

Basic Space Law (Law No.43 of 2008)¹

Enacted on 21 May 2008
Promulgated on 28 May 2008
Effective as from 27 August 2008

Chapter I General Provisions

Article 1 (Purpose)

The purpose of this Law is, with regard to the development and the use of outer space (hereinafter referred to as “Space Development and Use”), to stipulate basic principles and basic matters for the realization of the basic principles; to clarify the responsibilities of the State as well as to formulate the Basic Space Plan; and by establishing the Strategic Headquarters for Space Development, in order to comprehensively and systematically promote measures with regard to Space Development and Use, thereby contributing to the improvement of the lives of the citizenry and the development of the economy and society as well as contributing to the improvement of international peace and the welfare of humankind, in consideration of the fact that the importance of Space Development and Use has increased with the development of science and technology as well as other changes including those with international environment and national security ramifications, based on the pacifism of the Constitution of Japan, paying due regard to the harmonization with the environment, for the realization of an increased role by Japan in Space Development and Use.

Article 2 (Peaceful Use of Outer Space)

Space Development and Use shall be carried out in accordance with treaties and other international agreements with regard to Space Development and Use including the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and other Celestial Bodies, in accordance with the pacifism of the Constitution of Japan.

Article 3 (Improvement of the Lives of the Citizenry, etc.)

Space Development and Use shall be carried out in order to improve the lives of the citizenry; to ensure a safe and secure society; to mitigate disasters, poverty and various other threats to the survival and lives of humankind; to ensure international peace and security; and to increase the national security of Japan.

Article 4 (Advancement of Industries)

Space Development and Use shall be carried out in order to strengthen the technical capabilities and international competitiveness of the space industry and other industries of Japan, thereby contributing to the advancement of the industries of Japan, by the positive and systematic promotion of Space Development and Use as well as smooth privatization of the results of the research and development with regard to Space Development and Use.

Article 5 (Development of Human Society)

Space Development and Use shall be carried out in order to contribute to the realization of the aspirations of humankind and the development of human society, by promoting state-of-the-art Space Development and Use as well as advancing space science, in consideration of the fact that the aggregate knowledge of space is an intellectual asset of humankind.

Article 6 (International Cooperation, etc.)

Space Development and Use shall be carried out in order to enable Japan to play a positive role and contribute to advancing national interests in international society, through positively promoting international cooperation and diplomacy with regard to Space Development and Use.

¹ This is an unofficial translation of Basic Space Law, translated by the present author. Neither official translation nor governmental-made unofficial translation exists.

Article 7 (Consideration for the Environment)

Space Development and Use shall be carried out with due consideration concerning the influence of Space Development and Use upon the environment.

Article 8 (Responsibilities of the State)

The State shall be responsible for formulating and implementing comprehensive measures with regard to Space Development and Use, pursuant to the basic principles prescribed in Article 2 to the preceding article inclusive with regard to Space Development and Use (hereinafter referred to as “Basic Principles”).

Article 9 (Obligations to Endeavor by the Local Governments)

Based on an appropriate sharing of obligations with the State, the Local Governments shall be responsible for formulating and implementing the independent measures that suit the conditions of their districts with regard to Space Development and Use, pursuant to the Basic Principles.

Article 10 (Strengthening of Coordination)

The State shall take necessary measures in order to strengthen coordination among the State, the Local Governments, universities, private business operators, etc., in consideration of the fact that the effective promotion of Space Development and Use would be realized through cooperation based on communication and shared understanding.

Article 11 (Legislative Measures, etc.)

The Government shall take legislative, fiscal, taxational or financial measures, and other measures that are necessary to implement measures with regard to Space Development and Use.

Article 12 (Reform of Administrative Organizations, etc.)

The State shall endeavor to reform administrative organizations and to improve executive management in implementing measures with regard to Space Development and Use.

Chapter II Basic Measures

Article 13 (Use of Satellites to Contribute to the Improvement of the Lives of the Citizenry)

The State shall take necessary measures to promote the establishment of satellite-based stable information and telecommunication networks, information systems on observation, information systems on positioning, etc., and other necessary measures in order to contribute to the improvement of the lives of the citizenry; to ensure a safe and secure society; to mitigate disasters, poverty and various other threats to the survival and lives of humankind.

Article 14 (Ensuring International Peace and Security as well as the National Security of Japan)

The State shall take necessary measures to promote Space Development and Use to ensure international peace and security as well as to contribute to the national security of Japan.

Article 15 (Independent Launching of Artificial Satellites, etc.)

The State shall take measures to promote the research and development of necessary equipments (including parts thereof) and technologies and to establish the facilities and installations, to ensure the availability of radio frequencies with regard to Space Development and Use as well as to take other necessary measures, in consideration of the fact that it is important for the State to have the capability to independently develop, launch, track and operate artificial satellites, etc.

Article 16 (Promotion of Space Development and Use by Private Business Operators)

Taking into account the important role of private operators in Space Development and Use, and in order to encourage business activities (including research and development activities) with respect to Space Development and Use in the private sector, aiming at strengthening the technical capabilities and international competitiveness of space industry and other industries of Japan, the State shall, in conducting its own Space Development and Use, consider the procurement of goods and services systematically using the capabilities of private operators, the improvement of launching sites (meaning installations for the launching of rockets), experiments and research facilities as well as other facilities and installations, the promotion of the transfer of results of the research and development with regard to Space Development and Use to private business operators, the promotion of the privatization of the results of research and development with regard to Space Development and Use in the private sector, and the taking of taxational and financial measures and other necessary measures in order to facilitate investment by private operators in the business with regard to Space Development and Use.

Article 17 (Maintenance and Improvement of Reliability)

The State shall take measures to promote basic research concerning Space Development and Use as well as research and development concerning fundamental technologies, and take other necessary measures, in consideration of the fact that it is important to maintain and improve the reliability of the technologies with regard to Space Development and Use.

Article 18 (Promotion of the State-of-the-Art Space Development and Use)

The State shall take necessary measures to promote state-of-the-art Space Development and Use concerning space exploration, etc. as well as academic research, etc. with regard to space science.

Article 19 (The Promotion of International Cooperation, etc.)

The State shall take necessary measures to promote international coordination for the purposes of research and development, international technical cooperation and other international cooperation with regard to Space Development and Use as well as to deepen the understanding concerning the Space Development and Use of Japan by foreign countries, though which Japan can play a positive role in international society as well as advance the national interests of Japan in the field of Space Development and Use.

Article 20 (Preservation of the Environment)

- (1) The State shall take necessary measures to promote Space Development and Use in which due consideration is paid to the environment.
- (2) The State shall endeavor to secure international coordination to preserve the environment of outer space.

Article 21 (Securing of Human Resources, etc.)

In order to promote Space Development and Use, the State shall take necessary measures to secure, nurture and enhance the capabilities of the human resources in relation to Space Development and Use, striving for close communication and cooperation with universities, business operators, etc.

Article 22 (Advancement of Education and Learning, etc.)

The State shall take measures to advance education and learning with regard to Space Development and Use, to improve public relations and other necessary measures so as to deepen the understanding and interest of citizens throughout the country with regard to Space Development and Use.

Article 23 (Information Control with regard to Space Development and Use)

The State shall take necessary measures to adequately control information with regard to Space Development and Use in consideration of the characteristics of Space Development and Use.

Chapter III Basic Space Plan

Article 24

- (1) The Strategic Headquarters for Space Development shall formulate a basic plan with regard to Space Development and Use (hereinafter referred to as the “Basic Space Plan”) in order to promote measures with regard to Space Development and Use comprehensively and systematically.
- (2) The Basic Space Plan shall prescribe the following matters:
 - (i) The basic policy with regard to Space Development and Use.
 - (ii) The measures the Government shall comprehensively and systematically implement with regard to Space Development and Use.
 - (iii) In addition to what are listed in the preceding two items, any items necessary for comprehensively and systematically promoting measures with regard to Space Development and Use.
- (3) In the measures prescribed in the Basic Space Plan, in principle, concrete goals and fixed time frames for realizing them shall be included.
- (4) When the Strategic Headquarters for Space Development formulates the Basic Space Plan in accordance with paragraph 1 of this Article, it shall publicize the Basic Space Plan, without delay, through the Internet and/or in other appropriate manners.
- (5) The Strategic Headquarters for Space Development shall, on a timely basis, survey the situation to ascertain if the goals prescribed in paragraph 3 of this Article are smoothly being realized and shall publicize the result through the Internet and/or in other appropriate manners.
- (6) Bearing in mind the situation of the development of Space Development and Use, the effects on the measures implemented by the Government, etc., the Strategic Headquarters for Space Development shall, on a timely basis, review the Basic Space Plan and shall make necessary changes. In such a case, the provisions of paragraph 4 of this Article shall apply *mutatis mutandis*.
- (7) The Government shall endeavor to take necessary measures for the smooth implementation of the Basic Space Plan by, for example, appropriating its budget each fiscal year, to the extent permitted by the State’s finances, in order to secure funds necessary to ensure payment of the expenses required for the implementation of the plan.

Chapter IV Strategic Headquarters for Space Development

Article 25 (Establishment)

In order to comprehensively and systematically promote measures with regard to Space Development and Use, Strategic Headquarters for Space Development (hereinafter referred to as “the Headquarters”) shall be established in the Cabinet.

Article 26 (Affairs under the Jurisdiction)

The Headquarters shall take charge of affairs listed in the following items:

- (i) To formulate and promote the execution of the Basic Space Plan.
- (ii) In addition to the tasks referred to in the preceding item, to survey and consult on the important programs of the measures with regard to Space Development and Use as well as to promote and coordinate such measures.

Article 27 (Organization)

The Headquarters shall consist of the Director-General of the Headquarters for Space Development, the Vice Director-General of the Headquarters for Space Development, and Members of the Headquarters for Space Development.

Article 28 (Director-General of the Headquarters for Space Development)

- (1) The Headquarters shall be headed by the Director-General of the Headquarters for Space Development (hereinafter referred to as “Director-General”), the post which shall be served as Prime Minister.
- (2) The Director-General shall be in charge of the general coordination of the affairs of the Headquarters, and shall direct and supervise the relevant officials.

Article 29 (Vice Directors-General of the Headquarters for Space Development)

(1) The Vice Director-General of the Headquarters for Space Development (hereinafter referred to as “Vice Director-General”) shall be assigned to the Headquarters, and the Chief Cabinet Secretary and the Minister for Space (the Minister of State, in charge of assistance to the Prime Minister, with regard to Space Development and Use upon the direction of the Prime Minister) shall serve as the Vice Directors-General.

(2) The Vice Directors-General shall assist the duties of the Director-General.

Article 30 (Members of the Headquarters for Space Development)

(1) Members of the Headquarters for Space Development (hereinafter referred to as “Members”) shall be assigned to the Headquarters.

(2) The Members shall be assigned with all Ministers of State other than the Director-General and Vice Directors-General.

Article 31 (Submission of Materials and Other Forms of Cooperation)

(1) The Headquarters may, if it considers it necessary for implementing affairs under its jurisdiction, demand submission of materials, statements of opinions, explanations and other required cooperation from the heads of the relevant administrative organs, Local Governments, Incorporated Administrative Agencies (Incorporated Administrative Agencies as provided for in the Paragraph 1 of Article 2 of the Law Concerning the General Rules of Incorporated Administrative Agencies) (Law No. 103 of 1999) and the representatives of statutory juridical persons (corporations which are directly established by Acts or judicial persons which are established according to their statute of establishment provided by special Act, under provision of Paragraph 15 of Article 4 of the Act for Establishment of the Ministry of Internal Affairs and Communications) (Act No. 91 of 1999).

(2) The Headquarters may also demand necessary cooperation from parties other than those prescribed in the preceding paragraph, if it considers it especially necessary for implementing affairs under its jurisdiction.

Article 32 (Affairs)

Affairs concerning the Headquarters shall be processed within the Cabinet Secretariat and administered by the Assistant Chief Cabinet Secretary under commission.

Article 33 (Competent Minister)

The competent Minister as stipulated in the Cabinet Act (Act No. 5 of 1947) for the matters pertaining to the Headquarters shall be the Prime Minister.

Article 34 (Delegation to Cabinet Orders)

In addition to what is provided for in this Act, necessary matters concerning the Headquarters shall be prescribed by a Cabinet Order.

Chapter V (Enactment of Legislation with regard to Space Activities)

Article 35

(1) The Government shall carry out the enactment of legislation on necessary matters comprehensively, systematically and promptly, in order to implement treaties and other international agreements with regard to regulations on space activities as well as other Space Development and Use.

(2) The enactment of legislation prescribed in the preceding paragraph shall be carried out in order to advance the national interests of Japan in international society and to contribute to the promotion of Space Development and Use by the private sector.

Supplementary Provisions

Article 1 (Effective Date)

This Law shall come into effect as from the date specified by a Cabinet Order within a period not exceeding three months from the day of promulgation.

Article 2 (Enactment of Legislation in order to Address the Affairs of the Headquarters to the Cabinet Office, etc.)

The Government shall legislate necessary laws and regulations as well as take other measures in order that affairs concerning the Headquarters shall be processed within the Cabinet Office within approximately one year after the coming into effect of this Law.

Article 3 (Review with regard to Incorporated Administrative Agencies, the Japan Aerospace Exploration Agency, etc.)

Within approximately one year after the coming into effect of this Law, the Government shall review and take necessary measures concerning the Japan Aerospace Exploration Agency and other agencies with regard to Space Development and Use, for example with regard to the purposes, functions, scope of the mandates, the organizational structures, and administrative organs that are the competent authorities of the abovementioned space agencies.

Article 4 (Review of the Administrative Organizations to Promote the Measures with regard to Space Development and Use in a Comprehensive and Integrated Manner)

The Government shall carry out a review concerning the administrative organizations in order to promote measures with regard to Space Development and Use in a comprehensive and integrated manner, and based on the result, it shall take necessary measures.