



Australian Government



Australian
Space Agency

Standard Return Authorisation

Application Guidelines

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Disclaimer

Guidelines are not legally binding other than to the extent they refer to binding legislation, identified throughout.

Guidelines should be read in conjunction with the *Space (Launches and Returns) Act 2018* (the Act), *Space (Launches and Returns) (General) Rules 2019* (the General Rules) and *Space (Launches and Returns) (Insurance) Rules 2019* (the Insurance Rules). Guidelines do not exclude, limit or replace the requirements of the Act, General Rules and Insurance Rules. If there is any ambiguity or inconsistency, the Act, General Rules and/or Insurance Rules have precedence.

This publication is not legal or professional advice. Persons rely upon this publication entirely at their own risk and must take responsibility for assessing the relevance and accuracy of the information in relation to their circumstances.

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1. Introduction

1.1 About the *Space (Launches and Returns) Act 2018*

Australia is a founding member of the Committee on the Peaceful Uses of Outer Space and is party to the United Nations space treaties. Australia is committed to ensuring a safe, stable and sustainable outer space environment by building a culture of safety and sustainability within the Australian space sector.

The [*Space \(Launches and Returns\) Act 2018*](#) (the Act) sets out a regime for the regulation of civil space-related activities in Australia or by Australians overseas. The objects of the Act include seeking to ensure a reasonable balance is achieved between:

- the removal of barriers to participation in space activities and the encouragement of innovation and entrepreneurship in the space industry
- the safety of space activities, and the risk of damage to persons or property as a result of space activities.

The Act also implements certain Australian obligations under the United Nations space treaties.

The Act includes powers for the Minister to make rules by legislative instrument. The rules support effective operation of the Act. They are intended to provide clear information and a streamlined process relevant to the approval of an activity under the Act. There are currently three legislative instruments setting out rules under the Act (collectively the Rules):

- the [*Space \(Launches and Returns\) \(General\) Rules 2019*](#) (the General Rules) provides detail on the application requirements and additional criteria for approvals under the Act (other than Australian high power rocket permits)
- the [*Space \(Launches and Returns\) \(High Power Rocket\) Rules 2019*](#) (the High Power Rocket Rules) provides detail on the application requirements and additional criteria for approval of Australian high power rocket permits
- the [*Space \(Launches and Returns\) \(Insurance\) Rules 2019*](#) (the Insurance Rules) provides detail relating to insurance and financial requirements applicable to certain approvals under the Act.

Other relevant documents referred to by the Rules are the [Flight Safety Code](#) and the Maximum Probable Loss Methodology ([MPL Methodology](#)).

1.2 About these guidelines

Under the Act, you need a return authorisation if:

- you want to return a space object, or series of space objects, to a place(s) or area(s) in Australia
- you are an Australian national and you want to return a space object, or series of space objects, to a place or area outside Australia.

These guidelines explain the application and assessment process for a standard return authorisation. A standard return authorisation is any return authorisation other than an overseas payload return authorisation.

An overseas payload return authorisation applies when the return is to a place or area outside Australia and the space object to be returned is carried as a payload in another space object that does not require a return authorisation. For more information about overseas payload return authorisations see our [website](#).

The relevant legislation for a standard return authorisation is the Act, General Rules and Insurance Rules.

These guidelines are not legally binding other than to the extent they refer to binding legislation. Therefore these guidelines should be read in conjunction with the Act, General Rules and Insurance Rules. Guidelines do not exclude, limit or replace the requirements of the legislation. If there is any ambiguity or inconsistency, the Act, General Rules and/or Insurance Rules have precedence.

1.3 Role of the applicant

An applicant (you/your) is responsible for applying for a return authorisation, where required, and meeting all legislative obligations required by the Act, General Rules and Insurance Rules, as well as any conditions placed on the authorisation.

1.4 Role of the Australian Space Agency

The Australian Space Agency (we/us/the Agency) is a division of the Department of Industry, Science and Resources (the Department). The Department, through the Agency and its Office of the Space Regulator, is responsible for administering the Act and Rules, and publishes information to assist applicants navigate application and assessment processes for their activities.

1.5 Role of the Minister

The Minister makes the decision whether to grant a return authorisation, considering advice from the Agency and only if they are satisfied that an application meets the criteria in the Act and General Rules (See [2.3 Criteria for granting a return authorisation](#)).

2. Return authorisation – standard applications overview

2.1 Who should apply?

You will need a return authorisation if you are intending to return a space object to a specified place or area in Australia, or a particular series of such returns.

If you are an Australian national intending to return a space object to a specified place or area outside Australia, or a particular series of such returns, you will either need to apply for a standard return authorisation (these guidelines) or an overseas payload return authorisation.

NOTE: We recommend that you discuss your proposed return or series of returns with us before applying.

See [8. Glossary](#) for further definitions of Australian launch permits, standard return authorisations and overseas payload return authorisation applications.

An Australian national is an Australian citizen, an Australian resident, a body corporate (for example a company registered in Australia) or a Commonwealth, state or territory government (see [8. Glossary](#)).

A space object is an object the whole or part of which will travel and/or come back from beyond a distance of 100km above mean sea level. It can include any part of such an object, even if the part only goes some of the way towards and/or back from an area beyond the distance of 100km above mean sea level.

2.2 What is the purpose of a return authorisation?

A return authorisation aims to ensure that the return of a space object to Australia, or by an Australian national outside of Australia, is done in a manner such that the probability of causing substantial harm to public health or public safety, or substantial damage to property is as low as reasonably practicable. It also ensures that adequate considerations are made for the environment, Australia's security, defence and international relations, and that Australia, as a responsible launching state, meets certain obligations under the United Nations space treaties.

2.3 Criteria for granting a return authorisation

In granting a return authorisation, the Minister under section 46L of the Act must be satisfied that:

- the person who is to carry out the return or returns is competent to do so
- the insurance/financial requirements in Part 3 Division 7 of the Act will be satisfied for the return or returns
- the probability of the return or returns causing substantial harm to public health or public safety or causing substantial damage to property is as low as is reasonably practicable
- the space object or objects concerned are not and do not contain a nuclear weapon or a weapon of mass destruction of any other kind
- there are no reasons relevant to the security, defence or international relations of Australia, such that the authorisation should not be given.

Additional criteria under section 91 of General Rules include that:

- each return must be as effective and safe as reasonably practicable having regard to the purpose of the return, the design of the space object and the Flight Safety Code
- the risk hazard analysis for each return must be consistent with the Flight Safety Code
- the applicant must have:
 - a) for the return of one or more space objects to a place or area in Australia – appropriate environmental approvals, or an adequate environment plan if no environmental approvals are required, for conducting the return or series of returns, or

- b) for the return of one or more space objects to a place or area outside of Australia – an adequate environment plan for conducting the return or series of returns.

The Minister under section 46L of the Act may, in deciding whether to grant a return authorisation, have regard to:

- whether there is an agreement or arrangement between Australia and any country that is a launching State for any space object concerned under which that country assumes any liability, and indemnifies Australia, for any damage that the space object may cause
- the terms of that agreement or arrangement.

2.4 Return authorisation conditions

There are no standard conditions in the Act or General Rules that apply to a return authorisation. However, the Minister may grant an authorisation subject to conditions which are relevant to the circumstances of your return.

2.5 Offences and civil penalties

The Criminal Code generally applies to all offences against the Act.

It is an offence for person to return a space object to a place or area in Australia without a return authorisation, Australian launch permit or authorisation certificate covering the return. The maximum penalty is:

- for an individual, imprisonment for 10 years or a fine of 5,500 penalty units (see [8. Glossary](#)) or both
- for a body corporate, a fine of 100,000 penalty units

These matters are outlined in section 15 of the Act.

It is also an offence for an Australian national to return a space object to a place or area outside of Australia without a return authorisation or authorisation certificate covering the return. The maximum penalty is:

- for an individual, imprisonment for 10 years or a fine of 5,500 penalty units or both
- for a body corporate, a fine of 100,000 penalty units

These matters are outlined in section 15A of the Act.

Under section 46M, the holder of a return authorisation commits an offence if any of the following occur:

- the return is conducted in a way that is likely to cause substantial harm to public health or public safety or substantial damage to property
- the space object is, or contains, a nuclear weapon or a weapon of mass destruction of any other kind
- the space object contains a nuclear power source and the Minister's written approval for this has not first been obtained
- the insurance/financial requirements in Division 7 of Part 3 of the Act are not satisfied for the return.

The maximum penalty is:

- for an individual, imprisonment for 10 years or a fine of 5,500 penalty units or both
- for a body corporate, a fine of 100,000 penalty units.

The Minister may apply for a civil penalty as an alternative to criminal prosecution under section 46M. The maximum civil penalty is 1,000 penalty units for an individual or up to 5,000 penalty units for a body corporate.

If you breach a condition of your authorisation, where applicable, you may be liable for a fine of up to 1,000 penalty units for an individual or up to 5,000 penalty units for a body corporate. This matter is outlined in section 46N of the Act.

3. Authorisation process

3.1 Preparing an application

Before applying you should read and understand these guidelines.

You should then complete and submit an expression of interest form providing supporting materials demonstrating your progress against the [application requirements](#).

We use the information in your expression of interest to inform an application plan workshop.

The purpose of the application plan workshop is to:

- establish the status of your application
- develop a shared understanding of application requirements that need to be met
- set and agree application and assessment timeframes
- clarify roles and responsibilities
- establish principles for how we engage throughout the application and assessment process.

Outcomes from this workshop will be documented in an application plan. Your plan will contain:

- details of milestone dates for your proposed return or series of returns
- an agreed timeline for delivery of information by you and important feedback events
- comments/notes on information gaps, details on what a complete application may look like and agreed application requirements
- administrative requirements such as document storage, communication channels and points of contact within the Agency
- useful links to guidance material and legislation.

You then complete and submit application documents within the timeframes agreed in your application plan. Timeframes may be reviewed and adjusted during the process if needed.

Your expression of interest and all corresponding documents must be in writing and in English. If a required document is not in English, you must also include an English language translation.

Documents can undergo multiple revisions before being finalised. Good document management (including version control, consistency across documents and updates to parent documents) is important during the application process and will help to facilitate a smooth and efficient assessment process.

If you are submitting more than one application (for example, for a launch facility licence and return authorisation) each application needs to stand on its own to address relevant requirements.

Our assessment is evidence-based. You should include materials to support your claims. Supporting materials should be robust, sufficiently detailed and appropriate for the scope and complexity of your proposed activity. We generally do not consider to be sufficient self-declared statements of compliance against the requirements in the Act and General Rules.

We provide guidance on the information and documents you must submit. It remains, however, your responsibility to obtain the evidence required in your application, including other government approvals. We will not prepare material for these approvals.

Provision of information as set out in these guidelines, and provision of guidance by the Agency in relation to the preparation of your application, does not guarantee that the Minister will decide to grant a return authorisation.

You may contact us during the assessment period if you need to make amendments to your application, for example if information becomes outdated or incorrect. This ensures the Minister's consideration is based on current and accurate information.

NOTE: There are other approvals you may need to receive a return authorisation. We recommend you initiate discussion with the appropriate authorities early to understand the requirements and timeframes so as not to delay the assessment process.

3.2 Application fees

There are no application fees for a return authorisation under the Act.

3.3 Submitting an application

You submit your expression of interest for a standard return authorisation to the Agency by email to regulation@space.gov.au. If you have any issues submitting your expression of interest by email, contact us for guidance (see section [7. Contacting us](#))

An expression of interest form can be found on our [website](#).

3.4 Application process

There are 4 steps in the application process:

| Steps in the application process: | |
|--|--|
| 1. Expression of interest | <p>You download and complete a standard return authorisation expression of interest form.</p> <p>You submit your expression of interest form to the Agency by email to regulation@space.gov.au.</p> |
| 2. We review your expression of interest | <p>We review your expression of interest against each of the requirements in the Act and the General Rules for a return authorisation application (see 4. Application requirements).</p> <p>We then contact you to discuss next steps. Next steps may include booking an application plan workshop with you.</p> <p>NOTE: initiating your expression of interest is not an application submission, you will need to provide further documents.</p> |
| 3. Application plan workshop | <p>We book an application plan workshop when your expression of interest provides sufficient information for the application process to proceed.</p> <p>During this workshop we:</p> <ul style="list-style-type: none"> • establish the status of your application • develop a shared understanding of application requirements that need to be met • set and agree application and assessment timeframes • clarify roles and responsibilities • establish principles for how we engage throughout the application and assessment process <p>After the workshop we will provide you an application plan which will set out the remaining stages of the application process.</p> |

| Steps in the application process: | |
|-----------------------------------|---|
| 4. Assessment | <p>You provide completed documents in line with your application plan.</p> <p>We commence assessment upon receipt of your completed documents and in line with the agreed Application Plan. We hold scheduled meetings with you to clarify information submitted and provide feedback on progress.</p> <p>During the assessment process we consult widely within government to see if there is any reason, including relating to Australian security, defence or international relations, why a return authorisation should not be approved.</p> <p>Once you have provided all required information in your application, we will finalise our assessment and make a recommendation to the Minister.</p> |
| 5. Decision | <p>The Minister decides whether a return authorisation should be granted, considering advice from the Agency.</p> <p>The Minister, through the Agency, may request further information or clarification to support their decision.</p> <p>NOTE: If the authorisation is granted, a Launch Safety Officer will also be appointed for the return or series of returns at this time pursuant to section 50 of the Act.</p> |

3.5 Timing for assessment

We estimate it will take approximately 6 months to assess your application, however, assessment timeframes will be discussed and agreed as part of your application plan workshop.

Following the workshop we provide an application plan that clearly outlines agreed timeframes.

If we find key information missing or inaccurate, or not at an appropriate level of detail we will discuss with you and agree revised timeframes to submit additional information. This may impact overall assessment timeframes.

We may also request additional information relating to your application.

4. Application requirements

We ask you for information about:

- you
- your organisation including capability, structure and key personnel
- the return of the space object
- return management plan
- risk hazard analysis
- return safety
- emergency plan
- environment considerations
- technology security
- insurance/financial requirements
- contracts, outstanding approvals and other matters to be verified.

4.1 Information about the applicant

General Rules, section 94

You must provide the following information:

- applicant name
- name, position and contact details of an individual who will act as the primary contact for the application
- Australian Business Number (ABN), if any
- Australian Company Number (ACN), if you are applying as a company registered under the *Corporations Act 2001*
- information about which persons or entities have ownership, control, or direction of the applicant, including the nationality of those persons or entities.

4.2 Organisational structure and personnel

General Rules, section 95

You must provide the following information about your organisation:

- a description of the organisational structure, including chain of command
- duties and responsibilities of each position in the chain of command.

For each of the following individuals:

- your chief executive officer or equivalent
- those who would have authority to direct the conduct of a return
- those who would have authority to direct operation of the facility or premises from which the return is proposed to be conducted or part of the facility or premises
- those who would have authority or oversight in relation to retrieval of the returned space object
- those in a position within your organisational structure that would have authority to direct operation or maintenance of the ground systems of the facility or premises from which a return is proposed to be conducted
- those who would have authority or oversight in relation to tracking or communicating with a space object during its return
- those who would have authority or oversight in relation to preparing the technology security plan included in the application
- those in a position that would have a role in implementing or monitoring the technology security plan.

You must provide the following information:

- name, date of birth and place of birth
- address of usual place of residence
- relevant qualifications and experience
- how long the individual has occupied their current position.

4.3 Information about return of a space object

General Rules, section 96

You must provide the following information about each space object to be returned:

- a description of the space object and the purpose for which it was launched
- the manufacturer of the space object and the country of manufacture
- an explanation as to why the space object is to be returned
- the proposed return place or area
- the return period and return window

- information on the predicted trajectory of the space object or of parts of the space object, including parts of the space object expected to burn up on re-entry
- a list of the items (that is, parts of the space object) that are expected to land.

4.4 Return management plan

General Rules, section 97

You must include a return management plan for managing the return or series of returns. The plan must include the following:

- your arrangements and procedures for conducting the return or series of returns, including the following:
 - arrangements to ensure the safety of associated ground operations
 - procedures for the recovery of the returned space object after landing
 - contingency plans for recovery of a returned space object in difficult circumstances such as adverse weather conditions, signal from the space object is lost or the location of the space object is unknown
- a timeline of the return or returns showing key events and decision points, including opportunities to abort a return
- for each opportunity to abort a return, the consequences of the decision to abort
- information on the equipment required for conducting the return or returns including in the control centre and operations base
- information on the logistics for conducting the return or returns, including establishment of the operations base, vehicle support and communications support
- arrangements for reporting on the return or returns to the Minister
- arrangements to ensure that personnel who have duties or functions in connection with a return are properly prepared
- arrangements for responding to any problem encountered in conducting the return and for taking action to resolve it
- a statement identifying all hazardous ground operations associated with a return, and a description of the procedures to manage those operations
- communications arrangements for the return or returns, including the following:
 - return area communications
 - telemetry communications (including the radio frequencies to be used)
 - emergency communications
- information on tracking requirements and procedures
- information on meteorological requirements for the return or returns and an advanced forecast for the return period
- the system to be used for:
 - making and keeping records in relation to the return or returns
 - maintaining documentation relating to the return or returns
- the security arrangements for the return or returns, including both physical security and cybersecurity
- if a country other than Australia is a launching state for the space object being returned, the following information is required:
 - a description of the licensing or approval arrangements for the country relevant to the space object
 - the names and contact details of the relevant regulatory authorities providing the licensing and approval arrangements
- information on the personnel and equipment necessary to recover a returned space object safely, efficiently and in an environmentally responsible manner
- information on customs and quarantine clearance that will be required for a returned space object and the procedures for obtaining the required clearance

- the activities that will be undertaken once the space object has been recovered, including any disassembly activities and environmental clearance of the site.

4.5 Risk hazard analysis

General Rules, section 98

You must include a risk hazard analysis for each return. The analysis must be performed by a suitably qualified expert, who is approved by the Minister, and be in accordance with the Flight Safety Code.

Your application must:

- describe the methodology, assumptions and data used in the analysis
- apply the space object probability of failure set out in the risk hazard analysis methodology in the Flight Safety Code.

If the methodology used differs from the risk hazard analysis methodology in the Flight Safety Code in any other aspect, your application must:

- describe the methodology used in a form that can conveniently be assessed against the methodology in the Flight Safety Code
- set out each difference between the methodology used and the methodology in the Flight Safety Code
- demonstrate, having regard to those differences, that the methodology is technically sound.

Your application must describe any software used to carry the analysis, including a description of the system for:

- making and keeping records and data relating to the operation of the software
- maintaining documentation (such as manuals) relating to the operation of the software.

For any software used that is not a generally available commercial product, the application must include:

- details of who developed the software
- how the software operates to implement the methodology used
- how the software was tested and the results of the testing
- who validated the software and how it was validated.

4.6 Return safety plan

General Rules, section 99

You must provide a return safety plan for the return or series of returns.

The return safety plan must include:

- your strategies and arrangements to ensure that the return or returns will be conducted:
 - in a way that reduces the level of risk to third parties to as low as is reasonably practicable
 - in accordance with the Flight Safety Code
- your arrangements for reporting to the Minister any changes in the arrangements for conducting the return or returns, or the data used in the risk hazard analysis for each return
- your arrangements for subsequent reporting to the Minister on the compliance of the return or returns with the Flight Safety Code, and the assumptions and data used in the risk hazard analysis for each return.

You must include written confirmation by a suitably qualified expert, who is approved by the Minister, that the return will be in accordance with the Flight Safety Code if carried out in accordance with the return safety plan.

4.7 Emergency plan

General Rules, section 100

You must include an emergency plan for responding to accidents and incidents involving a returning space object, and any other kind of emergency at or near the facility or premises from which the return is proposed to be conducted.

Your emergency plan must include the following:

- a description of actions to be undertaken by the persons responsible for responding to an accident, incident or other emergency
- a list of the authorities or persons to be notified by the applicant in relation to an accident, incident or other emergency
- a description of the arrangements for coordinating any action to be taken in relation to the accident, incident or other emergency with those authorities or persons
- evacuation procedures for an accident, incident or other emergency
- details of exercises to test the plan before the return, and arrangements to report the results of those exercises to the Agency
- arrangements for reviewing the effectiveness of responses in emergencies and exercises, and arrangements to report results of any review to the Agency
- procedures to be followed, in the case of accident, for:
 - locating the space object or its wreckage
 - recovering and removing the space object or its wreckage in accordance with any necessary permission of the Minister or Investigator under the Act
- the equipment and facilities necessary for responding to an accident, incident or other emergency
- arrangements to ensure you would meet your obligations under any law of the Commonwealth or law of a State or Territory in the event of accident, incident or other emergency or when conducting exercises to test the plan.

NOTE: the terms *accident* and *incident* are defined in sections 85 and 86 of the Act. Those definitions are included in section [8. Glossary](#)

4.8 Environment

General Rules, section 101

If you propose to return one or more space objects to a place or area in Australia, you must include information about environmental approvals required for the return or series of returns under any other law of the Commonwealth or law of a State or Territory.

If no environmental approvals are for required for a return in Australia, you must include an environmental plan that includes the following:

- an assessment of the likely impact of conducting the return or returns on the environment
- your arrangements for monitoring and mitigating any adverse effects on the environment from conducting the return or returns
- your mechanisms for reporting on the implementation of those arrangements and for reviewing your environmental plan.

If you are an Australian national proposing to return one or more space objects to a place or area outside of Australia you must include an environmental plan.

If an environmental plan is required by the country in which the space object or objects are proposed to be returned, you may meet this requirement by Including a copy of that plan in your application.

4.9 Technology security

General Rules, section 102

You must provide a technology security plan relating to the return or series of returns you propose to conduct. The technology security plan must include the following:

- arrangements and procedures for safeguarding the technology to be used in conducting the return or returns, including:
 - procedures to prevent unauthorised people from having access to the technology
 - the cybersecurity strategy to be used
- if there is in force agreement of any kind between Australia and another country that relates to safeguarding all or part of the technology, you must provide information on how the plan ensures that Australia gives effect to its obligations under the agreement.

You must include a written assessment of the adequacy of your cybersecurity strategy in your plan by a person with suitable cybersecurity qualifications and experience.

4.10 Insurance/financial requirements

General Rules, section 103

You must include for each proposed return evidence of your capacity to satisfy the insurance/financial requirements. You satisfy the insurance/financial requirements if:

- throughout the liability period for the return, you satisfy the insurance requirements in section 48 of the Act, or
- you have, in accordance with the Insurance Rules, shown direct financial responsibility for the return for an amount not less than the amount that would otherwise have been applicable under subsection 48(4) of the Act.

To satisfy the insurance requirements, you must:

- be insured (to the extent required by subsection 48(4) of the Act) against any liability that you might incur under the Act to pay compensation for any damage to third parties that the return causes, and
- insure the Commonwealth (to the extent required by subsection 48(4) of the Act) against any liability that the Commonwealth might incur, under the Liability Convention or otherwise under international law, to pay compensation for such damage.

These insurances may be:

- separate policies or,
- a single policy insuring both the authorisation holder and the Commonwealth.

You can propose a lesser amount of insurance using the Maximum Probable Loss Methodology ([MPL Methodology](#)). If you intend to rely on the amount calculated under the [MPL Methodology](#), you must provide the calculations and the name of the person who made those calculations as a part of your return authorisation application.

You may also show direct financial responsibility for the return for at least \$100 million, or a lesser amount determined by the [MPL Methodology](#), as an alternative to holding insurance (see section 47 of the Act and section 5 of the Insurance Rules). To do so you must provide evidence that:

- you have a sufficient amount of available assets that could be used to meet any liability that you might incur under the Act (for assets held wholly or partly by another person or body you must show that that person/body will make them available if required), or

- you are otherwise able to meet any liability that you might incur under the Act to pay compensation for any damage to third parties that the return causes

The Minister may request additional information to show that you have a sufficient amount of available assets or are otherwise able to meet any liabilities as you have claimed.

4.11 Contracts

General Rules, section 104

You must provide copies of any contracts entered into, and information on any contracts that you propose to enter into, for the purposes of the return or returns. This includes:

- contracts for the use or lease of facilities
- contracts for others to conduct the return or undertake activities connected with the return
- contracts for dealing with the space object after it is returned.

4.12 Outstanding approvals

General Rules, section 105

You must include a list of all activities in relation to the return or series of returns for which an approval (however described) is required under any other Commonwealth law or law of a State or Territory but not yet obtained. For each activity, you must include your arrangements (including the time frame) for obtaining the required approval.

4.13 Matters to be verified

General Rules, section 106

You must include a list of matters mentioned in your return management plan or technology security plan that are yet to be verified or validated, and for each such matter, arrangements (including the time frame) for obtaining the verification and validation.

4.14 Additional information

General Rules, section 107

You may include any other information relevant to demonstrating whether the criteria in the Act for granting a return authorisation are met (See [2.3 Criteria for granting a return authorisation](#)).

4.15 Application may be updated

General Rules, section 108

You may, before the Minister's decision whether to grant a return authorisation, update a part of the application (for example, to update information that is no longer correct or to change plans for conducting your proposed return or returns).

5. If you are granted an authorisation

5.1 Keeping us informed

When you have a return authorisation approval, you should notify us in writing if there are any changes to the information submitted in your application. Depending on the circumstances, your return authorisation may need to be varied, transferred, suspended or revoked.

5.2 Varying, suspending or revoking an authorisation

You may apply to the Minister to vary the place or area of return specified in your authorisation or the conditions of your authorisation. Your application must include a description of the variation you are requesting and the reason for your request. An application may include any supporting material you believe will assist the Minister in deciding on your request.

The Minister may also vary or revoke a return authorisation on their own initiative. If the Minister believes there are grounds to do this, they must:

- give you written notice of their opinion specifying the reasons for that opinion
- invite you to make a written submission about the matter within a reasonable period specified in the notice.

In deciding whether to vary or revoke the authorisation, the Minister must consider your written submission, provided you respond within the reasonable time period specified in the notice.

The Minister may also suspend your return authorisation:

- if you have contravened an authorisation condition
- if the Minister considers that for reasons relevant to the security, defence or international relations of Australia, the authorisation should be suspended
- if an incident involving a space object covered by the authorisation occurs during the liability period for the return of the object.

The Minister must give notice of the suspension to you in writing, specifying when it takes effect.

NOTE: under section 95 of the Act, if an accident occurs a return authorisation is immediately taken to be suspended until the Minister revokes the suspension.

6. How we use your information

6.1 Confidential information

We collect information:

- to assess applications to conduct space activities
- to monitor a permit, licence or authorisation holder's compliance with their obligations under the Act, the relevant rules and the conditions of their permit, licence or certificate
- to facilitate the registration of space objects.

We will treat the information you give us as confidential if it meets all the following conditions:

- you clearly identify the information as confidential and explain why we should treat it as confidential at the time you provide the information
- the information is commercially sensitive
- disclosing the information would cause unreasonable harm to you or someone else
- you provide the information with an understanding that it will stay confidential.

Unless the information you provide to us is identified as confidential information, we may share your information with other government agencies or third parties for a relevant Commonwealth purpose such as:

- the administration and assessment of your application
- to ascertain if there is any reason why a licence, permit or authorisation should not be granted or approved
- to third parties for the purposes of conducting a technical review of your application, under a deed of confidentiality.

We may disclose confidential information:

- to our Commonwealth employees and contractors, to help us to assess your application,
- to the Auditor-General, Ombudsman or Privacy Commissioner
- to the responsible Minister or Assistant Minister
- to the Prime Minister
- to a House or a Committee of the Australian Parliament.

We may also disclose confidential information if:

- we are required or authorised by law to disclose it
- you agree to the information being disclosed
- someone other than us has made the confidential information public.

6.2 Personal information

We must treat your personal information according to the [Australian Privacy Principles](#) (APPs) and the [Privacy Act 1988](#) (Cth). This includes letting you know:

- what personal information we collect
- why we collect your personal information
- to whom we give your personal information.

You can read the [Privacy Policy](#) on the Department's website for more information on:

- what is personal information
- how we collect, use, disclose and store your personal information
- how you can access and correct your personal information.

6.3 Freedom of information

All documents in the possession of the Australian Government are subject to the [*Freedom of Information Act 1982*](#) (Cth) (FOI Act). The purpose of the FOI Act is to give members of the public rights of access to information held by the Australian Government and its entities. Under the FOI Act, members of the public can seek access to documents held by the Australian Government. This right of access is limited only by the exceptions and exemptions necessary to protect essential public interests and private and business affairs of persons in respect of whom the information relates.

7. Contacting us

We encourage you to contact us early in planning for any space activity that requires authorisation under the Act. Early engagement may help to resolve questions specific to your activity.

Email regulation@space.gov.au

Phone 1800 487 182 (within Australia)
 +61 2 6276 1166 (outside Australia)

Head office: Lot 14, McEwin Building, North Terrace, Adelaide, SA 5000

Post: Office of the Space Regulator
 Australian Space Agency
 GPO Box 2013
 Canberra ACT 2601

8. Glossary

The following are terms used in these Guidelines with a particular meaning, generally defined in the Act or the General Rules where indicated.

| Term | Definition |
|---------------------------|--|
| Accident | <p>Section 85 of the Space (Launches and Returns) Act 2018 states an accident involving a space object or high power rocket occurs if:</p> <ul style="list-style-type: none">a) a person dies or suffers serious injury as a result of the operation of the space object, orb) the space object or high power rocket is destroyed or seriously damaged or causes damage to other property (other than in the circumstances prescribed in the rules) <p>Section 121 of the General Rules sets out exceptions for the purposes of paragraph 85(b).</p> |
| Act | The Space (Launches and Returns) Act 2018 . |
| Australian launch permit | <p>An Australian launch permit authorises the launch of one or more space objects, or a series of launches of space objects, from a specified launch facility in Australia, a specified Australian aircraft that is in flight or a specified foreign aircraft that is in the airspace over Australian territory.</p> <p>A launch permit may also authorise one or more space objects to be returned, in connection with the launch or launches, to a specified place or area in Australia.</p> |
| Australian national | <p>The meaning is defined in the Space (Launches and Returns) Act 2018:</p> <ul style="list-style-type: none">• an Australian citizen, or• an Australian resident, or• a body incorporated by or under a law of the Commonwealth, of a State or of a Territory, or• the Commonwealth, a State or a Territory. |
| Australian resident | <p>The meaning is defined in the Space (Launches and Returns) Act 2018:</p> <p>An individual who resides in Australia and is the holder (within the meaning of the Migration Act 1958) of a permanent visa (within the meaning of that Act).</p> |
| Australian Space Agency | A separately branded division of the Department. The Agency, through the Office of the Space Regulator, is responsible for administering the Act, General Rules and related framework. |
| Authorisation certificate | A certificate issued by the Minister to cover conduct that would otherwise be prevented under the Act. We would consider an authorisation certificate where there isn't an existing approval process. |
| Department | The Department of Industry, Science and Resources. |

| Term | Definition |
|---|---|
| Flight Safety Code | <p>The Flight Safety Code provides:</p> <ul style="list-style-type: none"> the methodology to assess that certain launch and return activities are safe under the Act and associated legislative instruments a quantitative approach to ensuring that the risks associated with certain civil space and high power rocket activities in Australia are as low as reasonably practicable methods through risk hazard analysis to identify potential hazards during launches or returns that may cause harm to public health and safety, analyse the risks associated with these hazards, and develop measures to minimise those risks and ensure that they remain below the established launch safety standards. |
| General Rules | The Space (Launches and Returns) (General) Rules 2019 |
| High Power Rocket Rules | The Space (Launches and Returns) (High Power Rocket) Rules 2019 |
| Incident | An incident is defined under section 86 of the Space (Launches and Returns) Act 2018 as an occurrence associated with the operation of a space object or high power rocket that affects or could affect the safety or the operation of the space object or high power rocket or that involves circumstances indicating that an accident nearly occurred. |
| Insurance Rules | The Space (Launches and Returns) (Insurance) Rules 2019 |
| Liability Convention | The Convention on International Liability for Damage Caused by Space Objects |
| Liability period | <p>Space (Launches and Returns) Act 2018 provides the following definition of liability period:</p> <ol style="list-style-type: none"> for the launch of a space object—the period of 30 days beginning when the launch takes place, or such other period as is specified in the rules, and for the return of a space object—the period beginning when the relevant re-entry manoeuvre is begun and ending when the object has come to rest on Earth, or such other period as is specified in the rules, and for the launch of a high power rocket—the period of 30 days beginning when the launch takes place, or such other period as is specified in the rules. |
| Maximum Probable Loss Methodology (MPL Methodology) | The MPL Methodology sets out the method that can be used to calculate the maximum probable loss that might occur due to certain space activities. You can use the methodology to determine the insured amount defined in the Act and specified in the Insurance Rules. |
| Minister | The Commonwealth Minister responsible for the <i>Space (Launches and Returns) Act 2018</i> . |

| Term | Definition |
|---|---|
| Overseas payload return authorisation application | <p>The meaning is defined in the Space (Launches and Returns) (General) Rules 2019:</p> <p>An application for a return authorisation where each return to be authorised meets the following criteria:</p> <ul style="list-style-type: none"> the return is to a place or area outside Australia the space object to be returned will be carried as a payload by another space object that does not require a return authorisation. |
| Payload | <p>Payload can commonly refer to an entire satellite, a satellite bus, or anything the bus carries. It also captures any object that the launch or return vehicle carries, but which may not leave the vehicle.</p> |
| Penalty unit | <p>A standard amount of money used to determine the maximum penalty for a breach of law. For offences committed from 1 January 2023, the Commonwealth penalty unit is \$275. Penalty units are automatically indexed on 1 July every three years in line with the All Groups Consumer Price Index (CPI).</p> |
| Personal information | <p>Has the same meaning as in the Privacy Act 1988 (Cth):</p> <p>Information or an opinion about an identified individual, or an individual who is reasonably identifiable:</p> <ul style="list-style-type: none"> whether the information or opinion is true or not, and whether the information or opinion is recorded in a material form or not. |
| Space object | <p>The meaning is defined in the Space (Launches and Returns) Act 2018:</p> <ul style="list-style-type: none"> an object the whole or a part of which is to go into or come back from an area beyond the distance of 100km above mean sea level, or any part of such an object, even if the part is to go only some of the way towards or back from an area beyond the distance of 100km above mean sea level. |
| SQE | <p>A Suitably Qualified Expert (SQE) performs flight safety assurance functions for civil launch and return activities carried out from Australia. These functions give assurance the launch and/or return activity falls within Australia launch safety standards.</p> <p>SQE functions are distinct from individuals, companies or organisations with suitable qualifications and experience who provide a written assessment of the adequacy of an environmental plan or cybersecurity strategy.</p> <p>For the purposes of an Australian launch permit an SQE, who is approved by the Minister, is required to:</p> <ul style="list-style-type: none"> conduct the risk hazard analysis <p>provide written confirmation that the launch or launches, operation of the launch vehicle on the flight path and any connected return will fall within the launch safety standards if carried out in accordance with the flight safety plan</p> |

| Term | Definition |
|-------------------------------|--|
| Standard return application | <p>The meaning is defined in the <i>Space (Launches and Returns) (General) Rules 2019</i>:</p> <p>An application for a return authorisation other than an overseas payload return application.</p> |
| United Nations space treaties | <p>The meaning is defined in the <i>Space (Launches and Returns) Act 2018</i>:</p> <p>The United Nations space treaties means the following:</p> <ul style="list-style-type: none"> • the Liability Convention • the Registration Convention • the Outer Space Treaty • the Moon and other Celestial Bodies Agreement, and • the Astronauts and Objects agreement |