

Regulations for Enforcement of the Act on Launching Spacecraft and Launch Vehicle and Control of Spacecraft

(Cabinet Office Order No. 50 of November 15, 2017)

The Regulations for Enforcement of the Act on Launching Spacecraft and Launch Vehicle and Control of Spacecraft is provided as follows pursuant to the provisions of the Act on Launching Spacecraft and Launch Vehicle and Control of Spacecraft (Act No. 76 of 2016) and the Order for Enforcement of the Act on Launching Spacecraft and Launch Vehicle and Control of Spacecraft (Cabinet Order No. 280 of 2017), and for the purpose of the enforcement of the Act:

(Definitions)

Article 1 The terms used in this Cabinet Office Order are governed by the definitions in the Act on Launching Spacecraft and Launch Vehicle and Control of Spacecraft (referred to below as the "Act").

(Person in Close Business Relationship with Person Carrying Out Launch of Spacecraft)

Article 2 A person specified by Cabinet Office Order, as referred to in Article 2, item (viii) of the Act, are as follows:

- (i) worker of the person carrying out the launching of spacecraft and launch vehicle; and
- (ii) person that supplied materials or other goods or services for the use of the launching of a spacecraft and launch vehicle and that person's worker.

(Specific Launch Vehicle Fall Damage)

Article 3 The events specified by Cabinet Office Order, as referred to in Article 2, item (ix) of the Act, are as follows:

- (i) a significant disturbance of social order caused by a war, riot, and other acts of violence; and
- (ii) in addition to the events stated in the preceding item, an event for which the insurer does not pay the insurance proceeds under a launch vehicle fall damage liability insurance contract related to the security for damages approved by the Prime Minister as provided in Article 9, paragraph (2) of the Act, which has been determined appropriate by the Prime Minister.

(Persons in Close Business Relationship with Person Implementing Control of Spacecraft)

Article 4 A person specified by Cabinet Office Order, as referred to in Article 2, item (xi) of the Act, is a worker of a person implementing the control of the spacecraft.

(Applications for License Related to Launch of Spacecraft)

Article 5 (1) A person that intends to obtain the license under Article 4, paragraph (1) of the Act must submit a written application using Form 1 to the Prime Minister.

(2) The following documents must be attached to the written application under the preceding paragraph:

(i) in the case of a person that intends to implement launching of a spacecraft and launch vehicle with a launch vehicle without a type certification under Article 13, paragraph (1) of the Act, the following documents:

(a) a document certifying that the design of the launch vehicle satisfies the launch vehicle safety standard provided in Article 7;

(b) a document describing the flight termination measures or any other methods of ensuring the safety of the vicinity of the trajectory and launch site of the launch vehicle;

(c) a document describing the technical conditions for ensuring the compliance of the launch vehicle and launch site;

(d) a document describing the flight records or test results of the launch vehicle;

(e) a document describing the results of assessment of reliability of the launch vehicle; and

(f) a document describing the method of verification that the launch vehicle complies with its design;

(ii) in the case of a person that intends to implement the launching of spacecraft and launch vehicle using a launch site without a compliance certification under Article 16, paragraph (1) of the Act, the following documents:

(a) a document certifying that the location, design and equipment of the launch site satisfy the type-specific site safety standard provided in Article 8;

(b) a document describing the flight termination measures or any other methods of ensuring the safety of the vicinity of the trajectory and launch site of the launch vehicle; and

(c) a document describing the technical conditions for ensuring the compliance of the launch vehicle and launch site, and evidencing the compliance with the conditions; and

(iii) any other document which the Prime Minister determines necessary.

(3) The matters specified by Cabinet Office Order, as referred to in Article 4,

paragraph (2), item (vi) of the Act, are as follows:

- (i) the type, name, and serial number of the launch vehicle;
 - (ii) the name of the spacecraft to be placed on the launch vehicle;
 - (iii) if the applicant is a corporation, the names of the officers;
 - (iv) the names of the employees; and
 - (v) a statement that the applicant does not fall under any of the items of Article 5 of the Act.
- (4) When the Prime Minister grants a license under Article 4, paragraph (1) of the Act, the Prime Minister is to notify the applicant to that effect and issue a license certificate using Form 2.
- (5) The launch operator may return the license certificate granted pursuant to the preceding paragraph to the Prime Minister. In this case, the license ceases to be effective.

(Persons Incapable of Implementing Launch of Spacecraft and Launch Vehicle in Appropriate Manner Due to Mental or Physical Disorder)

Article 5-2 The person specified by Cabinet Office Order, as referred to in Article 5, item (iii) of the Act, is a person incapable of appropriate recognition, decision-making, and communication necessary for launching spacecraft and launch vehicle in an appropriate way due to mental disorder.

(Employees)

Article 6 The employee specified by Cabinet Office Order, as referred to in Article 5, items (iv) and (v) of the Act, is an employee of an applicant having authority and responsibilities for the applicant's business related to launch of a spacecraft and launch vehicle.

(Launch Vehicle Safety Standard)

Article 7 The standards specified by Cabinet Office Order, as referred to in Article 6, item (i) of the Act, are as follows:

- (i) that the launch vehicle has a flight capability with the ability to launch a spacecraft and launch vehicle;
- (ii) that measures have been taken to ensure the safety of the vicinity of the trajectory and launch site of the launch vehicle even in the event of a fault, malfunction, or erroneous operation (referred to below as "failures") of ignition and other devices;
- (iii) that the launch vehicle has a function to transmit signals indicating the position, attitude, and condition of the launch vehicle;
- (iv) that the launch vehicle has a function to ensure the safety of the vicinity of the trajectory and launch site of the launch vehicle by flight termination measures of the launch vehicle;

- (v) that measures have been taken to ensure the reliability and multiplexing (meaning the configuration of two or more systems or devices with the same function on the same system; the same applies below) sufficient for the system to function even in the event of failures for the important systems, etc. which constitute the function to ensure the safety of the vicinity of the trajectory and launch site of the launch vehicle;
- (vi) that measures have been taken to prevent the release of debris at the time of the separation of spacecraft and launch vehicle to the possible extent; and
- (vii) that measures have been taken to prevent the break-up at the time of the separation of a spacecraft and launch vehicle to the possible extent for a stage to be put into orbit from among the stages constituting the launch vehicle.

(Type-specific Site Safety Standard)

Article 8 The standards specified by Cabinet Office Order, as referred to in Article 6, item (ii) of the Act, are as follows:

- (i) that the launch site is located at a place capable of ensuring the safety of the vicinity of the launch site, and that appropriate safety measures have been taken for important pieces of equipment;
- (ii) that the launch site is capable of being installed such devices as to ensure the appropriate lift-off while also to ensure the safety of the trajectory of the launch vehicle and the surrounding area;
- (iii) that measures have been taken to ensure the safety of the vicinity of the trajectory and launch site of the launch vehicle even if failures of important systems, etc. related to ignition and other devices used for the launch vehicle;
- (iv) that the launch site is capable of being installed the following radio equipment which are necessary for the implementation of flight safety operation (meaning the measures to be taken until the completion of launching of a spacecraft and launch vehicle so as to ensure public safety, so as to minimize the possibility of causing damage to human life, body, or property on the ground surface or water surface, or aircraft in flight or other flying objects caused by the fall, collision, or explosion of the spacecraft and launch vehicle in whole or part, that has not been successfully separated; the same applies below) and flight termination measures; provided, however, that this does not apply to the case in which any other place equipped with the following radio equipment for the implementation of the flight safety operation or flight termination measures is to be used:
 - (a) radio equipment with a function to detect signals indicating the position, attitude, and condition of the launch vehicle by the use of electromagnetic waves or other means; or

- (b) if the launch vehicle implements flight termination measures by receiving signals, radio equipment with a function for transmitting signals necessary for the implementation of flight termination measures; and
- (v) that measures have been taken to ensure the reliability and multiplexing sufficient for the system to function even in the event of failures for the important systems, etc. which constitute the function to ensure the safety of the vicinity of the trajectory and launch site of the launch vehicle.

(Applications for Permission Related to Change)

- Article 9 (1) When a launch operator intends to make any change to the matters stated in Article 4, paragraph (2), items (ii) through (v) of the Act, the launch operator must submit to the Prime Minister a written application using Form 3 with a document related to the changed items contained in the documents stated in Article 5, paragraph (2), items (i) and (ii) and a copy of the license certificate under paragraph (4) of that Article pertaining to the launching of a spacecraft and launch vehicle and obtain permission from the Prime Minister.
- (2) When the Prime Minister grants the permission to make any changes under Article 7, paragraph (1) of the Act, the Prime Minister is to notify the launch operator to that effect, order the launch operator to return the license certificate under Article 5, paragraph (4) pertaining to the launching of the spacecraft and launch vehicle and reissue the license certificate using Form 2.
- (3) The minor changes specified by Cabinet Office Order, as referred to in the proviso to Article 7, paragraph (1) of the Act, are changes that would not result in a substantial change in the matters stated in Article 4, paragraph (2), items (ii) through (v) of the Act.
- (4) When a launch operator intends to make a notification under Article 7, paragraph (2) of the Act, the launch operator must submit to the Prime Minister a written notification using Form 4, with a document pertaining to the changed matters and a copy of the license certificate referred to in Article 5, paragraph (4) related to the launching of a spacecraft and launch vehicle.

(Compensation Measures Amount)

- Article 9-2 (1) Considering the design of the launch vehicle, the location of the launch site, and other circumstances and upon consultation with the Minister of Finance, the Prime Minister is to determine the amount stated in Cabinet Office Order, as referred to in Article 9, paragraph (2) of the Act.
- (2) The Prime Minister is to issue a public notice when the amount provided for in the preceding paragraph has been determined.

(Submission of Materials Used to Calculate the Compensation Measures Amount)

Article 9-3 The Prime Minister may request a person that intends to implement the launch of a spacecraft and launch vehicle to submit materials used to calculate the compensation measures amount if the Prime Minister finds it necessary.

(Applications for Approval of Security for Damages)

Article 9-4 (1) A person that intends to obtain approval under Article 9, paragraph (2) of the Act must submit a written application using Form 4-2 to the Prime Minister.

(2) The following documents must be attached to the written application under the preceding paragraph:

(i) if the applicant intends to take security for damages by way of executing a launch vehicle fall damage liability insurance contract and a launch vehicle fall damage liability indemnification contract (limited to a contract pertaining to specific launch vehicle fall damage; the same applies below in this Article and Article 10), the following documents:

(a) a copy of general conditions of the launch vehicle fall damage liability insurance contract;

(b) a copy of an insurance policy certificate of the launch vehicle fall damage liability insurance contract;

(c) a copy of general conditions of the launch vehicle fall damage liability indemnification contract; and

(d) a copy of the contract deed of the launch vehicle fall damage liability indemnification contract;

(ii) if the applicant intends to take security for damages by way of making a deposit with an official depository, a document describing the name and location of the Legal Affairs Bureau or District Legal Affairs Bureau; the amount of cash if the deposited property is cash; the issues and amounts if the deposited property consists of book-entry transfer National Government Bonds; and the names, total face value, face value, codes representing the number of issues, serial number, number of certificates, and coupons, if the deposited property consists of securities other than book-entry transfer bonds;

(iii) if the applicant intends to take security for damages by way of a measure equivalent to the execution of a launch vehicle fall damages liability insurance contract and a launch vehicle fall damages liability indemnification contract or depositing with an official depository, a document describing their details; and

(iv) any other document which the Prime Minister determines necessary.

(3) When the Prime Minister grants approval under Article 9, paragraph (2) of the Act, the Prime Minister is to notify the applicant to that effect in writing.

(Applications for Approval of Change to Security for Damages)

Article 9-5 (1) When a person that obtained approval under Article 9, paragraph (2) of the Act intends to make any change to the approved security for damages, the person must submit to the Prime Minister a written application using Form 4-3, with a document related to the changed items contained in the documents stated in paragraph (2), items (i) through (iii) of the preceding Article.

(2) When the Prime Minister grants approval related to a change based on the documents submitted by a person that obtained approval under Article 9, paragraph (2) of the Act pursuant to the preceding paragraph, the Prime Minister is to notify the applicant to that effect in writing.

(Invalidation of Approval)

Article 9-6 In the following cases, the approval under Article 9, paragraph (2) of the Act ceases to be effective:

- (i) when the launch operator obtains authorization under Article 10, paragraph (1) of the Act;
- (ii) when the license under Article 4, paragraph (1) of the Act ceases to be effective pursuant to Article 10, paragraph (5) and Article 11 (excluding item (iv)) of the Act;
- (iii) when the launch operator has its license under Article 4, paragraph (1) of the Act revoked pursuant to Article 12 of the Act;
- (iv) in the case referred to in paragraph (1) of the preceding Article, when the launch operator does not make an application for approval related to change under that paragraph; or
- (v) in the case referred to in paragraph (4) of the following Article, when the launch operator does not submit the documents referred to in that paragraph.

(Applications for Authorization on Succession of Status of Launch Operator)

Article 10 (1) A person that intends to obtain authorization under Article 10, paragraph (1) of the Act must submit to the Prime Minister a written application using Form 5, with the following documents and a copy of the license certificate under Article 5, paragraph (4) pertaining to the transferor:

- (i) a document evidencing that the transferee has a sufficient ability to execute the launch plan;
- (ii) a copy of the contract for the transfer and acquisition; and
- (iii) if the transferor or the transferee is a corporation, the minutes of resolution of a general meeting of shareholders or general meeting of members or a written consent of members with unlimited liability or all members on the transfer or acquisition, or a document evidencing the

decision on the transfer or acquisition.

- (2) A person that intends to obtain authorization under Article 10, paragraph (2) of the Act must submit to the Prime Minister a written application using Form 6, with the following documents and a copy of the license certificate under Article 5, paragraph (4) for the corporation whose business was succeeded to:
- (i) a document stating the method and conditions of the merger;
 - (ii) a document evidencing that the corporation surviving the merger or corporation to be incorporated in the merger has a sufficient ability to execute the launch plan;
 - (iii) a copy of the merger contract and a statement explaining the merger ratio; and
 - (iv) the minutes of resolution of a general meeting of shareholders or general meeting of members or a written consent of members with unlimited liability or all members on the merger, or a document certifying the decision on the merger.
- (3) A person that intends to obtain authorization under Article 10, paragraph (3) of the Act must submit to the Prime Minister a written application using Form 7, with the following documents and a copy of the license certificate under Article 5, paragraph (4) for the corporation whose business was succeeded to:
- (i) a document stating the method and conditions of the split;
 - (ii) a document evidencing that the corporation succeeding to the business with respect to the launching of a spacecraft and launch vehicle by the split has a sufficient ability to execute the launch plan;
 - (iii) a copy of a split contract (for the incorporation-type split, a split plan) and a statement explaining a split ratio; and
 - (iv) the minutes of resolution of a general meeting of shareholders or general meeting of members or a written consent of members with unlimited liability or all members on the split, or a document evidencing the decision on the split.
- (4) If a person that intends to obtain authorization under Article 10, paragraph (2) or (3) of the Act has obtained approval provided in Article 9, paragraph (2) of the Act, in addition to the provisions under the preceding two paragraphs, the person must submit the following documents to the Prime Minister:
- (i) in the case of a person that obtained approval related to security for damages by way of executing a launch vehicle fall damages liability insurance contract and a launch vehicle fall damages liability indemnification contract, a document certifying the succession of the rights and obligations under the relevant contract;
 - (ii) in the case of a person that obtained approval of security for damages by way of making a deposit with an official depository, a document certifying the succession of the rights of the depositor in relation to the deposit; and

(iii) in the case of a person that has taken security for damages by way of equivalent measures, a document certifying the succession of the rights and obligations related to the measure.

(5) When the Prime Minister grants authorization under Article 10, paragraph (1), (2), or (3) of the Act, the Prime Minister is to notify the applicant to that effect in writing.

(Notification of Death)

Article 11 (1) When the person specified by the items of Article 11 of the Act makes a notification under that Article, the person must submit a written notification using Form 8 to the Prime Minister.

(2) If any of items (i) through (iii) of Article 11 of the Act is applicable, a license certificate under Article 5, paragraph (4) pertaining to the launching of a spacecraft and launch vehicle must be attached to the written notification under the preceding paragraph.

(Procedures for Revocation of License)

Article 12 When the Prime Minister revokes the license under Article 4, paragraph (1) of the Act pursuant to the provisions of Article 12 of the Act, the Prime Minister is to notify the launch operator to that effect in writing and order the return of the license certificate under Article 5, paragraph (4) re to the launching of a spacecraft and launch vehicle.

(Applications for Type Certification for Design of Launch Vehicle)

Article 13 (1) A person that intends to obtain a type certification under Article 13, paragraph (1) of the Act must submit a written application using Form 9 to the Prime Minister.

(2) The following documents must be attached to the written application under the preceding paragraph:

- (i) a document describing the flight records or test results of the launch vehicle;
- (ii) a document describing the results of assessment of reliability of the launch vehicle;
- (iii) a document describing the method of verification that the launch vehicle complies with its design; and

(iv) any other document which the Prime Minister determines necessary.

(3) The matters specified by Cabinet Office Order, as referred to in Article 13, paragraph (2), item (iii) of the Act, are as follows:

- (i) 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
- (ii) the technical conditions for ensuring the compliance of the launch vehicle

and launch site.

- (4) When the Prime Minister grants a type certification under Article 13, paragraph (1) of the Act, the Prime Minister is to notify the applicant to that effect and issue a type certificate using Form 10.
- (5) A person that obtained a type certification under Article 13, paragraph (1) of the Act may return the type certificate issued pursuant to paragraph (4) of that Article to the Prime Minister. In this case, the type certification ceases to be effective.

(Applications for Change of Designs)

Article 14 (1) When a person that obtained a type certification under Article 13, paragraph (1) of the Act intends to make any changes to the matters stated in paragraph (2), item (ii) of that Article, the person must obtain authorization for the change from the Prime Minister, by submitting a written application using Form 11 with the following documents:

- (i) a document related to the changed items contained in the documents stated in paragraph (2), items (i) through (iii) of the preceding Article;
 - (ii) a document certifying that the changed design of the launch vehicle satisfies the launch vehicle safety standard provided in Article 7; and
 - (iii) a copy of the type certificate under Article 13, paragraph (4) of the Act.
- (2) When the Prime Minister grants authorization to make any changes under Article 14, paragraph (1) of the Act, the Prime Minister is to notify the person that obtained the type certification under Article 13, paragraph (1) of the Act to that effect, order the person to return the type certificate under paragraph (4) of that Article pertaining to the type certification for the design of the launch vehicle and reissue a type certification using Form 10.
- (3) The minor changes specified by Cabinet Office Order, as referred to in the proviso to Article 14, paragraph (1) of the Act, are changes that would not result in a substantial change in the matters stated in Article 13, paragraph (2), item (ii) of the Act.
- (4) When a person that obtained a type certification under Article 13, paragraph (1) of the Act intends to make a notification under Article 14, paragraph (2) of the Act, the person must submit to the Prime Minister a written notification using Form 12, with a document pertaining to the changed matters and a copy of the type certificate referred to in Article 13, paragraph (4) of the Act.

(Procedures for Revocation of Type Certification)

Article 15 When the Prime Minister intends to revoke the certification for a person that obtained a type certification under Article 13, paragraph (1) of the Act, pursuant to the provisions of Article 15, paragraph (1) of the Act, the Prime Minister is to notify the person that obtained the type certification to

that effect in writing.

(Applications for Compliance Certification for Launch Sites)

Article 16 (1) A person that intends to obtain a compliance certification under Article 16, paragraph (1) of the Act must submit a written application using Form 13 to the Prime Minister.

(2) The following documents must be attached to the written application under the preceding paragraph:

- (i) a document describing the technical conditions for ensuring the compliance of the launch vehicle and launch site and evidencing the compliance with the conditions; and
- (ii) any other document which the Prime Minister determines necessary.

(3) The matters specified by Cabinet Office Order, as referred to in Article 16, paragraph (2), item (v) of the Act, are as follows:

- (i) the type of the launch vehicle; and
- (ii) the date of type certification for the launch vehicle.

(4) When the Prime Minister grants a compliance certification under Article 16, paragraph (1) of the Act, the Prime Minister is to notify the applicant to that effect and issue a launch site certificate using Form 14.

(5) A person that obtained a compliance certification under Article 16, paragraph (1) of the Act may return the compliance certification for launch site issued pursuant to paragraph (4) of that Article to the Prime Minister. In this case, the compliance certification ceases to be effective.

(Applications for Change of Location of Launch Site)

Article 17 (1) When a person that obtained a compliance certification under Article 16, paragraph (1) of the Act intends to make any changes to the matters stated in paragraph (2), item (ii) or (iv) of that Article, the person must obtain authorization on the change from the Prime Minister, by submitting a written application using Form 15 with the following documents:

- (i) the document related to the changed items stated in the documents provided in paragraph (2), item (i) of the preceding Article;
- (ii) a document certifying that the launch site after the change satisfies the type-specific site safety standard provided in Article 8; and
- (iii) a copy of the launch site certificate under Article 16, paragraph (4) of the Act.

(2) When the Prime Minister grants the authorization to make any changes under Article 17, paragraph (1) of the Act, the Prime Minister is to notify the person that obtained the compliance certification under Article 16, paragraph (1) to that effect, order the person to return the launch site certificate under paragraph (4) of that Article pertaining to the compliance certification for the

launch site and reissue a launch site certificate using Form 14.

- (3) The minor changes specified by Cabinet Office Order, as referred to in the proviso to Article 17, paragraph (1) of the Act, are changes that would not result in a substantial change in the matters stated in Article 16, paragraph (2), items (ii) or (iv) of the Act.
- (4) When a person that obtained a compliance certification under Article 16, paragraph (1) of the Act intends to make a notification under Article 17, paragraph (2) of the Act, the person must submit to the Prime Minister a written notification using Form 16, with a document pertaining to the changed matters and a copy of the launch site certificate referred to in Article 16, paragraph (4) of the Act.

(Procedures for Revocation of Compliance Certification)

Article 18 When the Prime Minister intends to revoke the certification for a person that obtained a compliance certification under Article 16, paragraph (1) of the Act, pursuant to the provisions of Article 18, paragraph (1) of the Act, the Prime Minister is to notify the person that obtained the compliance certification to that effect in writing.

(Special Provisions on Application Procedures for Japan Aerospace Exploration Agency)

Article 19 (1) Notwithstanding the provisions of Article 13, paragraph (2) of the Act, the simplified procedures for the Japan Aerospace Exploration Agency (referred to below as "JAXA") specified by Cabinet Office Order, as referred to in Article 19, paragraph (1) of the Act, are the procedures without requiring the matters stated in Article 13, paragraph (2), items (ii) and (iii) of the Act and the documents stated in Article 13, paragraph (2), items (i) through (iii) of the Act, if JAXA makes a verification by itself that its design for the launch vehicle complies with the launch vehicle safety standard provided in Article 7 and submits an application with the result of the verification.

- (2) Notwithstanding the provisions of Article 16, paragraph (2) of the Act, the simplified procedures for JAXA specified by Cabinet Office Order, as referred to in Article 19, paragraph (2) of the Act, are the procedures without requiring the matters stated in Article 16, paragraph (2), items (ii), (iv), and (v) and the documents stated in Article 16, paragraph (2), item (i) of the Act, if JAXA has made a verification by itself that the location, configuration, and equipment of the launch site that it manages and operates comply with the type-specific site safety standard provided in Article 8 and submitted an application with the results of the verification.

(Applications for License Related to Control of Spacecraft)

- Article 20 (1) A person that intends to obtain the license under Article 20, paragraph (1) of the Act must submit a written application using Form 17 to the Prime Minister.
- (2) The following documents must be attached to the written application under the preceding paragraph:
- (i) a document certifying that the configuration of the spacecraft satisfies the standard provided in Article 22; and
 - (ii) any other document which the Prime Minister determines necessary.
- (3) Matters stated in Cabinet Office Order, as referred to in Article 20, paragraph (1) of the Act, are the following matters:
- (i) spacecraft pertaining to the control of spacecraft that has obtained a license under Article 20, paragraph (1) of the Act;
 - (ii) spacecraft pertaining to the control of spacecraft to which the provisions of Article 20, paragraph (1) of the Act do not apply pursuant to the provisions of Article 4 of the Supplementary Provisions to the Act; and
 - (iii) spacecraft pertaining to the control of spacecraft to be implemented by the national government.
- (4) Matters stated in Cabinet Office Order, as referred to in Article 20, paragraph (2), item (ii) of the Act, are the matters stated in each item, according to the following spacecraft categories:
- (i) spacecraft under item (i) of the preceding paragraph: license number or application date of the license under Article 20, paragraph (1) of the Act; and
 - (ii) spacecraft under item (ii) or item (iii) of the preceding paragraph: the spacecraft's orbit or any other information that can be used to identify the spacecraft.
- (5) The matters specified by Cabinet Office Order, as referred to in Article 20, paragraph (2), item (ix) of the Act, are as follows:
- (i) the name of the spacecraft;
 - (ii) if the applicant is a corporation, the names of the officers;
 - (iii) the names of the employees; and
 - (iv) a statement that the applicant does not fall under any of the items of Article 21 of the Act.
- (6) When the Prime Minister grants the license under Article 20, paragraph (1) of the Act, the Prime Minister is to notify the applicant to that effect and issue a license certificate using Form 18.
- (7) A spacecraft control operator may return the license certificate issued pursuant to the preceding paragraph to the Prime Minister, only before the implementation of launching of the spacecraft and launch vehicle. In this case, the license ceases to be effective.

(Persons Incapable of Appropriate Spacecraft Control Due to Mental or

(Physical Disorder)

Article 20-2 The persons specified by Cabinet Office Order, as referred to in Article 21, item (iii) of the Act, are persons incapable of appropriate recognition, decision-making, and communication necessary for launching of a spacecraft and launch vehicle in an appropriate way due to mental disorder.

(Employees)

Article 21 The employees specified by Cabinet Office Order, as referred to in Article 21, items (iv) and (v) of the Act, are employees of the applicant having authority and responsibilities for the business of the applicant related to the control of spacecraft.

(Standard Related to Configuration of Spacecraft)

Article 22 The standards specified by Cabinet Office Order, as referred to in Article 22, item (ii) of the Act, are as follows:

- (i) that a mechanism has been implemented to prevent the dispersion of components and parts of the spacecraft (referred to below as "parts and components");
- (ii) in the case of a configuration separating the components or parts of the spacecraft, or a configuration docking the spacecraft with another spacecraft and launch vehicle, that a mechanism has been implemented to prevent it from causing any adverse effect on the control of other spacecraft;
- (iii) that a mechanism has been implemented to prevent the break-up of the spacecraft in the case of detecting any anomaly in the position, attitude and condition of the spacecraft;
- (iv) in the case of a spacecraft or its parts and components which are to fall to Earth within or after the period of control of the spacecraft, that a mechanism has been implemented to prevent any adverse effect on the ensuring of public safety in such a way as burning it in the air;
- (v) in the case of a configuration retrieving a spacecraft or its components or parts which are put into orbit around a celestial body other than the Earth or which fell to the celestial body, by guiding them to crash to Earth, that a mechanism has been implemented for the prevention of the deterioration of the environment of the Earth that may be caused by the introduction of extraterrestrial substances; and
- (vi) in the case of a spacecraft or its parts and components which are put into the orbit around a celestial body other than the Earth or which are to be guided to fall to the celestial body, that a mechanism has been implemented for the prevention of the harmful contamination of the celestial body.

(Measures Related to Control of Spacecraft)

Article 23 Measures specified by Cabinet Office Order, as referred to in Article 22, item (iii) of the Act, are as follows:

- (i) measures to ensure that there will be no adverse effect on the control of other spacecraft when separating components or parts constituting the spacecraft or docking the spacecraft with another spacecraft and launch vehicle;
- (ii) measures to ensure that a measure to prevent the break-up of the spacecraft or termination measures will be taken in the case of detecting any anomaly in the position, attitude, or condition of the spacecraft; and
- (iii) in the case of a spacecraft capable of transferring from the orbit stated in Article 20, paragraph (2), item (iii) of the Act to another orbit, measures to avoid another spacecraft and launch vehicle if it is determined appropriate to do so when detecting the possibility of a collision with that other spacecraft and launch vehicle.

(Termination Measures)

Article 24 Measures specified by Cabinet Office Order, as referred to in Article 22, item (iv)(d) of the Act, are as follows:

- (i) measures to prevent a malfunction and explosion after the termination of control of spacecraft; and
- (ii) in the case of a spacecraft capable of transferring from the orbit stated in Article 20, paragraph (2), item (iii) of the Act to another orbit, measures to transfer to an orbit which would not have an adverse effect on the control of other spacecraft as practicable as possible.

(Applications for Permission Related to Change)

Article 25 (1) When a spacecraft control operator intends to make any changes to the matters stated in Article 20, paragraph (2), items (iv) through (viii) of the Act, the spacecraft control operator must submit to the Prime Minister a written application using Form 19 with a document related to the changed items contained in the documents stated in Article 20, paragraph (2), item (i) and a copy of the license certificate under paragraph (6) of that Article pertaining to the control of the spacecraft and obtain permission from the Prime Minister.

- (2) When the Prime Minister grants the permission to make any changes under Article 23, paragraph (1) of the Act, the Prime Minister is to notify the spacecraft control operator to that effect, order the spacecraft control operator to return the license certificate under Article 20, paragraph (6) pertaining to the control of the spacecraft and reissue the license certificate using Form 18.
- (3) The minor changes specified by Cabinet Office Order, as referred to in the proviso to Article 23, paragraph (1) of the Act, are changes that would not

result in a substantial change in the matters stated in Article 20, paragraph (2), items (iv) through (viii) of the Act.

- (4) When a spacecraft control operator intends to make a notification under Article 23, paragraph (2) of the Act, the spacecraft control operator must submit to the Prime Minister a written notification using Form 20, with a document pertaining to the changed matters and a copy of the license certificate under Article 20, paragraph (6) pertaining to the control of the spacecraft.

(Notifications in Case of Accident)

Article 26 (1) When a spacecraft control operator intends to make a notification under Article 25 of the Act, the spacecraft control operator must submit a written notification using Form 21 to the Prime Minister.

- (2) The matters specified by Cabinet Office Order, as referred to in Article 25 of the Act, are as follows:
- (i) the date, time, and location of the accident; and
 - (ii) the orbit of the spacecraft after the occurrence of the accident.

(Applications for Authorization on Succession of Status of Spacecraft Control Operator)

Article 27 (1) A person that intends to obtain authorization under Article 26, paragraph (1) of the Act must submit to the Prime Minister a written application using Form 22, with the following documents and a copy of the license certificate under Article 20, paragraph (6) pertaining to the transferor:

- (i) a document evidencing that the transferee has a sufficient ability to execute the control plan;
 - (ii) a copy of the contract for the transfer and acquisition; and
 - (iii) if the transferor or the transferee is a corporation, the minutes of resolution of a general meeting of shareholders or general meeting of members, or a written consent of members with unlimited liability or all members on the transfer or acquisition, or a document evidencing the decision on the transfer or acquisition.
- (2) When a spacecraft control operator intends to make a notification under Article 26, paragraph (2) of the Act, the spacecraft control operator must submit to the Prime Minister a written notification using Form 23, with a document stated in the items of the preceding paragraph and a copy of the license certificate under Article 20, paragraph (6) pertaining to the transferor.
- (3) A person that intends to obtain authorization under Article 26, paragraph (3) of the Act must submit to the Prime Minister a written application using Form 24, with the following documents and a copy of the license certificate under Article 20, paragraph (6) for the corporation whose business was succeeded to:

- (i) a document stating the method and conditions of the merger;
 - (ii) a document evidencing that the corporation surviving the merger or corporation to be incorporated in the merger has a sufficient ability to execute the control plan;
 - (iii) a copy of the merger contract and a statement explaining the merger ratio; and
 - (iv) the minutes of resolution of a general meeting of shareholders or general meeting of members, or a written consent of members with unlimited liability or all members on the merger, or a document certifying the decision on the merger.
- (4) A person that intends to obtain authorization under Article 26, paragraph (4) of the Act must submit to the Prime Minister a written application using Form 25, with the following documents and a copy of the license certificate under Article 20, paragraph (6) for the corporation whose business was succeeded to:
- (i) a document stating the method and conditions of the split;
 - (ii) a document evidencing that the corporation succeeding to the business related to the control of spacecraft by the split has a sufficient ability to execute the control plan;
 - (iii) a copy of a split contract (for the incorporation-type split, a split plan) and a statement explaining the split ratio; and
 - (iv) the minutes of resolution of a general meeting of shareholders or general meeting of members, or a written consent of members with unlimited liability or all members on the split, or a document evidencing the decision on the split.
- (5) When the Prime Minister grants authorization under Article 26, paragraph (1), (3), or (4) of the Act, the Prime Minister is to notify the applicant to that effect in writing.

(Notifications of Death)

Article 28 When an heir makes a notification under Article 27, paragraph (1) of the Act, the heir must submit a written notification using Form 26 to the Prime Minister.

(Notifications of Termination Measures)

Article 29 When a spacecraft control operator makes a notification under Article 28, paragraph (1) of the Act, the spacecraft control operator must submit a written notification using Form 27 to the Prime Minister.

(Notifications of Dissolution)

Article 30 When a liquidator or bankruptcy trustee makes a notification under Article 29, paragraph (1) of the Act, the liquidator or bankruptcy trustee must

submit a written notification using Form 28 to the Prime Minister.

(Procedures for Revocation of License)

Article 31 When the Prime Minister revokes the license under Article 20, paragraph (1) of the Act pursuant to the provisions of Article 30, paragraph (1) of the Act, the Prime Minister is to notify the spacecraft control operator to that effect in writing and order the return of a license certificate under Article 20, paragraph (6) pertaining to the control of the spacecraft.

(Identification Card of Person Who Conducts On-Site Inspection)

Article 32 The form of an identification card of the employee under Article 31, paragraph (2) of the Act is to comply with Form 29.

(Upper Limit of Contract Amount Related to Launch Vehicle Fall Damages Liability Indemnification Contracts)

Article 32-2 The amount specified by Cabinet Office Order, as referred to in Article 40, paragraph (2) of the Act, is 350 billion yen.

(Scope of Outsourcing of Business)

Article 33 The businesses specified by Cabinet Office Order, as referred to in Article 2, paragraph (1), item (iii) of the Order for Enforcement of the Act on Launching of Spacecraft and Launch Vehicle and Control of Spacecraft are as follows:

- (i) confirmation of and giving an instruction for the revision of documents related to a claim for indemnification payment;
- (ii) calculation of the amount of indemnification payment;
- (iii) remittance of indemnification payment to be paid; and
- (iv) other than what are stated in the preceding items, minor business necessary for indemnification payment.

(Contents of Public Notice)

Article 34 The matters specified by Cabinet Office Order, as referred to in Article 48, paragraph (2) of the Act, are as follows:

- (i) the date of commencement of the outsourcing of business; and
- (ii) the details of the outsourced businesses.

(Securities That May be Deposited with an Official Depository)

Article 35 The securities specified by Cabinet Office Order, as referred to in Article 49 of the Act, are as follows:

- (i) Japanese Government Bonds (including book-entry transfer National Government Bonds);

- (ii) local government bond certificates;
- (iii) government guaranteed bonds certificates (meaning bond certificates for which the government guarantees the obligations pertaining to the bond certificates);
- (iv) bond certificates issued by a corporation pursuant to special laws (excluding those stated in the preceding item); and
- (v) secured bond certificates under the Secured Bond Trust Act (Act No. 52 of 1905) and corporate bonds for which the right to receive preferred repayment is guaranteed under laws and regulations (excluding bond certificates stated in the preceding two items, the company's own corporate bond certificates, and corporate bond certificates issued by a company that received an order commencing special liquidation under the Companies Act (Act No. 86 of 2005) and for which a ruling on conclusion of special liquidation has not become final and binding, a company that received an order commencing bankruptcy proceedings under the Bankruptcy Act (Act No. 75 of 2004) and for which an order of termination of bankruptcy proceedings or an order of discontinuance of bankruptcy proceedings has not become final and binding, a company that received an order commencing rehabilitation proceedings under the Civil Rehabilitation Act (Act No. 225 of 1999) and for which an order of termination of rehabilitation proceedings or an order of discontinuance of rehabilitation proceedings has not become final and binding, or a company that received an order commencing corporate reorganization proceedings under the Corporate Reorganization Act (Act No. 154 of 2002) and for which an order of termination of reorganization proceedings or an order of discontinuance of reorganization proceedings has not become final and binding).

(Applications for Recovery of Deposited Properties)

Article 36 (1) When a launch operator intends to obtain approval under Article 51 of the Act, the launch operator must submit a written notification using Form 30 to the Prime Minister, with documents certifying that it satisfies any of the items of that Article.

(2) The following matters must be stated in the written application under the preceding paragraph:

- (i) if the deposited property currently existing in relation to the launching of a spacecraft and launch vehicle is cash, its amount; if it consists of deposited book-entry transfer Japanese Government Bonds, their issues and amounts; if it consists of securities other than book-entry transfer bonds, their names, total face value, face value, codes representing the number of issues, serial number, number of certificates, and coupons; and
- (ii) if the deposited property to be recovered is cash, its amount; if it consists of

deposited book-entry transfer Japanese Government Bonds, their issues and amounts; if it consists of securities other than book-entry transfer bonds, their names, total face value, face value, codes representing the number of issues, serial number, number of certificates, and coupons.

(Terms of Documents)

Article 37 (1) Written applications and written notifications as provided in this Cabinet Office Order must be prepared in Japanese; provided, however, that addresses, names and contact information may be written in a foreign language.

(2) Documents to be attached to written applications and written notifications as provided in this Cabinet Office Order must be prepared in Japanese or English; provided, however, that Japanese translations must be submitted for any documents written in English.

(3) If a person is unable to submit the documents under the preceding paragraph in a language provided in that paragraph due to special circumstances, notwithstanding the provisions of that paragraph, the person may submit the document together with its Japanese translations.

Supplementary Provisions

(Effective Date)

Article 1 This Cabinet Office Order takes effect from the date on which the Act comes into effect; provided, however, that the provisions of Article 5, paragraphs (1) through (3), Article 13, paragraphs (1) through (3), Article 16, paragraphs (1) through (3), Article 19 and Article 20, paragraphs (1) through (3) take effect from the date on which the provisions stated in Article 1, item (ii) of the Supplementary Provisions to the Act come into effect.

(Preparatory Actions)

Article 2 Even before this Cabinet Office Order takes effect, a person that intends to obtain permission, license or authorization provided in Article 2 of the Supplementary Provisions to the Act may make the application in accordance with the provisions of Article 5, paragraphs (1) through (3), Article 13, paragraphs (1) through (3), Article 16, paragraphs (1) through (3), Article 19, and Article 20, paragraphs (1) through (3).