REMOTE SENSING SPACE SYSTEMS ACT

Her Excellency the Governor General in Council, on the recommendation of the Minister of Foreign Affairs, pursuant to section 20 of the *Remote Sensing Space Systems Act*, hereby makes the annexed *Remote Sensing Space Systems Regulations*.

S.C. 2005, c. 45

Registration March 29, 2007

REMOTE SENSING SPACE SYSTEMS REGULATIONS

INTERPRETATION

Definitions

1. (1) The following definitions apply in these Regulations.

“Act”

« Loi »


“command protection plan”

« plan de protection des commandes »

“command protection plan” means a plan designed to protect the commands given to a remote sensing satellite of a remote sensing space system and the sales orders that give rise to those commands.

“contact information”

« coordonnées »

“contact information” means a person’s street and mail address, telephone and fax number and electronic mail address.

“data protection plan”

« plan de protection des données »

“data protection plan” means a plan designed to protect raw data and the remote sensing products produced from that data.

“entity”
“entité” means a corporation, a partnership, a government, a government agency and an unincorporated organization.

“identifiant”

« renseignements identifiables »

“identifying information” means,

(a) in respect of an individual, their date and place of birth and citizenship;

(b) in respect of a corporation, its jurisdiction of incorporation or continuation; and

(c) in respect of a partnership or unincorporated entity, its jurisdiction of registration.

“commande client”

“sales order” means an order for raw data or a remote sensing product, including an internal order within a licensee or system participant for raw data or a remote sensing product.

Control

(2) An entity is controlled by a person if the person has control in fact, whether directly through the ownership of securities or indirectly through a trust, an agreement, an arrangement, the ownership of any body corporate or other means.

Affiliation

(3) One entity is affiliated with another entity if one of them is controlled by the other or both are controlled by the same person.

APPLICATIONS

Issuance of licence

2. (1) An application for the issuance of a licence must contain

(a) the information and documents set out in Schedule 1; and

(b) a declaration, signed and dated by the applicant or their authorized representative, that the information contained in the application is true, complete and correct.

System participant
(2) If the application includes an application to have a person designated as a system participant, the application must include a declaration signed and dated by the proposed system participant or its authorized representative attesting that

(a) the proposed system participant is authorized to enter into the agreement referred to in paragraph 32(c) Schedule 1 by the laws of the jurisdiction in which it proposes to operate and, in the case of a corporation, the laws of the jurisdiction in which it is incorporated or continued; and

(b) the information contained in the application relating to the proposed system participant is true, complete and correct.

Amendment of licence

3. (1) An application for the amendment of a licence must include

(a) the applicant’s name and contact information;

(b) the amendment requested; and

(c) the requested effective date of the amendment.

System participant

(2) If the application includes a request to have a person designated as a system participant, the application must include

(a) the declaration described in subsection 2(2); and

(b) the information and agreement or proposed agreement referred to in section 32 of Schedule 1.

Renewal of licence

4. An application for the renewal of a licence must contain the applicant’s name and contact information and the requested term of the renewal.

General requirements

5. (1) An application for the issuance, amendment or renewal of a licence must

(a) be in writing; and

(b) be accompanied by a copy of the application on electronic media.
(2) If any of the information or documents contained in an application for the issuance, amendment or renewal of a licence changes before the application is approved or refused, the applicant shall, without delay, inform the Minister of the change.

Copy of agreement

6. If an application contains a copy of a proposed agreement referred to in paragraph 32(c) of Schedule 1, the licensee must provide the Minister with the final copy of the agreement as soon as it comes into effect.

Minister’s notification

7. If an application to issue a licence has not been approved or refused within 180 days after the applicant has provided the required information and documents, the Minister shall, as soon as feasible, notify the applicant of any issues to be resolved and any action required to resolve them. In the case of an application to amend or renew a licence, the period is 90 days after the applicant has provided the required information and documents.

PREScribed FACTORS

All applications

8. For the purposes of subsection 8(1) of the Act, the prescribed factors are the following:

(a) the ability of the applicant to comply with the Act and these Regulations; and

(b) the enhancement of the competitiveness, at the national and international levels, of the Canadian remote sensing space industry.

Renewal of licence

9. In addition to the factors prescribed in section 8, the following factors are prescribed in respect of an application for the renewal of a licence:

(a) any unpaid fee, fine, penalty or other amount due under the Act that is owing by the licensee;

(b) the danger to the environment, public health or the safety of persons and property arising from not disposing of the licensed system in accordance with the timing of the system disposal plan; and

(c) the data continuity for recipients of raw data or remote sensing products.

Amendment of licence conditions

10. For the purposes of subsection 10(1) of the Act, the prescribed factors are the following:
(a) the failure of the licensee to comply with the Act, these Regulations or the conditions of the licence; and

(b) the failure of a system participant to comply with the provisions of the agreement referred to in paragraph 32(c) of Schedule 1.

Cancellation of licence

11. For the purposes of section 12 of the Act, the prescribed factors are the following:

(a) the failure or inability of the licensee to comply with the Act, these Regulations or the conditions of the licence; and

(b) the failure of the licensee to pay any fee, fine, penalty or other amount due under the Act.

LICENCE CONDITIONS

Prescribed conditions

12. The following conditions are prescribed as conditions of a licence:

(a) the licensee must have a contact person for the purpose of communication with the Government of Canada who is an individual who meets the requirements of the appropriate level of security clearance — under the Government Security Policy, as amended from time to time, published by the Treasury Board Secretariat — for the nature of the commands given to and the raw data acquired by the remote sensing satellites of the licensed system;

(b) the licensee must, without delay, notify the Minister in writing of any change in control of the licensee or an affiliate of the licensee that is involved in the operation of the licensed system and provide the name, identifying information and contact information of each person who exercises control;

(c) the licensee must, without delay, notify the Minister in writing of any change in the name, identifying information or contact information of the licensee or any system participant;

(d) the licensee must on a regular basis evaluate the system disposal plan for the licensed system and, if amendments are needed, without delay, apply to the Minister for an amendment to the plan in accordance with paragraph 9(3)(a) of the Act;

(e) the licensee must evaluate its command protection plan and data protection plan on a regular basis and ensure that its system participants evaluate their data protection plans and, if any, their command protection plans and notify the Minister in writing, without delay, of any proposed changes to any of those plans; and

(f) the licensee must, without delay, notify the Minister in writing of its decision to discontinue operation of the licensed system, or of the financial insolvency, dissolution or termination of operations of the licensee or one of its system participants.
TRANSFORMATION OF RAW DATA

Process not considered to transform raw data

13. (1) Any process that retains the phase information of raw data, or that produces an output from which measurements can be taken to determine the phase response of a remotely sensed surface, including the process to produce the synthetic aperture radar output known as Single Look Complex, is not considered to transform the raw data.

Process considered to transform raw data

(2) Any process or series of processes operating on raw data that rectifies errors, distortions and other artifacts of the system by pixel aggregation, averaging or resampling are considered to transform the raw data if the process or series of processes also

(a) radiometrically calibrates the data; or

(b) geocodes the data with respect to features of the Earth by resampling.

PRIORITY ACCESS ORDERS

Amount paid by a minister

14. An amount paid by a minister under subsection 22(2) of the Act for a service must not exceed

(a) an amount that is in accordance with any agreement in effect between the minister and the licensee at the time the service was provided; or

(b) if there is no agreement, an amount that is proportionate to an amount received by the licensee for a comparable service provided on a priority basis to any person during the 12 months prior to the providing of the service.

NOTIFICATION

Duty to notify Minister

15. (1) A licensee must, as soon as feasible, notify the Minister in writing if the licensee has reasonable grounds to believe that

(a) the licensed system poses a danger to the environment, public health or the safety of persons or property;

(b) the licensee has lost or is in danger of losing control of a remote sensing satellite;

(c) the cryptography used in communications with the remote sensing satellite or the information assurance measures for the licensed system are malfunctioning;
(d) an unauthorized communication of raw data has occurred;

(e) the provision of a remote sensing product has been provided in breach of a condition imposed under subsection 8(7) of the Act; or

(f) there has been a breach in the security of the licensed system.

Written report

(2) Within 21 days after notifying the Minister, the licensee must provide a written report to the Minister that describes the situation, its probable cause and the corrective measures taken or proposed to be taken.

RECORDS

Maintenance of records

16. (1) A licensee must maintain the following records for a period of one year:

(a) a record of every sales order placed with it;

(b) a record of every command given to each remote sensing satellite of the remote sensing space system, including the date and time of the command;

(c) a record of all raw data received from each remote sensing satellite, including the date and time of receipt;

(d) a record of raw data being entered into the archives of the licensee and the disposal of raw data, including the date of each entry and disposal;

(e) a catalogue that lists the raw data that is accessible to the public, including the date of each entry into the catalogue;

(f) a record of every use of raw data by the licensee or of a system participant to make Single Look Complex data or a remote sensing product, including the date and time it was used;

(g) a record of every communication of raw data or provision of a remote sensing product to any person, including the date and time it was communicated or provided; and

(h) a record of any amount paid by a minister under subsection 22(2) of the Act for the provision of a service on a priority basis, including the date the service was provided.

Sales orders

(2) The licensee must keep the records in a manner that enables the ready determination of the following in respect of every sales order:
(a) the date and time of the sales order;

(b) the name and contact information of the person who placed the sales order;

(c) the type of raw data or remote sensing product ordered;

(d) the location sensed in order to fill the sales order; and

(e) the name and contact information of the recipient of the raw data or remote sensing product and the conditions under which the recipient may make use of the data or product.

Examination and communication

(3) The licensee must keep the records in a form that allows them to be readily examined and communicated.

Notifying Minister

(4) Every licensee who becomes aware of an inaccuracy or incompleteness in a record that has been examined by an inspector or communicated to the Minister must, without delay, notify the Minister in writing.

System participant

(5) Every licensee must ensure that every system participant maintains – for one year and in accordance with subsections (2) and (3) – the records identified in paragraphs (1)(a) to (g) that are in respect of the participant’s activities in the operation of the licensed system.

ARCHIVING AND ACCESS TO RAW DATA

Archiving raw data

17. (1) A licensee must archive raw data from the remote sensing satellite in a readily retrievable format for a minimum period of 15 months from

(a) the day on which an entry for the raw data was first made in a catalogue accessible to the public; or

(b) if the raw data was not entered in a catalogue accessible to the public, the day on which the raw data was received by a ground station.

Notice of proposed disposal to Minister

(2) A licensee must, before disposing of the raw data, notify the Minister and provide the following information about each scene of raw data:

(a) a unique identifier;
(b) the date and time when the raw data was acquired by the remote sensing satellite;

(c) the geographic boundaries of the scene;

(d) the position of the satellite when the raw data was acquired;

(e) the sensor modes used to acquire the raw data;

(f) the ground station that received the raw data;

(g) the date and time when the ground station received the raw data;

(h) the date on or after which the raw data will be disposed of;

(i) the cost to communicate the raw data; and

(j) the name and contact information of a contact person.

Timing of notice

(3) The licensee may not send the notice until 12 months of the 15-month period referred to in subsection (1) have expired.

Disposal of raw data

(4) The licensee may not dispose of the raw data until three months after the day on which the notice was sent.

Notice of proposed disposal to others

18. On receipt of a notification under subsection 17(2), the Minister may, and the licensee must on the request of the Minister, inform any person to whom the licensee is authorized to communicate raw data under subsection 8(6) of the Act about the proposed disposal of the raw data.

Request for raw data

19. (1) The Minister or a person to whom the licensee is authorized to communicate raw data under subsection 8(6) of the Act may, at any time before the raw data is disposed of, request the communication of the raw data from the contact person referred to in paragraph 17(2)(j), and the licensee must provide the raw data as soon as feasible.

Payment

(2) The Minister or the person that receives the raw data must pay the licensee an amount equal to the reasonable costs of communicating the data.

REPORTS
Design review

20. (1) A licensee must provide to the Minister reports of the preliminary design review and critical design review for the following elements of the licensed system:

(a) the remote sensing space system as a whole;
(b) each type of remote sensing sensor of each type of remote sensing satellite;
(c) each type of satellite platform of each type of remote sensing satellite;
(d) each class of telemetry, tracking and control station of the system, including its command generation and information assurance subsystems; and
(e) each class of ground station of the system, including its reception, storage, processing, delivery and information assurance subsystems.

Contents

(2) Each report must contain a copy in written or electronic format of all information, documents and records prepared by or for the licensee for the review.

Deadline to provide reports

(3) The licensee must provide each report within 45 days after the completion of each review.

Launch and flight sensors

21. A licensee must, as soon as feasible, provide a written report to the Minister

(a) of the entry into effect of a contract for the launch of the first remote sensing satellite of the licensed system; and

(b) of the licensee’s taking delivery of the flight sensors of the first remote sensing satellite of the licensed system.

Proposed launch

22. (1) A licensee must, at least 45 days prior to the planned launch of a remote sensing satellite, provide a written report to the Minister that contains

(a) the start date and time, expressed in Coordinated Universal Time, of the planned launch window and its duration expressed in days;

(b) the name and location of the launch site expressed as a latitude and longitude;

(c) the azimuth of the proposed launch trajectory expressed in degrees measured positive clockwise from True North in a local frame of reference centred on the launch site;
(d) the type of the launch vehicle; and

(e) the geographic boundaries of the area that could be subject to falling debris from a normal launch and from a launch failure.

Change in information

(2) The licensee shall, without delay, inform the Minister of any change in any of the information provided under subsection (1).

Satellite becoming operational

23. (1) A licensee must, within 21 days after a remote sensing satellite becomes operational, provide a written report to the Minister that contains

(a) the date of the launch and the name and location of the launch site expressed as a latitude and longitude;

(b) the basic orbital parameters of the satellite, including nodal period, inclination, apogee and perigee; and

(c) any difference between the satellite performance specifications set out in the conditions of the licence and the actual performance of the satellite.

Satellite failure

(2) If a remote sensing satellite fails to become operational or becomes inoperable, the licensee must, within 21 days after determining that fact, provide a written report to the Minister that contains the information described in subsection (1) as is appropriate in the circumstances.

REPRESENTATIONS AND NOTICE

Representations

24. (1) A representation made to a minister or an enforcement officer under the Act must be in writing.

Notices

(2) A notice given by a minister under the Act must be in writing.

VIOLATIONS

Designated provisions and conditions

25. (1) For the purpose of carrying out section 23 of the Act, the following are designated as the provisions and conditions whose contravention may be proceeded with as a violation:

(a) the provisions of the Act set out in column 1 of Part 1 of Schedule 2;
(b) the provisions of these Regulations set out in column 1 of Part 2 of Schedule 2;

(c) the provisions of orders made under subsections 13(1), 14(1) and (2) and 15(1) to (3) of the Act;

(d) the conditions of a licence set out in column 1 of Part 3 of Schedule 2 imposed by the Act or these Regulations; and

(e) the conditions of a licence imposed under subsections 8(5) to (7) of the Act.

Penalty

(2) The maximum administrative monetary penalty for a violation of a designated provision or condition set out in column 1 of Parts 1 to 3 of Schedule 2 is

(a) in the case of individuals, the amount set out in column 2; and

(b) in any other case, the amount set out in column 3.

Penalty

(3) The maximum administrative monetary penalty for a violation of a designated provision referred to in paragraph (1)(c) or a designated condition referred to in paragraph (1)(e) is

(a) in the case of individuals, $5,000; and

(b) in any other case, $25,000.

Criterion — determining penalty

26. In determining a proposed penalty, an enforcement officer must take into account any notification given by the licensee under subsection 15(1) or 16(4).

COMING INTO FORCE

Remote Sensing Space Systems Act — section 20

27. These Regulations come into force on the day on which section 20 of the Remote Sensing Space Systems Act, chapter 45 of the Statutes of Canada, 2005, comes into force.

* [Note: Regulations in force April 5, 2007, see S.I./2007-47]

SCHEDULE 1

(Paragraphs 2(1)(a) and (2)(a) and 3(2)(b), section 6 and paragraph 10(b))

INFORMATION AND DOCUMENTS TO SUPPORT AN APPLICATION
1. The applicant’s name, identifying information and contact information.

2. The name, identifying information and contact information of the individual proposed to be the contact person for the applicant.

3. The following completed forms for the individual proposed to be the applicant’s contact person:

   (a) Personnel Screening, Consent and Authorization Form (TBS/SCT 330-23) of the Treasury Board Secretariat, as amended from time to time;

   (b) Security Screening Certificate and Briefing Form (TBS/SCT 330-47) of the Treasury Board Secretariat, as amended from time to time;

   (c) Security Clearance Form (TBS/SCT 330-60) of the Treasury Board Secretariat, as amended from time to time; and

   (d) Royal Canadian Mounted Police fingerprint form C216-C, as amended from time to time.

4. If the applicant is an entity, other than a government or government agency,

   (a) a certified copy of its instrument of incorporation or continuance or its business registration in its jurisdiction of operation, as the case may be;

   (b) the name, identifying information and contact information of the chief executive officer and each of the applicant’s directors, if any;

   (c) the name, identifying information and contact information of each of the applicant’s officers who will be responsible for the operation of the remote sensing space system;

   (d) the name, identifying information and contact information of each owner of an interest equal to or greater than 10% in the applicant, and the interest held by that owner; and

   (e) the name, identifying information and contact information of each person who exercises control over the applicant.

5. The name, identifying information and contact information of each of the applicant’s secured creditors.

6. The name, identifying information, contact information and amount of indebtedness for every person to whom the applicant is indebted for more than 5% of the applicant’s total indebtedness.
7. The applicant’s plans for communicating raw data or providing remote sensing products, including

(a) making the data or products available to governments whose territories have been sensed by the remote sensing space system; and

(b) providing preferred or exclusive access to the data or products.

8. The address where the applicant’s records will be maintained.

GENERAL SYSTEM INFORMATION

9. The name and a short description of the remote sensing space system, including the number of remote sensing satellites of the system, the planned date that each satellite will become operational and the anticipated mission life of each satellite.

10. The proposed launch date, vehicle and site.

ORBIT INFORMATION

11. The nominal orbit and tolerances of each remote sensing satellite of the remote sensing space system, including

(a) the semi-major axis, eccentricity, inclination, longitude of right ascension, argument of periapsis, argument of mean anomaly and epoch;

(b) the period, repeat cycle and any subcycle; and

(c) the equator crossing time of the ascending node of any sun-synchronous orbit.

REMOTE SENSING SATELLITE DISPOSAL

12. The potential hazard from space debris and the strategy to mitigate that hazard for each remote sensing satellite of the remote sensing space system, including

(a) the method of disposal that is proposed for each satellite and the reliability of that method;

(b) the estimated duration of the satellite disposal operation;

(c) the probability of loss of human life and how it was calculated;

(d) the amount of debris expected to reach the surface of the Earth, the size of the impact area expressed in square metres, and how they were calculated;
(e) the geographic boundaries of the likely debris re-entry impact area, the confidence level of the determination of the boundaries and how the boundaries and confidence level were calculated;

(f) the identity and quantity of hazardous material and dangerous goods contained in each satellite at the end of its mission life, the quantity expected to reach the surface of the Earth on re-entry and how the quantities were calculated;

(g) the orbital elements and epochs of the proposed disposal orbits for each satellite; and

(h) an assessment of space debris expected to be released from each satellite during normal operations by explosions, by intentional break-ups and by on-orbit collisions, and the measures proposed to mitigate the production of space debris.

REMOTE SENSING SATELLITE INFORMATION AND DOCUMENTS

13. A technical description of each remote sensing satellite of the remote sensing space system, including

(a) a drawing of the satellite in its on-orbit configuration;

(b) its command and data handling subsystem capabilities, including its data storage technology and capacity, data transfer rate, method of access to stored data and directionality of its command, telemetry and downlink antennas;

(c) its navigation, guidance and control capabilities, including the accuracy of position, velocity, acceleration and time, and the type of technology used for those capabilities;

(d) its attitude control subsystem capabilities, including the jerk and jitter, and the type of technology used for those capabilities;

(e) its propulsion subsystem capabilities, including the amount of propellant allocated for the disposal of the satellite;

(f) its sensor technology for each sensor, including

   (i) the sensor modes,

   (ii) the spatial resolution capability of each sensor mode, and how it was calculated,

   (iii) the centre frequency or wavelength, bandwidth and sweep, if any, of the transmitted and received spectral bands used in each sensor mode indicating which sensor modes are co-registered by common sensor elements and which sensor modes are independent,

   (iv) the polarization of transmitted and received signals with respect to each sensor mode,
(v) the fields of view or beam widths for each sensor mode,

(vi) for each sensor mode, the range of viewing angles or angles of incidence, and their increments of change,

(vii) for each sensor mode, the slew and squint angles and their rates of change, and a description of the scan mechanisms employed,

(viii) the ground distance from nadir and the instantaneous swath width and potential swath width for each sensor mode,

(ix) the image motion compensation parameters, including those for linear motion and drift,

(x) if applicable, the characteristics of the time-delayed integration mode used within the sensor focal plane,

(xi) spatial, spectral and temporal oversampling, aggregation and resampling capabilities,

(xii) sensitivity, including noise-equivalent-spectral-radiance for electro-optic sensors, noise-equivalent-sigmas for synthetic aperture radar sensors and noise-equivalent-temperature-differences for thermal infrared sensors,

(xiii) for each sensor mode, the signal-to-noise ratio, dynamic range and quantization,

(xiv) if applicable, the range of solar illumination angles on the surface of the Earth over which the sensor can operate,

(xv) the absolute and relative geolocation accuracy of the raw data and remote sensing products and how they were calculated, and

(xvi) calibration methods, including absolute calibration accuracy; and

(g) the minimum time in hours between the acquisition of raw data by the satellite and the communication of the data or the provision of remote sensing products to a recipient.

COMMAND PROTECTION PLAN

14. The general strategy with respect to command protection.

15. The location and function of all facilities, including mobile facilities, to be used to process sales orders or to give commands in the operation of the remote sensing space system.

16. A general description and block diagram of all facilities to be used to process sales orders or to give commands, including the longitude and latitude and station mask of each telemetry, tracking and command station.
17. (1) A general description and block diagram of the communication architecture that includes descriptions of

(a) each system supporting the facilities that are to be used to process sales orders or to give commands to the remote sensing satellite;

(b) links between the facilities and the satellite;

(c) links for relaying sales orders or satellite commands between facilities on the ground; and

(d) crosslinks between satellites.

(2) The radio-frequency link information for command uplinks, including the characterization of each link and the type of information carried by each communication channel.

(3) The protocols to be used in the communication architecture.

(4) A description of the encryption to be used on all communication channels, including keying and rekeying schemes.

(5) Management plans for the keys to be used in satellite uplinks, in command relays and in facilities for command generation and the processing of sales orders.

18. A general description of

(a) the content and format of the proposed sales orders and the commands to be given in the operation of the remote sensing space system; and

(b) the process used to determine the commands given to the remote sensing satellite that sets out the priority of conflicting sales orders requiring the same resources of the satellite.

19. A diagram that

(a) shows each step to be taken by the applicant or proposed system participant from the placement of a sales order for raw data or a remote sensing product to the communication of the raw data to a recipient or the provision of the remote sensing product to a recipient; and

(b) indicates the command protection measures proposed for each step.

20. A description of the command protection measures proposed for each step of the business process, including

(a) the measures proposed for each facility to be used to process sales orders or to give commands to the remote sensing satellite, including measures relating to

(i) the security screening of personnel,
(ii) the physical security of the facility, and

(iii) the information assurance, within the facility, of sales orders and satellite commands;

(b) the measures proposed for the communication of sales orders and satellite commands between the facilities of the remote sensing space system, including measures relating to physical and electronic protection and information assurance; and

(c) the measures proposed for the communication of commands to remote sensing satellites, including measures relating to electronic protection and information assurance.

21. Proposed measures to comply with

(a) the conditions in paragraphs 8(4)(a) to (f) of the Act;

(b) an order that may be made under section 14 or 15 of the Act; and

(c) section 16 of the Act.

DATA PROTECTION PLAN

22. The general strategy with respect to data protection.

23. The location and function of all facilities, including mobile facilities, to be used to handle raw data and remote sensing products in the operation of the remote sensing space system.

24. A general description and block diagram of all facilities to be used to handle raw data and remote sensing products, including the longitude and latitude and station mask of each ground station.

25. (1) A general description and block diagram of the proposed communication architecture that includes descriptions of

(a) each system supporting the facilities that are to be used to handle raw data and remote sensing products;

(b) links between the facilities and the remote sensing satellite;

(c) links for the relaying of raw data and remote sensing products between facilities on the ground; and

(d) crosslinks between remote sensing satellites.

(2) The radio-frequency downlink information, including the characterization of each link and the type of information carried by each communication channel.
(3) The protocols to be used in the communication architecture.

(4) A description of the encryption to be used on all communication channels including keying and rekeying schemes.

(5) Management plans for the keys to be used in satellite downlinks and relays and in facilities used to handle raw data and remote sensing products.

26. A general description of

(a) the content and format of raw data and remote sensing products; and

(b) the processes to be employed to alter image quality and information content at each step from the acquisition of raw data to the provision of a remote sensing product, including such processes as spatial or spectral pixel aggregation — discarding low order analog-to-digital bits — and data compression.

27. A diagram that

(a) shows each step to be taken by the applicant or proposed system participant from the placement of a sales order for raw data or a remote sensing product to the communication of raw data to a recipient or the provision of the remote sensing product to a recipient; and

(b) indicates the data protection measures proposed for each step.

28. A description of the data protection measures proposed for each step of the business process, including

(a) the measures proposed for each facility to be used to handle raw data and remote sensing products, including measures relating to

(i) the security screening of personnel,

(ii) the physical security of the facility, and

(iii) the information assurance, within the facility, in respect of raw data and remote sensing products;

(b) the measures proposed for the transfer of raw data and remote sensing products between the facilities of the remote sensing space system, including measures relating to physical and electronic protection and information assurance; and

(c) the measures proposed for the communication of raw data and the provision of remote sensing products to recipients, including measures relating to physical and electronic protection and information assurance.
29. Proposed measures to comply with any conditions of the licence that restrict the communication of raw data or the provision of remote sensing products related to

(a) recipients or classes of recipients of raw data or remote sensing products;

(b) sensor modes;

(c) types of raw data or remote sensing products;

(d) the time between the acquisition of raw data by the remote sensing satellite and the communication of the raw data or the provision of a remote sensing product to a recipient;

(e) the sensed territory;

(f) the location of the recipients; and

(g) any agreements entered into under paragraph 8(6)(b) or (7)(b) of the Act.

COMMAND AND DATA PROTECTION PLAN

30. In lieu of a separate command protection plan and data protection plan, a combined command and data protection plan that contains the information and documents set out in sections 14 to 29 of this Schedule.

AFFILIATED ENTITIES

31. The name, identifying information and contact information of each entity affiliated with the applicant that will be involved in the operation of the licensed system, a description of their involvement and the name, identifying information and contact information of each person who exercises control over the affiliated entity.

SYSTEM PARTICIPANT INFORMATION

32. If the application includes a request to designate a person to be a system participant,

(a) the proposed system participant’s name, identifying information and contact information;

(b) the address of each facility to be used by the proposed system participant for carrying on controlled activities, including the location and station mask of each ground station and telemetry, tracking and command station; and

(c) a copy of an agreement or proposed agreement between the applicant and the proposed system participant that specifies

(i) the territory from which the proposed system participant will communicate raw data and provide remote sensing products or will give commands to the remote sensing satellite,
(ii) the proposed system participant’s data protection plan that contains the information and documents referred to in sections 22 to 29 of this Schedule as modified to relate to the proposed system participant’s operations, and, if the applicant intends to permit the proposed system participant to formulate or give a command to a remote sensing satellite of the system, its command protection plan that contains the information and documents referred to in sections 14 to 21 of this Schedule as modified to relate to the proposed system participant’s operations,

(iii) how the proposed system participant will make raw data and remote sensing products available to the governments of countries whose territories have been sensed by the system,

(iv) how the proposed system participant will make raw data available to the applicant before the data is disposed of,

(v) how the proposed system participant will assist the applicant to provide service pursuant to an order under section 15 of the Act,

(vi) the proposed system participant’s obligation to maintain records, the address where the records will be maintained and the proposed system participant’s obligation to allow the applicant access to them,

(vii) the proposed system participant’s obligation to make periodic or other reports to the applicant,

(viii) the proposed system participant’s obligation to allow the applicant or an inspector access to their facilities in order to monitor compliance with the proposed system participant’s data protection plan and the proposed system participant’s command protection plan, if any, and

(ix) the obligation of the proposed system participant to allow the applicant or an inspector access to their facilities in order to monitor compliance on the part of the applicant with the applicant’s command protection plan and data protection plan and the applicant’s requirements under the Act, these Regulations and the conditions of the licence.

SCHEDULE 2

(Section 25)

PART 1

REMOTE SENSING SPACE SYSTEMS ACT

<table>
<thead>
<tr>
<th>Item</th>
<th>Provision of the Act</th>
<th>Maximum Penalty — in the Case of an Individual ($)</th>
<th>Maximum Penalty — in any Other Case ($)</th>
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PART 2

REMOTE SENSING SPACE SYSTEMS REGULATIONS
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PART 3

CONDITIONS OF LICENCES

DIVISION 1

CONDITIONS IMPOSED BY THE REMOTE SENSING SPACE SYSTEMS ACT

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**DIVISION 2**

**CONDITIONS IMPOSED BY THE REMOTE SENSING SPACE SYSTEMS REGULATIONS**

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