This is an unofficial translation of Japan’s “Fundamental Act of Outer Space”. It is being offered to the readership of the JOURNAL OF SPACE LAW as a convenience.¹

**FUNDAMENTAL ACT OF OUTER SPACE**

*(LAW NO.43, 2008)*

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CHAPTER ONE

GENERAL PROVISIONS

(Purposes)

Article One

As we recognize that the significance of outer space exploitation and utilization (hereinafter referred to as “space use and exploitation”) is increasing along with advancing science technologies and changing situations in and around our country, the purposes of this law shall be to promote in a planned and comprehensive manner the overall policies and measures concerning space use and exploitation; to contribute to improving our citizens’ living standards and developing our economic society; and to dedicate to peace and welfare for all human beings in the world. We shall attain these purposes in line with the pacifist principle of the Japanese Constitution and in harmony with the environment. We also shall expand the roles space use and exploitation plays in our country by making and enforcing fundamental rules and principles concerning space use and exploitation; by clarifying responsibilities the government should take for space use and exploitation; by drafting the Outer Space Master Plan; and by establishing the Outer Space Exploitation Strategy Headquarters.

(Peaceful Use of Outer Space)

Article Two

Space use and exploitation shall be carried out in conformity with the pacifist principle of the Japanese Constitution and in accordance with outer space treaties and other international promises, including “Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies.”

(Improvement of Citizens’ Living Standards)
Article Three

Space use and exploitation shall be carried out to improve our citizens’ living standards; to form a safe and secured society; to remove any kind of threats to our lives, such as natural disasters and poverty; and to maintain peace and security in our homeland and the world.

(Industrial Development)

Article Four

Space use and exploitation shall be carried out for our country’s space industries to enhance their technologies and to strengthen their international competitiveness. This shall be attained by implementing space use and exploitation in a planned and positive manner and by encouraging to smoothly set up businesses and to use and practice the results of research and development in space use and exploitation.

(Development of The Human Society)

Article Five

As we recognize that a collection of knowledge on outer space is an intellectual property for human beings, space use and exploitation shall be carried out to advance outer space science and to practice cutting-edge space use and exploitation. This will be able to realize mankind's dreams about outer space and to develop our human society.

(International Cooperation)

Article Six

Space use and exploitation shall be carried out to positively play our country’s roles in the international society and to increase our country’s interests therein by actively conducting diplomacy and international cooperation with regard to space use and exploitation.

(Consideration to Environment)
Article Seven

Space use and exploitation shall be carried out with careful consideration for effects on the environment which space use and exploitation can cause.

(The Government’s Obligations)

Article Eight

The government shall formulate and implement comprehensive policies and measures concerning space use and exploitation in compliance with the fundamental principles mentioned from Article Two to Article Seven (hereinafter referred to as “the fundamental principles”).

(Local Public Organizations’ Efforts)

Article Nine

Local public organizations shall make efforts to formulate and implement their own policies and measures concerning space use and exploitation, which take advantage of features in their local areas. Their policies and measures shall comply with the fundamental principles and appropriately share burdens with the national government.

(Mutual Cooperation)

Article Ten

Mutual cooperation among the national government, local public organizations, universities, and private business entities will be able to efficiently promote space use and exploitation. Taking this into consideration, the national government shall take policies and measures necessary to strengthen the cooperation among these participants.

(Legislative and Other Measures)
**Article Eleven**

The national government shall take legislative, fiscal, taxational, and financial measures that are necessary to implement fundamental policies concerning space use and exploitation.

(Maintenance of Government Organizations)

**Article Twelve**

The national government shall make efforts to maintain its administrative organizations and to improve its administrative operations when it implements policies and measures concerning space use and exploitation.

**CHAPTER TWO**

**FUNDAMENTAL POLICIES AND MEASURES**

(Utilization of Artificial Satellites for Improving the People’s Living Standard)

**Article Thirteen**

The national government shall take up policies and measures necessary to maintain and promote information communication networks, remote-sensing information systems, positioning information systems. These networks and systems shall be stable using artificial satellites in order to improve our citizens’ living standards, to form a safe and secured society, and to remove any kind of threats to our lives, such as natural disasters and poverty.

(Peace and Security in Domestic and International Society)

**Article Fourteen**

The national government shall take up policies and measures necessary to promote space use and exploitation which helps us keep peace and security in our homeland and the whole world.

(Independent Launches of Artificial Satellites)
Article Fifteen

It is significant that our country has capacities to independently develop, launch, trace and operate artificial satellites. Recognizing this, the national government shall take up policies and measures necessary to promote research and development of machines (including components thereof) and technologies; to maintain launch sites and facilities; and to obtain frequencies our country may use in the course of space use and exploitation.

(Space Use and Exploitation Promoted by Private Business Entities)

Article Sixteen

Recognizing that private business entities play essential roles in space use and exploitation, the national government shall promote private business activities (including research and development) concerning space use and exploitation, and encourage our country’s space industry and ancillary industries to enhance their technologies and international competitiveness. When the government carry out space use and exploitation by themselves, they need to make the most of abilities of private business entities and make a plan to purchase goods and services from the private sector. The national government also shall take up policies and measures necessary to maintain launch sites (i.e., locations from which a launch takes place) and any other facilities for experiments and research; to enable private business entities to make effective use of the results of research on space use and exploitation conducted by the government; to promote setting up businesses which use and practice the results of research on space use and exploitation; and to make it easier for the private sector to invest space industries in terms of taxes and finance.

(Maintenance and Improvement of Reliability)

Article Seventeen

Recognizing that it is significant to maintain and improve reliability of technologies concerning space use and exploitation,
the national government shall take up policies and measures necessary to promote basic research and develop fundamental technologies on space use and exploitation.

(Promotion of Cutting-Edge Space Use and Exploitation)

Article Eighteen

The national government shall take up policies and measures necessary to promote academic research concerning cutting-edge space use and exploitation, and space science including space exploration.

(Promotion of International Cooperation)

Article Nineteen

The national government shall positively play our country’s roles in the field of space use and exploitation, and increase our country’s interests in the international society. The national government also shall take up policies and measures necessary to strengthen international cooperation concerning space use and exploitation, such as forming an international league for research and development and sharing technologies with other countries, and to make our country’s space use and exploitation understood more deeply by foreign countries.

(Protection of Environment)

Article Twenty

The national government shall take up policies and measures necessary to promote space use and exploitation in harmony with environment.

Section 2—The national government shall strive themselves to cooperate with other countries for protection of space environment.

(Development of Human Resources)
Article Twenty One

In order to promote space use and exploitation, the national government shall take up policies and measures necessary to maintain and develop human resources involved in space use and exploitation, intimately cooperating with universities and private business entities.

(Promotion of Education)

Article Twenty Two

The national government shall take up policies and measures necessary to promote education and strengthen public relations concerning space use and exploitation, so as to deepen the citizens’ appreciation and understanding of space use and exploitation.

(Information Control Regarding Space Use and Exploitation)

Article Twenty Three

Since space use and exploitation has unique characteristics, the national government shall take up policies and measures necessary to properly manage and control information regarding space use and exploitation.

CHAPTER THREE

OUTER SPACE MASTER PLAN

Article Twenty Four

The Outer Space Exploitation Strategy Headquarters shall formulate a fundamental plan concerning space use and exploitation (hereinafter referred to as the “Outer Space Master Plan”), in order to promote policies and measures concerning space use and exploitation in a planned and comprehensive manner.

Section 2—The Outer Space Master Plan shall contain:
a) basic directions with regard to promotion of space use and exploitation;

b) policies and measures concerning space use and exploitation which the national government shall carry out in a planned and comprehensive manner;

c) other than the preceding a) and b), whatever is necessary for the national government to promote the policies and measures concerning space use and exploitation in a planned and comprehensive manner.

Section 3—In principle, the Outer Space Master Plan shall establish concrete goals for the policies and measures described therein, and provide the time period for attaining the goals.

Section 4—When the Outer Space Master Plan has been formulated per Section 1 of this Article, the Outer Space Exploitation Strategy Headquarters shall officially announce it without delay via the Internet and any other appropriate means.

Section 5—The Outer Space Exploitation Strategy Headquarters, at an appropriate time, shall conduct a survey on progress toward the goals described in Section 3 of this Article, and shall officially announce the survey result via the Internet and any other appropriate means.

Section 6—Considering the progress in space use and exploitation as well as the effect of the policies and measures carried out by the national government with regard to space use and exploitation, the Outer Space Exploitation Strategy Headquarters, at an appropriate time, shall review the Outer Space Master Plan, and if necessary, make changes therein. Section 4 of this Article mutatis mutandis applies to the changes made in Outer Space Master Plan.

Section 7—In order to obtain funds necessary to smoothly operate the Outer Space Master Plan, the government shall, every fiscal year, make efforts to take necessary steps, such as formulating a budget for the Outer Space Master Plan, as far as the country’s financial situation permits.
CHAPTER FOUR

OUTER SPACE EXPLOITATION STRATEGY HEADQUARTERS

(Establishment)

Article Twenty Five

The Outer Space Exploitation Strategy Headquarters (hereinafter referred to as “the Headquarters”) shall be established in the Cabinet so as to promote in a planned and comprehensive manner policies and measures concerning space use and exploitation.

(The Headquarters’ Missions)

Article Twenty Six

The missions of the Headquarters are listed below:

a) drafting the Outer Space Master Plan and promoting to carry it out; and,

b) researching and discussing significant policies and measures concerning space use and exploitation other than Outer Space Master Plan, and promoting and arranging to carry them out.

(Composition)

Article Twenty Seven

The Headquarters is composed of the chief, deputy chiefs and other members of the Outer Space Exploitation Strategy Headquarters.

(The Chief of the Outer Space Exploitation Strategy Headquarters)

Article Twenty Eight

The Headquarters is headed by the chief of the Outer Space Exploitation Strategy Headquarters (hereinafter referred to as “the Chief”). The Prime Minister is assigned as the Chief.
Section 2—The Chief shall oversee all activities of the Headquarters, and direct and supervise its officials.

(Deputy Chiefs of the Outer Space Exploitation Strategy Headquarters)

Article Twenty Nine

The Headquarters has deputy chiefs of the Outer Space Exploitation Strategy Headquarters (hereinafter referred to as “the Deputy Chiefs”). Both the Chief Cabinet Secretary and the Minister of Outer Space Exploitation (i.e., a minister appointed by the Prime Minister who is in charge of assisting the Prime Minister with regard to space use and exploitation) are assigned as the Deputy Chiefs.

Section 2—The Deputy Chiefs shall assist the Chief.

(Members of the Outer Space Exploitation Strategy Headquarters)

Article Thirty

The Headquarters has members of the Outer Space Exploitation Strategy Headquarters (hereinafter referred to as “Members”).

Section 2—Every minister of the Cabinet other than the Chief and the Deputy Chiefs is assigned as a Member.

(Documents Submission and Other Cooperation)

Article Thirty One

The Headquarters may call for documents, advice, explanation, and other cooperation which the Headquarters finds necessary for its missions, to affiliated government agencies, local public organizations, chiefs of independent administrative institutions which are stipulated by Independent Administrative Institutions Act (Law No. 103, 1999), and representatives of government-affiliated corporations established by or under specific laws which are governed by Article 4, Section 15 of General Affairs Ministry Act (Law No. 91, 1999).
Section 2—The Headquarters may call for cooperation which it finds particularly essential for its missions, to anyone other than entities listed in the previous section.

(Affairs)

Article Thirty Two

The Cabinet Secretariat conducts affairs of the Headquarters, and assistant deputy chief cabinet secretaries are assigned to direct the affairs.

(The Chief Minister)

Article Thirty Three

The Prime Minister is the chief minister who Cabinet Act (Law No.5, 1947) provides is in charge of affairs and activities of the Headquarters.

(Cabinet Orders)

Article Thirty Four

Cabinet orders may, if necessary, stipulate affairs and activities of the Headquarters other than those provided by this law.

CHAPTER FIVE

IMPROVEMENT OF LEGAL SYSTEMS CONCERNING OUTER SPACE ACTIVITIES

Article Thirty Five

The government shall improve legal systems in a planned, speedy and comprehensive manner by enacting laws regulating outer space activities and laws necessary to perform treaties and other international promises concerning space use and exploitation.

Section 2—The legal systems in the previous section shall be helpful to increase our country's interests in the interna-
tional society and to promote space use and exploitation in the private business sector.

**Supplementary Provisions**

(Date of Enforcement)

*Article One*

This law shall be enforced on the day designated by a government ordinance within three months from the day of this law's promulgation.

(Enacting Laws for The Cabinet Office to Conduct Secretarial Affairs of The Headquarters)

*Article Two*

Approximately one year after this law is enforced, the government shall enact laws and take other necessary steps so that the Cabinet Office can conduct secretarial affairs of the Headquarters.

(Reviewing the Japan Aerospace Exploration Agency)

*Article Three*

Approximately one year after this law is enforced, the government shall review the aims, functions and structures of the Japan Aerospace Exploration Agency and other agencies conducting space use and exploitation.

(Reviewing Administrative Organizations for Promoting Space Use and Exploitation Policies Comprehensively and integratively)

*Article Four*

The government shall deliberate how administrative organizations should be for promoting space use and exploitation policies comprehensively and integratively, and take necessary steps accordingly.
Grounds for Submitting This Bill

In order to promote in a planned and comprehensive manner the overall policies and measures concerning space use and exploitation, it is necessary to establish and realize the fundamental principles, and to clarify the government’s responsibilities for space use and exploitation. It is also necessary to draft the Outer Space Master Plan and to create the Outer Space Exploitation Strategy Headquarters. These are the grounds for submitting this bill.

Supplementary Resolutions

Resolutions Regarding Promotion of Space Use and Exploitation

As the Fundamental Act of Outer Space is enforced, the government need to take into the surest consideration the following subject matters:

Section 1—Space use and exploitation shall be based on the pacifism under the Japanese Constitution, and shall be carried out in harmony with outer space environments and in order to improve not only our citizens’ living standards but also interests in the whole world.

Section 2—The Outer Space Exploitation Strategy Headquarters shall be established in the Cabinet. When the Headquarters, as a control center, promote in a planned and comprehensive manner policies and measures concerning space use and exploitation of our country, they shall make efforts to take enough opinions of space science experts and to have them reflected in the policies and measures.

Section 3—When the government set up the organization in the Cabinet Office which will conduct secretarial affairs of the Outer Space Exploitation Strategy Headquarters, they shall make efforts to promote strategically, comprehensively and integratively space use and exploitation policies, such as formulating the Outer Space Master Plan, enacting laws pertinent to space use and exploitation, and administering budgets for space use and exploitation.

In addition, the government should appoint as the head of the said organization a person who is free from special interests
of governmental organs, and able to make decisions from a
broad view of things. Furthermore, the officials of the said or-
ganization shall not be appointed in favor of special governmen-
tal organs. Instead, they should be appointed widely and impar-
tially from the Japan Aerospace Exploration Agency or other
agencies, and private business entities conduction space use and
exploitation.

Section 4—Before the organization in the Cabinet Office
starts to conduct secretarial affairs of the Headquarters about
one year after this law is enforced, the government shall delib-
erate from the future perspective how the said organization
should be for promoting space use and exploitation policies
comprehensively and integratively, and shall enact laws and
take other necessary steps accordingly.

Besides, when the said organization in the Cabinet Office
conducts secretarial affairs of the Headquarters, they shall do it
integratively and strategically, keeping close contacts with rele-
vant governmental organs.

Section 5—The Japan Aerospace Exploration Agency shall
be administered in accordance with the Outer Space Master
Plan, so as to realize the fundamental principles regarding
outer space exploitation under this law. About one year after its
enforcement, the government shall review the JAXA’s aim,
function, structure, scope of businesses, and ancillary adminis-
trative agencies, including the JAXA law.

In addition, around one year after this law takes effective-
ness, the government shall study consolidation of some agencies
pertinent to outer space exploitation.

Furthermore, the government shall study the aim and func-
tion of the Outer Space Exploitation Committee in relation to
the Outer Space Exploitation Strategy Headquarters.

Section 6—In or around two years after this law is enforced,
the government shall strive to enact laws regulating outer space
activities in line with treaties and other international promises
concerning space use and exploitation.

We, Committee on the Cabinet of House of Representatives
and Committee on the Cabinet of House of Councilors, have re-
solved as mentioned above.