conducts launching of spacecraft and launch vehicle using a launch site located in Japan or onboard a ship or aircraft with Japanese nationality is liable to compensate for launch vehicle fall damage caused by the person related to the launch of spacecraft and launch vehicle.

(Channeling of Liability)

Article 36 (1) In the case in the preceding Article, no person other than the person conducting the launching of spacecraft and launch vehicle is to be held liable to compensate for the damage pursuant to the Article.

- (2) The provisions of the Product Liability Act (Act No. 85 of 1994) do not apply to launch vehicle fall damage.

- (3) The provisions of paragraph (1) must not be construed to preclude the application of the Act on Compensation for Nuclear Damage (Act No. 147 of 1961).

(Considerations for Determination of Compensation for Damages)

Article 37 Notwithstanding the provisions of the preceding two Articles, if a natural disaster or other force majeure event also contributed to the occurrence

of the launch vehicle fall damage, the court may also take that event into consideration to determine the liabilities and amount of compensation for damages.

(Right to Reimbursement)

- Article 38 (1) In the case in Article 35, if any other person is to be held liable for the cause of the damage, the person that compensated the damage pursuant to that Article has a right to reimbursement from that person; provided, however, that if the person that is to be held liable was the supplier of materials or other goods or provider of services for the launching of the spacecraft and launch vehicle (excluding the manager and operator of the launch site used for the launching of the spacecraft and launch vehicle), the person that compensated for the damage only has a right to reimbursement from the supplier if the damage was caused by the intentional conduct of the supplier or its workers.
- (2) The provisions of the preceding paragraph do not preclude the execution of a special provisions in writing concerning the right to reimbursement.

Section 2 Launch Vehicle Fall Damages Liability Insurance Contract

- Article 39 (1) Launch vehicle fall damage victims are entitled to receive payment from the insurance benefits under the launch vehicle fall damages liability insurance contract related to their respective claims for damages, taking priority over other creditors.
- (2) In relation to the amount of damages payable to a victim of launch vehicle fall damage, the insured may make an insurance claim against the insurer, limited to the amount that the insured has itself paid or that the victim accepts.
- (3) An insurance claim under a launch vehicle fall damages liability insurance contract may not be assigned, pledged as security, or attached; provided, however, that this does not apply if a launch vehicle fall damage victim attaches the insurance claim related to the victim's own claim for damages.

Section 3 Launch Vehicle Fall Damages Liability Indemnification Contracts

(Launch Vehicle Fall Damages Liability Indemnification Contracts)

- Article 40 (1) The government may execute a launch vehicle fall damages liability indemnification contract with a launch operator under which the government promises to indemnify the launch operator for losses arising from providing compensation where the operator has incurred liability to compensate for specific launch vehicle fall damage, to an extent not exceeding an amount equivalent to the compensation measures amount covered by the

security for damages provided for in Article 9, paragraph (2) to be allocated to compensating the specific launch vehicle fall damages (simply referred to below as "security for damages").

- (2) Other than what is provided in the preceding paragraph, the government may execute a launch vehicle fall damages liability indemnification contract with a launch operator under which the government promises to indemnify the launch operator for losses caused by compensating the launch vehicle fall damage, where the operator incurs liability to compensate for launch vehicle fall damage that is not covered by a launch vehicle fall damages liability insurance contract, a launch vehicle fall damages liability indemnification contract under that paragraph or any other measures for compensating launch vehicle fall damage, in an amount not exceeding the amount specified by Cabinet Office Order that is appropriate from the standpoint of reinforcing the international competitiveness of Japanese industries related to launching spacecraft and launch vehicle, after deducting an amount equivalent to the compensation measures amount covered by the security for damages to be allocated to the launch operator's compensation for launch vehicle fall damage (or, when equivalent measures have been taken related to the launch vehicle fall damage, the higher of the amount equivalent to the compensation measures amount or the equivalent measures amount that can be allocated to compensating the launch vehicle fall damage).
- (3) The provisions of the preceding Article apply mutatis mutandis to the indemnification payment under a launch vehicle fall damages liability indemnification contract.

(Period of Launch Vehicle Fall Damages Liability Indemnification Contract)

Article 41 The period of a launch vehicle fall damages liability indemnification contract is from the time of its execution until the completion of the launching of the spacecraft and launch vehicle related to the relevant launch vehicle fall damages liability indemnification contract.

(Indemnification Payments)

Article 42 The amount to be indemnified by the government related to a launch vehicle fall damages liability indemnification contract must not exceed the contract amount of the launch vehicle fall damages liability indemnification contract related to the losses arising from the launch operator's compensation for launch vehicle fall damage caused by a spacecraft launch during the period of the launch vehicle fall damages liability indemnification contract.

(Limits on Execution of Launch Vehicle Fall Damages Liability Indemnification Contracts)

Article 43 The government is to execute launch vehicle fall damages liability indemnification contracts within limits, so that the total contract amount of launch vehicle fall damages liability indemnification contracts executed in a single fiscal year will not exceed the amount approved by the Diet for that fiscal year.

(Statute of Limitations)

Article 44 Any claim for indemnity payment is time-barred if not made within three years after the accrual of the claim.

(Subrogation)

Article 45 When the government provides indemnification under a launch vehicle fall damages liability indemnification contract, if the launch operator that is the counterparty to the launch vehicle fall damages liability indemnification contract has a right to reimbursement from a third party, the government acquires the right to reimbursement up to the lower of the amounts listed as follows:

- (i) the amount indemnified by the government; or
- (ii) the amount of the right to reimbursement.

(Redemption of Indemnification Payment)

Article 46 When the government makes an indemnification payment under a launch vehicle fall damages liability indemnification contract, if the launch operator that is the counterparty to the launch vehicle fall damages liability indemnification contract falls under any of the following items, the government is to order the launch operator to redeem the indemnification payment pursuant to the provisions of Cabinet Order:

- (i) the launch operator conducted the launching of a spacecraft and launch vehicle in violation of the provisions of Article 8; or
- (ii) the launch operator fell under Article 12, item (i) or (v) when it conducted the launching of the spacecraft and launch vehicle

(Administration of Business)

Article 47 (1) The business of the government provided for in this Section is administered by the Prime Minister.

(2) When the Prime Minister intends to execute a launch vehicle fall damages liability indemnification contract, the Prime Minister must consult in advance with the Minister of Finance.

(Outsourcing of Business)

Article 48 (1) The government may outsource part of its business related to

launch vehicle fall damages liability indemnification contracts to insurers, pursuant to the provisions of Cabinet Order.

- (2) When the Prime Minister outsources the business under the preceding paragraph, the Prime Minister must give public notice of the name of the outsourcing provider and other matters specified by Cabinet Office Order.

Section 4 Deposit with Official Depository

(Deposit as Security for Damages)

Article 49 A deposit with an official depository as security for damages is to be made by depositing cash or securities specified by Cabinet Office Order (including book-entry transfer bonds provided in Article 278, paragraph (1) of the Act on Book-Entry Transfer of Corporate Bonds and Shares (Act No. 75 of 2001); the same applies in the following Article and Article 51) with the Legal Affairs Bureau or District Legal Affairs Bureau nearest to the principal office of the launch operator (if the launch operator has no offices in Japan, the location of the launch site related to the license under Article 4, paragraph (1) (for a launch site onboard a ship, the location of the port of registry of the ship, or for a launch site onboard an aircraft, the location of the home base of the aircraft)).

(Payment from Deposited Property)

Article 50 Victims of launch vehicle fall damage are entitled to receiving payment from the cash or securities deposited with an official depository by the launch operator pursuant to the preceding Article, related to their respective claims for damages, in priority to other creditors.

(Recovery of Deposited Property)

Article 51 In the following cases, a launch operator may receive the Prime Minister's approval to recover cash or securities deposited with an official depository pursuant to Article 49:

- (i) when the launch operator has completed the launching of a spacecraft and launch vehicle, and it is clear that no launch vehicle fall damage will arise;
- (ii) when launch vehicle fall damage has occurred and the launch operator has completed compensating for the damage that arose; or
- (iii) when the launch operator has provided other security for damages instead of making a deposit with an official depository.

(Delegation to Cabinet Office Order and Ministry of Justice Order)

Article 52 Other than what is provided for in this Section, the matters related to the deposit with an official depository will be specified by Cabinet Office Order

and Ministry of Justice Order.

Chapter VI Compensation for Spacecraft Fall Damage

(Strict Liability)

Article 53 A person that implements the control of a spacecraft using a spacecraft control facility in Japan etc. is liable to compensate for damage, including spacecraft fall damage, caused by the person related to the control of the spacecraft.

(Considerations Concerning Compensation)

Article 54 Notwithstanding the provisions of the preceding Article, if a natural disaster or other force majeure event also contributed to the occurrence of the damage, including spacecraft fall damage, the court may also take that contribution into consideration in determining liability for and the amount of damages.

Chapter VII Miscellaneous Provisions

(Hearing of Opinions of Committee on National Space Policy)

Article 55 When the Prime Minister intends to establish, revise, or abolish the Cabinet Office Order referred to in Article 4, paragraph (2), item (ii), Article 6, item (i) or (ii), or Article 22, item (ii) or (iii), the Prime Minister must seek opinions from the Committee on National Space Policy in advance.

(Consultation with Minister of Finance)

Article 56 When the Prime Minister intends to establish, revise, or abolish the Cabinet Office Order referred to in Article 9, paragraph (2) or Article 40, paragraph (2), the Prime Minister must consult with the Minister of Finance in advance.

(Exemption for National Government)

Article 57 (1) The provisions of Article 4, paragraph (1) do not apply to the launching of a spacecraft and launch vehicle to be implemented by the national government.

(2) The provisions of Article 20, paragraph (1) do not apply to the control of a spacecraft that is implemented by the national government.

(Transitional Measures)

Article 58 When an order is established, revised, or abolished pursuant to the provisions of this Act, the necessary transitional measures (including

transitional measures related to penal provisions) may be stipulated in the order to the extent considered reasonably necessary for the establishment, revision, or abolition.

(Delegation to Cabinet Office Order)

Article 59 Other than what is provided for in this Act, the procedures for effectuating this Act and any other matters necessary to effectuate this Act are specified by Cabinet Office Order.

Chapter VIII Penal Provisions

Article 60 A person falling under any of the following items is punished by imprisonment of not more than three years or a fine of not more than 3,000,000 yen, or both:

- (i) a person that has implemented the launching of a spacecraft and launch vehicle in violation of the provisions of Article 4, paragraph (1); or
- (ii) a person that has obtained the license under Article 4, paragraph (1), Article 7, paragraph (1), Article 20, paragraph (1), or Article 23, paragraph (1), the authorization under Article 10, paragraphs (1) through (3) or Article 26, paragraph (1), (3), or (4), the type certification under Article 13, paragraph (1), the authorization under Article 14, paragraph (1) or Article 17, paragraph (1) or the compliance certification under Article 16, paragraph (1) by deception or other wrongful means;
- (iii) a person that has changed the matters in Article 4, paragraph (2), items (ii) through (v) in violation of the provisions of Article 7, paragraph (1);
- (iv) a person that has implemented the control of a spacecraft in violation of the provisions of Article 20, paragraph (1);
- (v) a person that has changed the matters in Article 20, paragraph (2), items (iv) through (viii) in violation of the provisions of Article 23, paragraph (1); or
- (vi) a person that has violated an order under Article 33, paragraph (3).

Article 61 A person falling under any of the following items is to be punished by imprisonment of not more than one year or a fine of not more than 1,000,000 yen, or both:

- (i) a person that has conducted launching of a spacecraft and launch vehicle in violation of the provisions of Article 8 or Article 9, paragraph (1); or
- (ii) a person that has failed to take the termination measures related to the license under Article 20, paragraph (1), in violation of Article 26, paragraph (6), Article 27, paragraph (2), Article 28, paragraph (1), Article 29, paragraph (2) or Article 30, paragraph (2).

Article 62 A person falling under any of the following items is to be punished by a fine of not more than 1,000,000 yen:

- (i) a person that has changed the matters in Article 13, paragraph (2), item (ii) in violation of the provisions of Article 14, paragraph (1);
- (ii) A person that has changed the matters in Article 16, paragraph (2), item (ii) or (iv) in violation of the provisions of Article 17, paragraph (1);
- (iii) a person that has failed to make a report under Article 31, paragraph (1) or makes a false report, or refuses, obstructs or avoids the inspection under that paragraph, or fails to answer or gives a false answer to the questions under that paragraph; or
- (iv) a person that has violated an order under Article 33, paragraph (1) or (2).

Article 63 A person falling under any of the following items is to be punished by a fine of not more than 500,000 yen:

- (i) a person that has failed to make the notification under Article 7, paragraph (2), Article 14, paragraph (2), Article 17, paragraph (2), Article 23, paragraph (2), Article 25, Article 26, paragraph (2), or Article 28, paragraph (1) or that makes a false notification;
- (ii) a person that has failed to return a type certificate in violation of the provisions of Article 15, paragraph (2); or
- (iii) a person that has failed to return a launch site certificate in violation of the provisions of Article 18, paragraph (2).

Article 64 If the representative of a corporation or an agent, employee, or other worker of a corporation or an individual commits any of the violations prescribed in Article 60 through the preceding Article with regard to the business of the corporation or individual, not only the offender but also the corporation or individual is subject to the fine prescribed in the respective Articles.

Article 65 A person that fails to make the notification under Article 11, Article 27, paragraph (1), or Article 29, paragraph (1) or makes a false notification is to be punished by a civil fine of not more than 100,000 yen.

Supplementary Provisions

(Effective Date)

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding two years from the date of promulgation; provided, however, that the provisions in the following items come into effect

as of the dates specified respectively in the following items:

- (i) the provisions of Articles 3 and 10 of the Supplementary Provisions: the date of promulgation; or
- (ii) the provisions of the following Article: the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

(Preparatory Actions)

- Article 2 (1) A person that intends to obtain the license under Article 4, paragraph (1) or Article 20, paragraph (1) may submit an application even prior to this Act taking effect in accordance with the provisions of Article 4, paragraph (2) or Article 20, paragraph (2).
- (2) A person that intends to obtain the type certification under Article 13, paragraph (1) or the compliance certification under Article 16, paragraph (1) (excluding JAXA) may submit an application even prior to this Act taking effect in accordance with the provisions of Article 13, paragraph (2) or Article 16, paragraph (2).
- (3) JAXA may submit an application for the type certification under Article 13, paragraph (1) related to its design of a launch vehicle even prior to this Act taking effect, in accordance with the provisions of Article 19, paragraph (1).
- (4) JAXA may submit an application for the compliance certification under Article 16, paragraph (1) related to the launch site managed and operated by it even prior to this Act taking effect, in accordance with the provisions of Article 19, paragraph (2).

- Article 3 (1) When the Prime Minister intends to establish the Cabinet Office Order referred to in Article 4, paragraph (2), item (ii), Article 6, item (i) or (ii), or Article 22, item (ii) or (iii), the Prime Minister may seek opinions from the Committee on National Space Policy even prior to this Act taking effect.
- (2) When the Prime Minister intends to establish the Cabinet Office Order referred to in Article 9, paragraph (2) or Article 40, paragraph (2), the Prime Minister may consult with the Minister of Finance even prior to this Act taking effect.

(Transitional Measures)

- Article 4 The provisions of Article 20, paragraph (1) do not apply to the spacecraft control that is being implemented at the time this Act takes effect.

(Review)

- Article 5 When five years have passed after this Act comes into effect, the government is to review the state of enforcement of this Act and take necessary measures if so determined based on the findings of the review.

(Transitional Measures Related to Penal Provisions Associated with Partial Amendment of the Act on the Japan Aerospace Exploration Agency, National Research and Development Agency)

Article 7 For the application of the penal provisions to acts in violation of the provisions of the Act on the Japan Aerospace Exploration Agency, National Research and Development Agency prior to the amendment under the preceding Article, which were committed prior to this Act taking effect, the provisions then in force remain applicable.

(Delegation to Cabinet Order)

Article 10 Other than what is provided for in these Supplementary Provisions, any necessary transitional measures (including transitional measures concerning penal provisions) to effectuate this Act are specified by Cabinet Order.