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DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 4223 OF 2026

FINAL NOTICE FOR THE PUBLICATION OF THE DRAFT BILL IN THE GOVERNMENT GAZETTE FOR PUBLIC COMMENTS AND INPUTS

I, Mr Parks Tau, Minister of Trade, Industry and Competition, hereby publish this Final Notice for the publication of the Draft South African Space Industry Regulatory Bill for Public Comments for a Period of Sixty (60) Days, in the Government Gazette for the public comments and inputs.

Members of the public may submit their comments to this notice within Sixty (60) days from the date of its publication.

For further information and submission of comments and inputs, please contact:

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This notice is for general public information.



Mr Parks Tau, MP
Minister of Trade, Industry and Competition

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REPUBLIC OF SOUTH AFRICA

SOUTH AFRICAN SPACE INDUSTRY REGULATORY BILL

As introduced in the National Assembly (proposed section 75 Bill; explanatory summary of Bill and prior notice of its introduction published in Government Gazette No ___ of ____ 2026)

(The English text is the official text of the Bill)

(MINISTER OF TRADE, INDUSTRY AND COMPETITION)

[B – 2026]

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BILL

To create a supportive regulatory framework for the space industry that complies with the Republic's international obligations; to provide for the establishment of the South African Space Regulatory Authority and the National Office for Outer Space Activities; to provide for the authorisation of space activities; to provide for the registration of space objects and space activities; to provide for liability for damage and for insurance for authorised activities; to provide for the appointment of safety inspectors and safety inspections; to provide for the appointment of investigators and investigation of accidents, incidents and potential emergencies; to provide for offences and penalties; to provide for the repeal of the Space Affairs Act, 1993; and to provide for matters connected thereto.

BE IT ENACTED by the Parliament of the Republic of South Africa as follows:—

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CHAPTER 1

INTERPRETATION, APPLICATION AND OBJECTS

Definitions

1. In this Act, unless the context indicates otherwise—

"**Authority**" means the South African Space Regulatory Authority established by section 4;

"authorisation " means any authorisation granted by the Authority to carry out a space activity as contemplated in section 11;

"**Constitution**" means the Constitution of the Republic of South Africa, 1996;

"**damage**" means loss of life, personal injury or other impairment of health, or loss of, or damage to, property of States or of natural or juristic persons or property of international intergovernmental organisations, arising from any space activity;

"**Department**" means the Department of Trade, Industry and Competition;

"holder " in relation to an authorisation means any person to whom an authorisation has been granted as contemplated in section 11;

"**incident**" means the occurrence of an event in relation to authorised activities posing a risk of injury or damage to property, regardless of severity of the event or existence of any fatality;

"**investigator**" means a person appointed under section 30;

"**launch**" means the placing or attempted placing of a space object into a suborbital trajectory

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or into outer space, or the testing of a space launch vehicle in which it is foreseen that the launch vehicle will lift from the earth's surface, and "launching" has a corresponding meaning;
"**launch vehicle**" means any vehicle used to send artificial satellites or any space object into outer space;
"**liability**" means responsible for and answerable in law because of the fault-based legal obligations attached to any eventuality of damage arising out of any space activity;
"**Minister**" means the Minister responsible for trade, industry and competition;
"**National Office for Outer Space Activities**" means the Office contemplated in section 11;
"**National Registry of Space Objects**" means the registry of objects launched into space, contemplated in section 20;
"**outer space**" means the space above the surface of the earth from a height at which it is practically possible to operate an object in orbit;
"**person**" includes—
(a) an organ of state as defined in section 239 of the Constitution;
(b) any company incorporated or registered as such under any law; and
(c) any other body of persons corporate or unincorporated;
"**prescribed**" means prescribed by regulation;
“pre-launch notifications” -means information that must be provided to the Authority by any person planning to apply for a launch authorisation pertaining to such authorisation
"**re-entry**" means the activity of bringing back a functional or defunct space object into the atmosphere of the earth;
"**regulation**" means any regulation issued in terms of this Act;
"**safety**" includes the safety of public health, property, national security and any other interests of the Republic;
"**safety inspector**" means a person appointed under section 27;
"**space activities**" means activities referred to in section 10;
"**space capabilities**" means the ability of a governmental or non-governmental actor to engage or participate in space activities;
"**space facility**" means any place, premises, structure or installation designed, adapted or equipped for the carrying out or performance of any space or space-related activity;
"**space industry**" refers to all governmental and non-governmental actors that are involved in space activities and space-related activities for any purposes;
“space launch facility” means a facility where it is possible to launch any space object into outer space;
"**space object**" means an object launched or intended to be launched into outer space;
"**space-related activities**" means all activities supporting, or sharing mutual technologies with space activities;
"**suborbital trajectory**" means the trajectory of any object which leaves the surface of the

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earth due to a launch, but returns to the surface of the earth without completing an orbit around the earth;

"**this Act**" includes any regulation made in terms of this Act.

Application of Act

2. This Act applies to the space activities stipulated in section 10 when carried out or performed—

(*a*) by a person who is a permanent resident or citizen of the Republic or a person incorporated or registered in, or under the jurisdiction or control of, the Republic;

(b) from the territory of the Republic by any vessel—

(i) registered in the Republic; or

(ii) owned by a person who is a permanent resident or citizen of the Republic or a person incorporated or registered in, or under the jurisdiction or control of the Republic; or

(c) from the territory of another State—

(i) by any movable or fixed platform which comes under the jurisdiction of the Republic; or

(ii) on behalf of a person who is a permanent resident or citizen of the Republic or a person incorporated or registered in, or under the jurisdiction or control of the Republic.

Objects of Act

3. The objects of this Act are to—

(a) create a supportive administrative and regulatory framework for the space industry;

(b) ensure that international obligations of the Republic are complied with;

(c) regulate the safe and peaceful carrying out of space activities, in order to—

(i) ensure the long-term sustainability of outer space;

(ii) enhance and co-ordinate the space industry and the industry's space capabilities; and

(iii) promote responsible use of space activities so as to attract investment contributing to inclusive growth; and

(d) protect the national interests of the Republic.

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CHAPTER 2

SOUTH AFRICAN SPACE REGULATORY AUTHORITY AND NATIONAL OFFICE FOR OUTER SPACE ACTIVITIES

PART A — ESTABLISHMENT, COMPOSITION, FUNCTIONS, MEETINGS AND COMMITTEES OF AUTHORITY

Establishment of Authority

4. (1) The South African Space Regulatory Authority is hereby established as the national authority to regulate space activities in the Republic.

(2) The Authority—

(a) is a juristic person; and

(b) must exercise its functions in terms of this Act.

(3) The Authority is funded by monies appropriated by Parliament and any fees payable in terms of this Act.

(4) The Authority must submit an annual report on its activities to the Director General of the Department to ensure compliance with section 40 of the Public Finance Management Act, 1999 (Act No. 1 of 1999).

(5) Subject to the Public Finance Management Act, 1999 (Act No.1 of 1999), the Director-General of the Department—

(a) must, in consultation with the Authority, prepare the necessary estimate of revenue and expenditure of the Authority;

(*b)* must cause the necessary accounting and other related records to be kept; and

(c) is charged with the responsibility of accounting for State monies received or paid out for or on account of the Authority.

Composition of Authority

5. (1) The Authority consists of not more than 14 members appointed by the Minister as follows:

(a) A Chairperson and Vice-chairperson, who must be persons with applicable knowledge or experience relating to matters connected with the objects of this Act;

(b) representatives at senior management level from Departments that deal with space activities;

(c) at least one person from the space industry, subject to proper measures to avoid conflict of interest; and

(d) other members with expertise in the fields of space science and technology, space

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engineering, corporate governance, space law and other acceptable legal expertise as well as with commercial background, who must have applicable knowledge or experience relating to matters connected with the objects of this Act: Provided that not more than three members referred to in this paragraph may be in the employment of holder.

(2) The composition of the Authority must be such that it reflects the demographic diversity of the Republic, including regarding gender and persons with disability.

(3) The Authority must be constituted through a formal recruitment procedure of the Department.

(4) A member of the Authority must hold office for such period, but not exceeding five years, as the Minister may determine at the time of the appointment, but is eligible for reappointment at the end of the term of office.

(5) The Minister may at any time terminate the period of office of any member if there are good reasons to do so.

(6) The Minister must fill a vacancy as a result of a member's resignation or appointment being terminated by appointing another person as a member of the Authority for the remaining part of term of office.

(7) A member of the Authority who is not in the full-time employment of the State must be paid such remuneration and allowances as determined by the Minister with the concurrence of the Minister of Finance.

Functions of Authority

6. In order to achieve the objects of this Act, the Authority must—

(a) advise the Minister on all space related regulations or any matter necessary to attain the objects of this Act;

(b) supervise and implement matters concerning space affairs arising from international agreements entered into or ratified by the Government of the Republic;

(c) regulate and authorise space activities in accordance with this Act;

(d) maintain a national registry of space objects launched into outer space;

(e) ensure that entities carry out any space activity are registered with the Authority;

(f) provide for the appropriate and widest possible publication of information concerning the activities of the Authority;

(g) hear representations made by any person regarding space activities in the Republic;

(h) perform any other activity with a view to contributing to the effective achievement of the objects of this Act; and

(i) oversee the operational status of any authorised space object.

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Meetings of Authority

7. (1) Meetings of the Authority may be held at such times and places as the Authority may determine.

(2) The Chairperson of the Authority may convene a special meeting of the Authority at any time by giving notice to the other members of the date, time and place thereof.

(3) If the Chairperson is absent from a meeting of the Authority, the Vice-chairperson must preside at that meeting, failing which, the members present must elect one of their number to preside at that meeting.

(4) The quorum to convene a meeting is the majority of members holding office at the time.

(5) A member of the Authority who fails to attend three consecutive meetings, without an apology, is regarded as having resigned from the Authority.

(6) A decision of the Authority is taken by a majority of members present at a meeting of the Authority.

(7) A decision taken by the Authority or an act performed under the authority of the Authority, may not be invalid merely by reason of a vacancy on the Authority or of the fact that any person not entitled to sit as a member sat in such a meeting when the decision was taken or the act was authorised, if the decision was taken or the act was authorised by the appropriate quorum.

(8) Any member of the Authority who has any conflict of interest in respect of any matter in the Agenda of the Authority must disclose such interest and must recuse himself or herself from the Authority’s consideration of such a matter.

(9) The Authority may invite persons who are not members to attend meetings of the Authority, on the understanding that such persons may take part in deliberations but may not vote.

Committees of Authority

8. (1) The Authority may, from time to time, establish such committees as it may consider necessary, to assist in the performance of its functions, and may co-opt any person to a committee even if such person is not associated with the Authority, on the understanding that such person may take part in deliberations but may not be involved in decision-making.

(2) The Authority may at any time dissolve a committee established under subsection (1) or terminate the membership of a member of such a committee.

(3) A person contemplated in subsection (1) must have skills determined

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by the Authority and must, following an open invitation process, be included in a database of experts who qualify to be co-opted.

(4) A member of a committee established under subsection (1), and who is not in the full-time employment of the State or its entities, must be paid such remuneration and allowances as determined by the Minister with the concurrence of the Minister of Finance.

PART B — ESTABLISHMENT OF NATIONAL OFFICE FOR OUTER SPACE ACTIVITIES

Establishment of National Office for Outer Space Activities

9. (1) There is hereby established the National Office for Outer Space Activities (NOOSA) which must be constituted as a specialised service delivery unit in terms of section 7B of the Public Service Act, 1994 (Proclamation No. 103 of 1994), to perform its functions in terms of this Act.

(2) The functions of the NOOSA are to—

(a) support the Authority in the provision of oversight for implementation of the National Space Policy;

(b) create an enabling environment for the development of the space industry;

(c) support the Authority to develop any regulations required in terms of this Act for the approval of the Minister, and monitor the implementation thereof;

(d) serve as the Secretariat for the Authority and its committees;

(e) support the Authority in its authorisation, registration and all other functions;

(f) provide support to the Authority for continuous supervision and monitoring of compliance of all space activities in the Republic with the provisions of this Act;

(g) coordinate the ratification of the relevant international agreements or amendment thereof, as may be decided by the national executive;

(h) maintain the National Space Registry ;

(i) perform safety functions as directed by the Authority; and

(j) coordinate the administration of all space activities.

(3) The NOOSA must perform all other incidental work necessary for the performance of the functions of the Authority and its committees.

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CHAPTER 3

SCOPE AND AUTHORISATION TO CONDUCT SPACE ACTIVITIES

PART A — SCOPE OF ACTIVITIES

Scope of activities

10. (1) This Act regulates the following space activities:

(a) Pre-launch notifications;

(b) the launching of space objects , including the suborbital trajectory launching,

(c) the operation and control of space objects in orbit, including re-entry;

(d) the operation of a space launch facility;

(d) the operation of a space facility;

e) the manufacture of a space object;

(f) the operation of a space launch vehicle;

(g) the utilisation of space applications; and

(h) the exploration and exploitation of outer space.

(2) No person may undertake or perform a space activity referred to in section 10 (1) without being in possession of an authorisation issued in terms of this Act.

PART B — AUTHORISATION TO CONDUCT SPACE ACTIVITIES

Authorisation

11. (1) A space activity listed in section 10 may only be carried out or performed under the authority of an authorisation issued by the Authority.

(2) An authorisation to conduct space activities must be issued subject to such prescribed terms and conditions as the Authority may determine, considering the objects of this Act;

(3) The Authority may, upon application in the prescribed manner, grant a specific authorisation in respect of each space activity listed in section 10.

(4) The Authority must prescribe—

(a) application and any other administration fees in respect of authorisations, with the concurrence of the Minister; and

(b) the processes and forms required in terms of this Act, including relating to the application for, amendment, transfer, renewal, suspension or revocation of, an authorisation.

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General requirements for issuing of space authorisation

12. An authorisation contemplated in section 11 may only be issued after the Authority has determined the propriety of issuing such an authorisation taking into consideration—

(a) the nature of the proposed space activity;

(b) the national interests and foreign policy objectives of the Republic;

(c) compliance with international obligations of the Republic;

(d) the applicant having secured appropriate insurance cover for the proposed activity; and

(e) safety and environmental considerations.

Requirements for specific category of space authorisation

13. (1) The Authority may issue an authorisation to launch and operate a space launch vehicle or space object if satisfied that—

(a) the space launch vehicle or space object complies with the prescribed minimum technical requirements;

(b) the space launch vehicle and the space object to be launched both have the necessary approvals from the relevant authorities under applicable legislation;

(c) the applicant has an operational plan that does not violate prescribed minimum safety requirements and any other relevant guidelines or principles; and

(d) the activity will not adversely affect national security, or foreign policy interests of the Republic or violate the international obligations of the Republic.

(2) The Authority may issue an authorisation to operate and maintain a space facility if it is satisfied that—

(a) the applicant is competent to operate the space facility;

(b) all necessary approvals have been obtained under relevant legislation;

(c) the operation of the space facility does not pose a danger to public health, safety or does not have a potential to cause substantial damage to property or interference with other lawful activity under relevant legislation; and

(d) the space facility meets the prescribed minimum technical requirements, safety and environmental considerations.

Application for authorisation

14. (1) Any person may, in the prescribed manner, apply for an authorisation to carry out a space activity referred to in section 10.

(2) The Authority must—

(a) acknowledge receipt of the application in writing within 15 days of such receipt;

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(b) consider written or oral representations by the applicant in relation to the application; and

(c) finalise all necessary application procedures and inform the applicant of its decision within 90 days of receipt of the application.

(3) The Authority may direct any person applying for an authorisation—

(a) to serve notice of the application on any person having an interest in the proposed activity; and

(b) to give particulars of such activity as may be specified in the direction, or with regard to any matter affecting the application.

Duties and obligations of applicants and holders

15. (1) Any person applying for an authorisation, or to whom an authorisation has been issued, must furnish the Authority with the prescribed information.

(2) A holder must ensure that the authorised space activities are—

(a) conducted in compliance with the provisions of this Act and other related legislation; and

(b) carried out in compliance with international obligations and responsibilities arising out of international conventions, treaties and international agreements to which the Republic is a party.

(3) A holder must notify the Authority forthwith of—

(a) any deviation from the terms and conditions of an authorisation;

(b) any proposed changes in the ownership of the holder, including changes in the composition and citizenship of the body corporate; or

(c) any information which may affect the conditions of an authorisation.

(4) A holder must—

(a) inform the Authority in writing of any accident, incident or potential emergency arising during the carrying out or performance of authorised activities;

(b) submit in the prescribed manner—

(i) annual declarations on-

(aa) the functionality of space objects;

(bb) the upgrading of space facilities;

(cc) the upgrading of space launch facilities ;

(dd) the upgrading of space launch vehicles; and

(ii) notifications of re-entry.

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Granting or refusal of authorisation

16. (1) The Authority may grant or refuse an application made under this Act, after considering—

(a) the application; and

(b) whether it meets the requirements of this Act and any prescribed requirements.

(2) The Authority must within 60 days from the date of receipt of all complete information relating to the application notify the applicant of its decision.

(3) Whenever the Authority grants an authorisation the Authority—

(a) must do so in the prescribed manner;

(b) must set out the terms and conditions applicable to the authorisation; and

(c) may impose such additional terms and conditions, considering the provisions as prescribed.

(4) Whenever the Authority refuses an application, it must—

(a) furnish the applicant with reasons for the refusal; and

(b) inform the applicant of its right to seek redress as specified in this Act and other applicable legislation.

Amendment, suspension and revocation of authorisation

17. (1) The Authority may, whenever it deems necessary, and after representations from the holder, amend the conditions relating to a specific authorisation, if the amendment—

(a) will not militate against the orderly development of space activities in the Republic;

(b) is in pursuance of, and in accordance with, the regulations as prescribed.

(2) The Authority may suspend an authorisation with immediate effect, if—

(a) any of the terms and conditions of the authorisation is violated; or

(b) facts become known which, in relation to the authorised activities, point to an unacceptable safety risk.

(3) The Authority must investigate all circumstances causing a suspension in terms of subsection (2), and if in the case of a suspension in terms of subsection (2)*(a)* it is found that—

(a) no violation of the terms and conditions of an authorisation did occur, the Authority must immediately lift the suspension; or

(b) a violation of the terms and conditions of the authorisation did occur,

the Authority may—

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(i) grant the holder an opportunity to comply with all the terms and conditions of the authorisation;

(ii) after consultation with the holder, amend the terms and conditions of the authorisation, after which the suspension may be lifted; or

(iii) revoke the authorisation.

(4) In the case of a suspension in terms of subsection 2*(b)*, the Authority may order the holder to take steps in order to mitigate the unacceptable safety risk.

(5) If the authorisation—

(a) complies with the requirements laid down under subsection 3*(b)*(i) or subsection (4), to the satisfaction of the Authority, the Authority may lift the suspension; or

(b) does not comply with the requirements laid down, to the satisfaction of the Authority, the Authority may order the holder to take further remedial steps, or revoke the authorisation.

(6) The decision taken by the Authority to amend, suspend or revoke the authorisation takes effect on the date set forth in a written communication served on the holder by the Authority.

Surrender of authorisation

18. A holder may at any time, in writing, surrender the authorisation or request the Authority to revoke the authorisation: Provided that—

(a) the Authority may determine such conditions with regard to the surrender or revocation, as the case may be, as may be necessary or expedient;

(b) the Authority may determine the date of surrender or revocation; and

(c) the obligations and liabilities of the holder in terms of sections 15, 24 and 25 remain in force.

Transfer of authorisation or change of ownership

19. (1) An authorisation issued under this Act may not be assigned, ceded or transferred to any other person without prior written approval of the Authority.

(2) An application to assign, cede or transfer an authorisation must be made to the Authority in a prescribed manner.

(3) The manner of effecting changes in the ownership of registered space objects in the National Space Registry must be in accordance with sections 20 and 21, where applicable.

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CHAPTER 4
REGISTRATION OF SPACE OBJECTS AND ACTIVITIES

National Registry of Space Objects

20. The Authority must—

(a) establish and maintain the National Registry of Space Objects containing prescribed information concerning authorised space objects.

(b) in maintaining the National Registry of Space Objects, take due regard of the Convention on the Registration of Objects Launched into Outer Space, adopted by the United Nations General Assembly on 12 November 1974, and any other international agreements or arrangement relating to the registration of space objects to which the Republic is a party.

Allocation of registration numbers to space objects

21. (1) When the Authority grants an authorisation to carry out an activity in relation to launched space object, as contemplated is S10; the Authority must allocate a registration number to such space object—

(a) by which it can be identified and recorded on the National Registry of Space Objects;

(b) which, once issued, may not be altered as long as it remains in the National Registry of Space Objects.

(2) The Authority may—

(a) reflect a changed status on the National Registry of Space Objects as and when it is necessary to do so; and

(b) allow and record alternative designators with the official registration number and information as provided by the holders, which may be changed on transfer of ownership.

(3) A holder must furnish the Authority such particulars as prescribed, related to any change of status.

(4) The Authority must make the National Registry of Space Objects available in whole or in part either in physical, or any electronic, form to any person to inspect.

Registration of space activities

22. (1) Any person involved in carrying out or performing space activities must register prescribed information regarding their activities with the Authority.

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(2) The Authority must establish and maintain a register of such persons and space activities contemplated in subsection (1), in the prescribed manner.

Registration with United Nations Secretary-General

23. The Authority must initiate the registration, through appropriate government channels, of all space objects authorised and operated under the responsibility of the Republic in terms of this Act, to the Secretary-General of the United Nations.

CHAPTER 5
LIABILITY AND INSURANCE

Liability for damage

24. (1) Subject to subsection (2), the State is, in accordance with the Convention on International Liability for Damage Caused by Space Objects adopted on 29 March 1972, liable for damage caused by space activities or a space object resulting from—

(a) the State's launching or procuring the launch of a space object; or

(b) An object launched from the State's territory.

(2) Any person who conducts space activities provided for under this Act is liable to reimburse the State for any damage incurred in terms of subsection (1)*(b)* and caused by that person's space activities or space object.

(3) The Minister, in concurrence with the Minister of Finance, must prescribe—

(a) an amount regarded as provision for liability insurance for launching of space objects into outer space by persons, incorporated in the Republic, or from within the territory of the Republic; and

(b) an applicable reasonable threshold for the liability insurance.

Insurance for authorised activities

25. (1) Any holder who conducts space activities must obtain and maintain—

(a) insurance, equivalent to the value of the space object; and

(b) liability insurance contemplated in section 24(3), against any liability which the holder may incur under this Act.

(2) Any holder contemplated in subsection (1) is liable to pay compensation from the proceeds of the liability insurance to the State for any loss incurred by the State in accordance with section 24(1) relating to any damage to third parties that the launch, operation or return of a space object may cause.

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CHAPTER 6
SAFETY AND CONTINUOUS MONITORING OF SPACE ACTIVITIES

Safety requirements and environmental considerations

26. (1) The Authority must—

(a) prescribe safety requirements in relation to all outer space activities, space objects and space facilities;

(b) prescribe procedures to address safety and reliability of outer space activities for all stages of a mission's life cycle;

(c) enforce compliance with any regulations contemplated in paragraph *(a)* and *(b);*

(d) issue compliance notices pertaining to enforcement of prescribed safety requirements or procedures;

(e) promote and enforce compliance with international guidelines or principles relating to safety and reliability of outer space activities;

(f) provide guidance and oversight in relation to the implementation and enforcement of safety requirements and procedures contemplated in paragraph *(a)* and *(b)*; and

(g) issue guidelines pertaining to specific requirements and procedures to address safety and reliability of outer space activities for all stages of a mission's life cycle.

(2) The Authority may issue any other guidelines necessary to adhere to safety, environment and technical considerations.

Safety inspectors

27. (1) The Authority may, in writing, appoint such safety inspectors as it may consider necessary to ensure that the provisions of this Act are complied with.

(2) No person may be appointed in terms of subsection (1), as a safety inspector, unless the Authority is satisfied that such a person has the prescribed qualifications and expertise to enable them to perform the functions of a safety inspector.

(3) A safety inspector must be furnished with a certificate signed by the Chairperson of the Authority confirming their appointment as a safety inspector, which the inspector must produce on request of any person who has a material interest in the functions of the inspector.

(4) The Authority must prescribe conditions for the proper functioning of safety inspectors, including with the concurrence of the Minister, such remuneration as may be appropriate for undertaking work in accordance with the provisions of this Act.

Functions of safety inspectors

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28. (1) A safety inspector may, subject to subsection (3) and at any reasonable time, conduct a safety inspection of any space activity which is reasonably suspected of being in breach of the provisions of this Act.

(2) In conducting an inspection in terms of subsection (1), a safety inspector may inspect any book, document, or anything concerning the space activities, and the person in charge of the space activity or facility must co-operate with and furnish such assistance as the safety inspector may require in the performance of their function in terms of this Act.

(3) A safety inspector may carry out an inspection of a residential dwelling only when authorised by a warrant issued by a judicial officer.

(4) A safety inspector—

(a) is responsible for checking adherence to safety measures in relation to a space activity;

(b) must immediately report to the Authority any—

(i) activity which is in breach of prescribed safety, environmental and technical requirements which in the inspector's opinion poses an unacceptable safety risk; or

(ii) safety breach that poses imminent danger; and

(c) must report the findings of any safety inspection within 15 days of the conclusion of an inspection to the Authority.

(5) The Authority may, on the advice of a safety inspector, issue a compliance notice relating to any activity which—

(a) is in breach of the terms and conditions of an authorisation;

(b) is in breach of prescribed safety, environmental or technical requirements; or

(c) which poses a possible safety risk.

Actions in case of accidents, incidents or potential emergency

29. (1) Once the Authority has been notified of an accident, incident or a potential emergency, the Authority must initiate a process to take—

(a) all steps necessary to prevent or limit loss of life, injury or damage to property; and

(b) such further steps as the Authority may consider necessary.

(2) In the event of an accident, incident or potential emergency contemplated in subsection (1), or whenever the Authority has reason to believe that such an accident, incident or potential emergency may occur, the Authority must

(a) notify the Minister accordingly and provide any requisite support; or

(b) advise the Minister to appoint an investigator to investigate the matter in terms of section 30.

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Investigators

30. (1) Upon advice by the Authority, the Minister must appoint an investigator to—

(a) investigate the circumstances surrounding the occurrence or likely occurrence of such an accident, incident or potential emergency; and

(b) compile and submit a report to the Authority within five days of appointment on the circumstances surrounding such an occurrence, accident, incident or potential emergency for consideration by the Authority.

(2) The Authority must, within 10 days of receipt of the report by the investigator, consider the report and take such steps as may be necessary to address the situation in a speedy manner.

(3) The Minister must prescribe the requisite qualifications for a person to be appointed as an investigator, which must include applicable knowledge of space matters.

(4) For purposes of an investigation, an investigator has—

(a) authority to obtain information, necessary for the investigation, from any person affected by the investigation;

(b) free access to all documents, books, notes, photographs, recordings and transcripts which are necessary for the investigation, which documents, books, notes, photographs, recordings and transcripts must be produced without delay by the possessor thereof when so requested; and

(c) free access to a space object or facility which is the subject of an investigation.

CHAPTER 7
INTERNAL APPEAL AND HIGH COURT JURISDICTION

PART A — INTERNAL APPEAL PROCESS

Appeal to Minister

31. (1) Any person aggrieved by a decision of the Authority or its delegate under this Act may, in the prescribed manner, appeal to the Minister.

(2) The Minister may, after considering the recommendations of the Committee appointed in terms of section 32, confirm, amend or set aside the decision referred to in subsection (1).

(3) A decision of the Authority or its delegate to suspend or revoke an authorisation is not suspended pending the outcome of an appeal under subsection (2).

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Independent Committee

32. (1) The Minister may, after consultation with the Authority, appoint an independent committee, as and when necessary, to consider appeals contemplated in section 31 and make recommendations to the Minister.

(2) The Committee must consist of—

(a) a retired judge, who will be Chairperson of the Committee;

(b) a person admitted to practise as an advocate;

(c) a person admitted to practise as an attorney, who has knowledge of space matters; and

(d) two other persons who have the applicable technical knowledge regarding space activities.

(3) The independent committee must function in the prescribed manner, and its proceedings must be held on such a date and at such time and place as the chairperson may determine.

PART B — HIGH COURT JURISDICTION

Review by court

33. (1) Any person whose interests are affected by a decision contemplated in section 31(3) may, within 30 days after they became aware of such decision, request the Authority or its delegate in writing to furnish written reasons for that decision within 30 days after receiving such a request.

(2) The person referred to in subsection (1) may, within 30 days after having been furnished with reasons or the expiry of the period within which reasons should have been furnished by the Authority or its delegate, apply to a division of the High Court having jurisdiction, to review the decision contemplated in section 31(3).

High Court jurisdiction regarding damages claims

34. The High Court has jurisdiction to adjudicate actions in relation to compensation for damages under this Act.

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CHAPTER 8
CONFIDENTIALITY AND LIMITATION OF LIABILITY

Confidentiality

35. A member of the Authority, a member of a committee of the Authority, an officer or employee of the Department, a safety inspector, an investigator or any other person who is or was involved in the performance of any function in terms of this Act, may not disclose to any person, whether within or outside the Republic, any information which they obtained in the performance of such functions, or cause such information to be disclosed, transmitted or made known, except—

(a) to the Minister;

(b) to any person, who of necessity requires it for the performance of his or her functions in terms of the provisions of this Act or any other law;

(c) where it is required in terms of any law or as evidence in any court of law;

(d) to any competent authority within the Republic, or, with the written consent of the Authority, to any authority outside the Republic, which requires it for the institution, or any investigation with a view to the institution of any criminal prosecution;

(e) by authority of the Minister or the Authority; or

(f) in consulting in privileged circumstances to a patent agent, advocate or attorney in the Republic in a professional capacity.

Limitation of liability

36. The State, the Minister, a member of the Authority or any person in the employment of the Authority or the State may not be held liable in respect of anything done under this Act in good faith and without negligence.

CHAPTER 9
GENERAL AND MISCELLANEOUS PROVISIONS

PART A — OFFENCES AND PENALTIES

Offences and penalties

37. (1) A person who—

(a) contravenes section 10(2); or

(b) withholds or misrepresents information, or gives false information, when required to

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provide information in terms of this Act,

is guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding 10 years or to both such fine and imprisonment;

(2) A person who—

(a) without lawful excuse, fails to furnish information required by an investigator in terms of section 31;

(b) after appearing as a witness at proceedings in terms of section 31*,* without lawful excuse, refuses to be sworn in or to make affirmation or to produce any book, document, or anything which they have been required to produce or to answer any question lawfully put to them; or

(c) refuses to cooperate with an investigator or safety inspector or unreasonably denies an investigator or safety inspector access to a facility where a space activity occurs or is suspected to occur or refuses to hand over documents related to the space activity,

is guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding two years.

PART B — REGULATIONS AND REPEAL OF LEGISLATION

Regulations

38. (1) The Minister may—

(a) upon recommendation of the Authority, make regulations not inconsistent with this Act with regard to any matter that is required or permitted to be prescribed in terms of this Act;

(b) determine by notice in the *Gazette* any activity that is unlawful to undertake in relation to space activities;

(c) prescribe any working arrangements between the Minister and the Authority; or

(d) upon recommendation of the Authority, prescribe any ancillary or incidental administrative or procedural matter that it is necessary to prescribe for the proper implementation or administration of this Act.

(2) The Minister must, with the concurrence of the Minister of Finance, prescribe—

(a) an amount regarded as provision for liability insurance contemplated in section 25(3)*(a)*;

(b) an applicable reasonable threshold for liability insurance contemplated in section 25(3)*(b);* and

(c) the conditions of service, including remuneration and benefits of members of the

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Authority and Its Committees.

(3) The Authority must prescribe—

(a) the form and manner of applying for, amending, transferring, renewing, suspending or revoking, an authorisation;

(b) the terms and conditions applicable to an authorisation;

(c) application and other administration fees in respect of authorisations, with the concurrence of the Minister;

(d) the conditions for assigning, ceding or transferring an authorisation;

(e) minimum technical specifications of a space launch facility;

(f) information to be kept in the National Registry of Space Objects;

(g) details of space object, their payloads and capabilities that must be registered in terms of section 20;

(g) details of persons and their space activities to be registered in terms of section 24(1);

(h) the qualifications and expertise required for appointment as a safety inspector; and

(i) the conditions of employment, including remuneration and benefits, of safety inspectors.

Repeal of legislation

39. The Space Affairs Act, 1993 (Act No. 84 of 1993), is hereby repealed.

PART C — TRANSITIONAL ARRANGEMENTS AND SHORT TITLE

Transitional arrangements

40. (1) Any license issued in terms of the Space Affairs Act, 1993 (Act No. 84 of 1993), and in force immediately prior to the commencement of this Act, is deemed to have been issued in terms of this Act and remains in force, subject to the conditions under which it was issued.

(2) Any reference in any other law to the Space Affairs Act, 1993 (Act No. 84 of 1993), must, from the date of the commencement of this Act, be considered to be a reference to the corresponding provision of this Act.

(3) An application lodged before the commencement of this Act and which has not yet been finalised by the Authority must be considered in terms of this Act.

(4) The members of the Authority who were appointed in terms of the Space Affairs Act, 1993 (Act No. 84 of 1993), and were in office immediately before the commencement of this Act, continue in office as members of the Authority under this Act for the unexpired term of their offices and until new members are appointed.

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(5) The Minister must fill up any vacancy in the Authority caused by the expiry of the term of office contemplated in subsection (4) within three months of the expiry of such term of office

Short title and commencement

41. This Act is called the South African Space Industry Regulatory Act, 2026, and comes into operation on a date fixed by the President by proclamation in the *Gazette*.