Version
as at 29 July 2025

Outer Space and High-altitude Activities Act 2017

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Commencement	see section 2

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Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This Act is administered by the Ministry of Business, Innovation, and Employment.

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Outer Space and High-altitude Activities Act 2017.

2 Commencement

This Act comes into force on 21 December 2017.

Part 1
Preliminary provisions

3 Purpose

The purpose of this Act is to—

(a) facilitate the development of a space industry and provide for its safe and secure operation:

(b) implement certain international obligations of New Zealand relating to space activities and space technology:

(c) without limiting paragraph (b), implement the obligations in the Outer Space Treaty not to—

(i) place in orbit around the Earth any objects carrying nuclear weapons or weapons of mass destruction, install such weapons on celestial bodies, or station such weapons in outer space in any other manner:

(ii) establish military bases, installations, or fortifications on celestial bodies:

(iii) test any type of weapons or conduct manoeuvres on celestial bodies:

(d) manage any potential or actual liability that may arise from the space industry:

(e) establish a system for the regulation of space activities and certain high-altitude activities and ground-based space infrastructure activities:

(f) preserve New Zealand's national security and national interests.

Section 3(e): amended, on 29 July 2025, by section 4 of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

4 Interpretation

In this Act, unless the context otherwise requires,—

accident includes a launch failure

aircraft has the same meaning as in section 5 of the Civil Aviation Act 2023

authorisation holder means the person who is the sole holder of a GBSI activity authorisation or all of the holders of a GBSI activity authorisation, as the case may be

chief executive means the chief executive of the department of State that, with the authority of the Prime Minister, is responsible for the administration of this Act

communicate with means send information to, receive information from, or both

Director of Civil Aviation means the Director of Civil Aviation appointed under section 31 of the Civil Aviation Act 2023

enforcement officer means a person appointed under section 57

facility licence means a licence granted under subpart 5 of Part 2

flight level, if defined in rules made under the Civil Aviation Act 2023, has the meaning given to it in those rules

GBSI means ground-based space infrastructure

GBSI activity authorisation means an authorisation granted under subpart 6A of Part 2

ground-based space infrastructure, subject to any regulations made under section 88(1)(13A),—

(a) means infrastructure or other equipment in New Zealand (whether fixed or mobile) that—

  (i) is capable of being operated to carry out a regulated activity; and

  (ii) is not at high altitude or in outer space; but

(b) does not include either of the following:

  (i) any infrastructure or other equipment (including television satellite dishes, satellite phones, other mobile phones, and internet access terminals) of a type that is made or supplied primarily for personal, domestic, or household use:

  (ii) emergency locator beacons

ground station, subject to any regulations made under section 88(1)(12), means a facility or place in New Zealand in which equipment is used to track or communicate with—

(a) a launch vehicle or payload that is licensed under this Act; or

(b) a high-altitude vehicle that is licensed under this Act; or

(c) a high-altitude payload that is carried by a high-altitude vehicle that is licensed under this Act

high altitude means an altitude above the higher of—

(a) flight level 600; and

(b) the highest upper limit of controlled airspace under the Civil Aviation Act 2023

high-altitude licence means a licence granted under subpart 6 of Part 2

high-altitude payload, subject to any regulations made under section 88(1)(13),—

(a) means an object that is carried or placed, or is intended to be carried or placed, at high altitude; and

(b) includes components of a high-altitude vehicle that are specifically designed or adapted for the object (but does not otherwise include a high-altitude vehicle or any of its component parts); and

(c) includes a load to be carried for testing purposes or otherwise on a non-profit basis

high-altitude vehicle, subject to any regulations made under section 88(1)(13), means an aircraft or any other vehicle that travels, is intended to travel, or is capable of travelling to high altitude

intelligence and security agency means—

(a) the New Zealand Security Intelligence Service:

(b) the Government Communications Security Bureau

launch—

(a) means—

(i) causing to take off or depart; or

(ii) releasing; and

(b) includes an attempted launch

launch facility, subject to any regulations made under section 88(1)(12),—

(a) means a facility (whether fixed or mobile) or place from which it is intended to launch a launch vehicle; and

(b) includes all other facilities that are necessary to launch a launch vehicle from the facility or place

launch licence means a licence granted under subpart 1 of Part 2

launch vehicle, subject to any regulations made under section 88(1)(11), means—

(a) a vehicle, the whole or any part of which—

(i) reaches, or is intended to reach, outer space; or

(ii) carries or supports the launch of, or is intended to carry or support the launch of, a payload; or

(b) any component part of a vehicle described in paragraph (a)

Liability Convention means the Convention on International Liability for Damage Caused by Space Objects done at London, Moscow, and Washington on 29 March 1972

licensee means—

(a) in relation to a launch licence, the person who is the sole holder of the launch licence or all of the holders of the launch licence, as the case may be:

(b) in relation to an overseas launch licence, the person who is the sole holder of the overseas launch licence or all of the holders of the overseas launch licence, as the case may be:

(c) in relation to a facility licence, the person who is the sole holder of the facility licence or all of the holders of the facility licence, as the case may be:

(d) in relation to a high-altitude licence, the person who is the sole holder of the high-altitude licence or all of the holders of the high-altitude licence, as the case may be

Minister means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act

New Zealand national means—

(a) a New Zealand citizen or permanent resident of New Zealand:

(b) a body corporate established by or under the law of New Zealand

operate, subject to any regulations made under section 88(1)(13B), means either of the following in relation to ground-based space infrastructure:

(a) directly communicate with the GBSI, or otherwise exercise direct control over the GBSI, unless the communication or control—

(i) is carried out or exercised by a person on a temporary or intermittent basis; and

(ii) is for the purpose of identifying, tracking, controlling, or otherwise communicating with a space object owned or operated by that person, or by a person on whose behalf, or for whose benefit, that person is acting; and

(iii) is overseen by someone who ordinarily operates the GBSI and who holds a GBSI activity authorisation to operate the GBSI for that activity:

(b) oversee another person's temporary or intermittent direct communication with, or control over, the GBSI as described in paragraph (a)(i) to (iii)

Example

The usual operator of a ground station antenna (**person A**) holds a GBSI activity authorisation to operate the antenna to monitor space objects. Person A temporarily hands over direct control of the antenna to the owner of a satellite that is being launched (**person B**) so that person B can monitor the satellite for a period following the launch. Person A oversees person B's use of the antenna. For the purposes of this Act, person A, not person B, operates the antenna.

Outer Space Treaty means the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon

and Other Celestial Bodies done at London, Moscow, and Washington on 27 January 1967

overseas launch licence means a licence granted under subpart 3 of Part 2

overseas payload permit means a permit granted under subpart 4 of Part 2

partner has the meaning given to it in section 49B(4)

partner due diligence arrangements has the meaning given to it in section 49B(4)

payload, subject to any regulations made under section 88(1)(11),—

(a) means an object that is carried or placed, or is intended to be carried or placed, in outer space; and

(b) includes components of a launch vehicle that are specifically designed or adapted for the object (but does not otherwise include a launch vehicle or any of its component parts); and

(c) includes a load to be carried for testing purposes or otherwise on a non-profit basis

payload permit means a permit granted under subpart 2 of Part 2

permit holder means—

(a) in relation to a payload permit, the person who is the sole holder of the payload permit or all of the holders of the payload permit, as the case may be:

(b) in relation to an overseas payload permit, the person who is the sole holder of the overseas payload permit or all of the holders of the overseas payload permit, as the case may be

protective security arrangements means arrangements to counter security threats in relation to activities under a licence, permit, or authorisation, including—

(a) personnel security arrangements (for example, security clearance assessments); and

(b) information security arrangements (for example, information assurance, cybersecurity activities, and protecting classified information); and

(c) physical security arrangements (for example, making premises secure)

Registration Convention means the Convention on Registration of Objects Launched into Outer Space done at New York on 14 January 1975

regulated activity has the meaning given to it in section 49A(2)

related equipment, in relation to any launch vehicle, payload, high-altitude vehicle, high-altitude payload, or ground-based space infrastructure, means support equipment, ancillary items, components, and spare parts required to carry out the launch or other activities

security Ministers means—

(a) the Minister responsible for the New Zealand Security Intelligence Service; and

(b) the Minister responsible for the Government Communications Security Bureau

space object, subject to any regulations made under section 88(1)(11), means—

(a) a launch vehicle that is launched, or is intended to be launched, into outer space; or

(b) a payload that is carried or launched, or intended to be carried or launched, by a launch vehicle into outer space; or

(c) the launch vehicle and the payload (if any) carried by the launch vehicle; or

(d) any component part of the launch vehicle or payload, even if—

(i) the part does not reach, or is not intended to reach, outer space; or

(ii) the part results from the separation of a payload or payloads from a launch vehicle after launch

technical data—

(a) means information—

(i) in any form, including oral information, blueprints, drawings, photographs, video materials, plans, instructions, computer software, and documents; and

(ii) that is required for the design, engineering, development, production, processing, manufacture, use, operation, overhaul, repair, maintenance, modification, enhancement, or modernisation of launch vehicles, payloads, high-altitude vehicles, high-altitude payloads, ground-based space infrastructure, or related equipment; but

(b) does not include publicly available information.

Section 4 **aircraft**: amended, on 5 April 2025, by section 486 of the Civil Aviation Act 2023 (2023 No 10).

Section 4 **authorisation holder**: inserted, on 29 July 2025, by section 5(1) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 4 **communicate with**: inserted, on 29 July 2025, by section 5(1) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 4 **Director of Civil Aviation**: amended, on 5 April 2025, by section 486 of the Civil Aviation Act 2023 (2023 No 10).

Section 4 **flight level**: amended, on 5 April 2025, by section 486 of the Civil Aviation Act 2023 (2023 No 10).

Section 4 **GBSI**: inserted, on 29 July 2025, by section 5(1) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 4 **GBSI activity authorisation**: inserted, on 29 July 2025, by section 5(1) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 4 **ground-based space infrastructure**: inserted, on 29 July 2025, by section 5(1) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 4 **high altitude** paragraph (b): amended, on 5 April 2025, by section 486 of the Civil Aviation Act 2023 (2023 No 10).

Section 4 **operate**: inserted, on 29 July 2025, by section 5(1) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 4 **partner**: inserted, on 29 July 2025, by section 5(1) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 4 **partner due diligence arrangements**: inserted, on 29 July 2025, by section 5(1) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 4 **protective security arrangements**: inserted, on 29 July 2025, by section 5(1) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 4 **regulated activity**: inserted, on 29 July 2025, by section 5(1) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 4 **related equipment**: amended, on 29 July 2025, by section 5(2) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 4 **technical data** paragraph (a)(ii): amended, on 29 July 2025, by section 5(3) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

5 Transitional, savings, and related provisions

The transitional, savings, and related provisions (if any) set out in Schedule 1 have effect according to their terms.

6 Act binds the Crown

(1) Subject to subsection (2), this Act binds the Crown.

(2) Except as otherwise expressly provided in this Act or any other Act, or in regulations made under this Act,—

(a) nothing in this Act or in regulations made under this Act applies to the New Zealand Defence Force; and

(b) nothing in subpart 6A of Part 2, subpart 3A of Part 3, or Part 2 of Schedule 1 of this Act (the **GBSI provisions**), or in regulations made under this Act to the extent that they relate to the GBSI provisions, applies to—

(i) a person assisting or providing services to, or working jointly with, the New Zealand Defence Force; or

(ii) a person operating ground-based space infrastructure in a defence area (as defined in section 2(1) of the Defence Act 1990) with the consent of the New Zealand Defence Force; or

(iii) an intelligence and security agency; or

(iv) the New Zealand Police, or any other organisation or other person, assisting an intelligence and security agency under section 51 of the Intelligence and Security Act 2017; or

(v) a person operating ground-based space infrastructure in premises or a place owned, leased, or otherwise occupied by an intelligence and security agency.

Section 6(2): replaced, on 29 July 2025, by section 6 of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Part 2
Licences and permits

Subpart 1—Launch licences

7 Launch of launch vehicle from New Zealand requires launch licence

A person must not launch a launch vehicle from a launch facility in New Zealand, or from a vehicle in the air that was launched from New Zealand, unless the person has a launch licence for the launch of the launch vehicle from the launch facility or the vehicle (as the case may be).

8 Application for launch licence

(1) A person or persons may apply to the Minister for a launch licence for the launch of 1 or more launch vehicles of a particular type from a particular launch facility or vehicle (as the case may be).

(2) The application must be made in accordance with prescribed requirements.

9 When launch licence may be granted

(1) The Minister may grant a launch licence only if the Minister is satisfied that—

(a) the applicant is technically capable of conducting a safe launch; and

(b) the applicant has taken, and will continue to take, all reasonable steps to manage risks to public safety; and

(c) the applicant has an orbital debris mitigation plan that meets any prescribed requirements; and

(d) the proposed launch or launches under the licence are consistent with New Zealand's international obligations; and

(e) the applicant and the proposed launch or launches meet any prescribed requirements.

(2) The Minister may, despite being satisfied of all the matters in subsection (1), decline to grant a launch licence if the Minister is not satisfied that—

(a) a proposed launch under the licence is in the national interest; or

(b) the applicant is a fit and proper person to hold a launch licence (*see* section 52); or

(c) a person who is to have or is likely to have control over the exercise of the rights under the licence is a fit and proper person to have control over the exercise of rights under the licence (*see* section 52).

(3) In considering the national interest for the purposes of subsection (2)(a), the Minister may have regard to—

(a) economic or other benefits to New Zealand of the proposed launch:

(b) any risks to national security, public safety, international relations, or other national interests:

(c) the extent to which the risks can be mitigated by licence or permit conditions:

(d) any other matters that the Minister considers relevant.

(4) Before granting a launch licence, the Minister must consult the security Ministers in accordance with section 55.

(5) The Minister must not grant a launch licence if a certificate is issued under section 55 in relation to the proposed launch.

10 Conditions, indemnity, and insurance relating to launch licence

(1) A licensee must—

(a) provide to the Minister, in accordance with any prescribed requirements,—

(i) the date, location, and intended trajectory of each proposed launch under the licence; and

(ii) details of the intended and actual basic orbital parameters (including the nodal period, inclination, apogee, and perigee) of any part of a launch vehicle that reaches or is intended to reach outer space; and

(iii) any prescribed information relating to each launch; and

(b) comply with any request by the Minister under section 50; and

(c) notify the Minister, in accordance with any prescribed requirements, if any of the following occurs:

(i) in a case where the Minister has advised the licensee that the Minister treated a licence, permit, or other authorisation granted in a country other than New Zealand as satisfying any criteria under section 51, that licence, permit, or other authorisation changes, expires, or is revoked; or

(ii) any part of a launch vehicle that reaches outer space is no longer in earth orbit (unless the licensee does not know, and could not reasonably know, that the part is no longer in earth orbit); and

(d) consult, in accordance with any prescribed requirements,—

(i) the Civil Aviation Authority about aviation safety including, without limitation, the need for danger areas, restricted areas, and notices to airmen; and

(ii) Airways Corporation of New Zealand Limited about aviation safety including, without limitation, any air traffic control requirements; and

(iii) Maritime New Zealand about maritime safety including, without limitation, the need for exclusion zones and notices to mariners; and

(iv) Land Information New Zealand about any notices to mariners that are required; and

(e) obtain up-to-date meteorological information applicable to each launch; and

(f) have, or be satisfied on reasonable grounds that a person has,—

(i) a payload permit for each payload that is intended to be carried or launched by the launch vehicle into outer space; and

(ii) if a launch facility is specified in the launch licence, a facility licence for the launch facility; and

(iii) all consents, approvals, permissions, or other authorisations required under New Zealand law for the proposed launch, including, without limitation, under environmental legislation, health and safety legislation, and civil aviation legislation; and

(g) conduct the launch and operations in a manner that—

(i) minimises the risk of contamination of outer space or adverse changes to the earth's environment; and

(ii) takes into account the activities of others in the use of outer space; and

(iii) is consistent with New Zealand's international obligations; and

(iv) complies with New Zealand law, including, without limitation, the Civil Aviation Act 2023, any regulations and rules made under that Act, and all health and safety and environmental legislation; and

(h) comply with any conditions prescribed by regulations relating to the launch and operation of a launch vehicle; and

(i) comply with any other conditions imposed by the Minister including, without limitation, any conditions that the Minister considers necessary or desirable in order to—

(i) give effect to New Zealand's international obligations; or

(ii) protect national security or other national interests; or

(iii) ensure public safety; or

(iv) avoid potentially harmful interference with the activities of others in the peaceful exploration and use of outer space; or

(v) minimise the risk of contamination of outer space or adverse changes in the earth's environment; or

(vi) manage New Zealand's potential liability under international law (including under the Liability Convention and the Outer Space Treaty).

(2) A launch licence must also contain conditions specifying (including in any manner prescribed by regulations) the type and amount of insurance that the licensee must hold.

(3) The Minister may require a licensee, as a condition of the licence, to indemnify the Crown in whole or in part against—

(a) any claim brought against the Crown under the Liability Convention or the Outer Space Treaty; or

(b) any other claim brought against the Crown under international law in relation to an act or omission of the licensee under this Act.

Section 10(1)(g)(iv): amended, on 5 April 2025, by section 486 of the Civil Aviation Act 2023 (2023 No 10).

11 Duration of launch licence

(1) A launch licence must specify the date on which it comes into force and the expiry date.

(2) The expiry date must not be later than 5 years after the date on which the launch licence comes into force.

(3) A launch licence expires on the expiry date unless it is—

(a) renewed in accordance with section 12; or

(b) revoked or suspended earlier under section 14.

12 Renewal of launch licence

(1) The Minister may renew a launch licence for a further period of up to 5 years if the Minister continues to be satisfied of the matters in section 9.

(2) The Minister may impose further conditions of a kind described in section 10 when renewing the licence.

13 Continuing obligations of licensee

The obligations of a licensee under a launch licence (including, without limitation, any obligations under an indemnity required under section 10(3)) survive the expiry or revocation of the launch licence and continue until all matters connected to the launch or launches under the launch licence have been completed.

14 Minister may vary, revoke, or suspend launch licence

(1) The Minister may, at any time, vary a launch licence on any conditions that the Minister thinks fit, or suspend or revoke a launch licence,—

(a) with the prior written consent of the licensee; or

(b) on the written application of the licensee; or

(c) if the Minister believes on reasonable grounds that—

(i) the licensee has breached the Act, the regulations, or a condition of the licence; or

(ii) the revocation, variation, or suspension is necessary in the interests of national security, public safety, or compliance with any of New Zealand's international obligations, or other national interests; or

(iii) a licence, permit, or other authorisation that the Minister treated as satisfying any criteria under section 51 has changed, expired, or been revoked and the Minister considers that the change, expiry, or revocation affects interests of national security, public safety, or New Zealand's compliance with any of New Zealand's international obligations, or other national interests; or

(d) for any other reason specified in the licence.

(2) Before varying, suspending, or revoking a launch licence, the Minister must consult the security Ministers in accordance with section 55.

(3) The Minister must suspend or revoke a licence if a certificate is issued under section 55.

Subpart 2—Payload permits

15 Launch of payload from New Zealand requires payload permit

(1) This section applies to the launch of a payload from—

(a) a launch facility in New Zealand; or

(b) a launch vehicle that was launched from a launch facility in New Zealand or a vehicle in the air that was launched from New Zealand.

(2) A person must not procure the launch of a payload unless the person has a payload permit for the launch of the payload and the operation of the payload in outer space.

(3) A person must not launch a payload unless the person, or a person procuring the launch of the payload, has a payload permit for the launch of the payload and the operation of the payload in outer space.

(4) Nothing in subsection (2) or (3) prevents a person entering into a contract for the launch of a payload or taking any other step prior to the launch provided

a person has a payload permit for the launch of the payload at the time of the launch.

(5) Despite subsections (2) and (3), only 1 permit is needed in respect of a payload.

16 Application for payload permit

(1) A person or persons may apply to the Minister for a payload permit for the launch and operation of 1 or more payloads of a particular type.

(2) The application must be made in accordance with prescribed requirements.

17 When payload permit may be granted

(1) The Minister may grant a payload permit only if the Minister is satisfied that—

(a) the applicant has taken, and will continue to take, all reasonable steps to safely manage the operation of the payload; and

(b) the applicant has an orbital debris mitigation plan that meets any prescribed requirements; and

(c) the proposed operation of the payload or payloads under the permit is consistent with New Zealand's international obligations; and

(d) the applicant and the proposed operation of the payload or payloads under the permit meet any other prescribed requirements.

(2) The Minister may, despite being satisfied of all the matters in subsection (1), decline to grant a payload permit if the Minister is not satisfied that the proposed operation of a payload under the permit is in the national interest.

(3) In considering the national interest for the purposes of subsection (2), the Minister may have regard to—

(a) economic or other benefits to New Zealand of the proposed operation:

(b) any risks to national security, public safety, international relations, or other national interests:

(c) the extent to which the risks can be mitigated by licence or permit conditions:

(d) any other matters that the Minister considers relevant.

(4) Before granting a payload permit, the Minister must consult the security Ministers in accordance with section 55.

(5) The Minister must not grant a payload permit if a certificate is issued under section 55 in relation to the payload.

18 Conditions, indemnity, and insurance relating to payload permit

(1) A permit holder must—

(a) provide to the Minister, in accordance with any prescribed requirements,—

(i) the date and location of each proposed launch of a payload under the permit; and

(ii) details of the intended and actual basic orbital parameters (including the nodal period, inclination, apogee, and perigee) of the payload that reaches or is intended to reach outer space; and

(iii) any prescribed information relating to each payload; and

(b) comply with any request by the Minister under section 50; and

(c) notify the Minister, in accordance with any prescribed requirements, if any of the following occurs:

(i) in a case where the Minister has advised the permit holder that the Minister treated a licence, permit, or other authorisation granted in a country other than New Zealand as satisfying any criteria under section 51, that licence, permit, or other authorisation changes, expires, or is revoked; or

(ii) a payload under the permit that reaches outer space is no longer in earth orbit (unless the permit holder does not know, and could not reasonably know, that the payload is no longer in earth orbit); and

(d) conduct operations of each payload in a manner that—

(i) minimises the risk of contamination of outer space or adverse changes in the earth's environment; and

(ii) takes into account the activities of others in the use of outer space; and

(iii) is consistent with New Zealand's international obligations; and

(iv) avoids harmful interference with outer space and terrestrial radiocommunications; and

(e) comply with any conditions prescribed by regulations relating to a payload; and

(f) comply with any other conditions that the Minister considers necessary or desirable in order to—

(i) give effect to New Zealand's international obligations; or

(ii) protect national security or other national interests; or

(iii) ensure public safety; or

(iv) avoid potentially harmful interference with the activities of others in the peaceful exploration and use of outer space; or

(v) minimise the risk of contamination of outer space or adverse changes in the earth's environment; or

(vi) manage New Zealand's potential liability under international law (including under the Liability Convention and the Outer Space Treaty).

(2) The Minister may require, as a condition of the permit, a permit holder to—

(a) indemnify the Crown in whole or in part against—

(i) any claim brought against the Crown under the Liability Convention or the Outer Space Treaty; or

(ii) any other claim brought against the Crown under international law in relation to an act or omission of the permit holder under this Act; and

(b) hold insurance of a type and an amount (including a type and an amount calculated in a manner prescribed in regulations), and containing any provisions, specified by the Minister.

19 Duration of payload permit

(1) A payload permit must specify—

(a) the date on which it comes into force; and

(b) either—

(i) the date on which the payload permit expires; or

(ii) that the payload permit expires on the occurrence of a particular event (rather than at a specified time).

(2) A payload permit expires in the manner specified in the payload permit unless revoked or suspended earlier under section 21.

20 Continuing obligations of permit holder

The obligations of a permit holder under a payload permit (including, without limitation, any obligations under an indemnity required under section 18(2)(a)) survive the expiry or revocation of the payload permit and continue until all matters connected to the operation of the payload or payloads under the payload permit have been completed.

21 Minister may vary, revoke, or suspend payload permit

(1) The Minister may, at any time, vary a payload permit on any conditions that the Minister thinks fit, or suspend or revoke a payload permit,—

(a) with the prior written consent of the permit holder; or

(b) on the written application of the permit holder; or

(c) if the Minister believes on reasonable grounds that—

(i) the permit holder has breached the Act, the regulations, or a condition of the payload permit; or

(ii) the revocation, variation, or suspension is necessary in the interests of national security, public safety, or compliance with any of New Zealand's international obligations, or other national interests; or

(iii) a licence, permit, or other authorisation that the Minister treated as satisfying any criteria under section 51 has changed, expired, or been revoked and the Minister considers that the change, expiry, or revocation affects interests of national security, public safety, other national interests, or New Zealand's compliance with any of New Zealand's international obligations; or

(d) for any other reason specified in the permit.

(2) Before varying, suspending, or revoking a payload permit, the Minister must consult the security Ministers in accordance with section 55.

(3) The Minister must, if a certificate is issued under section 55 in relation to a payload or payloads under a payload permit, do 1 or both of the following:

(a) suspend or revoke the payload permit:

(b) vary the payload permit to prohibit the launch of the relevant payload or payloads.

22 Radiocommunications Act 1989 presumption does not apply to payloads under payload permit

The presumption in section 114(1) of the Radiocommunications Act 1989 does not apply if—

(a) a payload is, or contains, a radio transmitter (as defined in section 2(1) of that Act); and

(b) a person—

(i) has a payload permit for the payload; or

(ii) has applied for a payload permit under section 16 in respect of the payload and the Minister has not yet decided whether to grant or decline to grant the permit under section 17.

Subpart 3—Licence for launch of launch vehicle overseas

23 Overseas launch of launch vehicle requires overseas launch licence

A New Zealand national must not launch a launch vehicle from a launch facility outside New Zealand, or from a vehicle in the air that was launched from outside New Zealand, unless the New Zealand national has an overseas launch licence for the launch of the launch vehicle.

24 Application for overseas launch licence

(1) A person or persons may apply to the Minister for an overseas launch licence for the launch of 1 or more launch vehicles of a particular type.

(2) The application must be made in accordance with prescribed requirements.

25 When overseas launch licence may be granted

(1) The Minister may grant an overseas launch licence only if the Minister is satisfied that—

(a) the applicant is technically capable of conducting a safe launch; and

(b) the applicant has taken, and will continue to take, all reasonable steps to manage risks to public safety; and

(c) the applicant has an orbital debris mitigation plan that meets any prescribed requirements; and

(d) the proposed launch or launches under the licence are consistent with New Zealand's international obligations; and

(e) the applicant and the proposed launch or launches under the licence meet any other prescribed requirements.

(2) The Minister may, despite being satisfied of all the matters in subsection (1), decline to grant an overseas launch licence if the Minister is not satisfied that—

(a) a proposed launch under the licence is in the national interest; or

(b) the applicant is a fit and proper person to hold a licence (*see* section 52); or

(c) a person who is to have or is likely to have control over the exercise of the rights under the licence is a fit and proper person to have control over the exercise of rights under the licence (*see* section 52).

(3) In considering the national interest for the purposes of subsection (2)(a), the Minister may have regard to—

(a) economic or other benefits to New Zealand of the proposed launch:

(b) any risks to national security, public safety, international relations, or other national interests:

(c) the extent to which the risks can be mitigated by licence or permit conditions:

(d) any other matters that the Minister considers relevant.

(4) Before granting an overseas launch licence, the Minister must consult the security Ministers in accordance with section 55.

(5) The Minister must not grant an overseas launch licence if a certificate is issued under section 55 in relation to the proposed launch or launches under the licence.

26 Conditions, indemnity, and insurance relating to overseas launch licence

(1) A licensee must—

(a) provide to the Minister, in accordance with any prescribed requirements,—

(i) the date, location, and intended trajectory of each proposed launch under the licence; and

(ii) details of the intended and actual basic orbital parameters (including the nodal period, inclination, apogee, and perigee) of any part of a launch vehicle that reaches or is intended to reach outer space; and

(iii) any prescribed information relating to each launch; and

(b) comply with any request by the Minister under section 50; and

(c) notify the Minister, in accordance with any prescribed requirements, if any of the following occurs:

(i) in a case where the Minister has advised the licensee that the Minister treated a licence, permit, or other authorisation granted in a country other than New Zealand as satisfying any criteria under section 51, that licence, permit, or other authorisation changes, expires, or is revoked; or

(ii) any part of a launch vehicle that reaches outer space is no longer in earth orbit (unless the licensee does not know, and could not reasonably know, that the part is no longer in earth orbit); and

(d) comply with any other conditions prescribed by regulations relating to the launch and operation of a launch vehicle; and

(e) comply with any other conditions imposed by the Minister including, without limitation, any conditions that the Minister considers necessary or desirable in order to—

(i) give effect to New Zealand's international obligations; or

(ii) protect national security or other national interests; or

(iii) ensure public safety; or

(iv) avoid potentially harmful interference with the activities of others in the peaceful exploration and use of outer space; or

(v) minimise the risk of contamination of outer space or adverse changes in the earth's environment; or

(vi) manage New Zealand's potential liability under international law (including under the Liability Convention and the Outer Space Treaty).

(2) An overseas launch licence must also contain conditions specifying (including in any manner prescribed by regulations) the type and amount of insurance that the licensee must hold.

(3) The Minister may require a licensee, as a condition of the licence, to indemnify the Crown in whole or in part against—

(a) any claim brought against the Crown under the Liability Convention or the Outer Space Treaty; or

(b) any other claim brought against the Crown under international law in relation to an act or omission of the licensee under this Act.

27 Duration of overseas launch licence

(1) An overseas launch licence must specify the date on which it comes into force and the expiry date.

(2) The expiry date must not be later than 5 years after the date on which the overseas launch licence comes into force.

(3) An overseas launch licence expires on the expiry date unless it is—

(a) renewed in accordance with section 28; or

(b) revoked or suspended earlier under section 30.

28 Renewal of overseas launch licence

(1) The Minister may renew an overseas launch licence for a further period of up to 5 years if the Minister continues to be satisfied of the matters in section 25(1).

(2) The Minister may impose further conditions of a kind described in section 26 when renewing the licence.

29 Continuing obligations of licensee

The obligations of a licensee under an overseas launch licence (including, without limitation, any obligations under an indemnity required under section 26(3)) survive the expiry or revocation of the licence and continue until all matters connected to the launch or launches under the licence have been completed.

30 Minister may vary, revoke, or suspend overseas launch licence

(1) The Minister may, at any time, vary an overseas launch licence on any conditions that the Minister thinks fit, or suspend or revoke an overseas launch licence,—

(a) with the prior written consent of the licensee; or

(b) on the written application of the licensee; or

(c) if the Minister believes on reasonable grounds that—

(i) the licensee has breached the Act, the regulations, or a condition of the licence; or

(ii) the revocation, variation, or suspension is necessary in the interests of national security, public safety, or compliance with any of New Zealand's international obligations, or other national interests; or

(iii) a licence, permit, or other authorisation granted in a country other than New Zealand that the Minister treated as satisfying any

criteria under section 51 has changed, expired, or been revoked and the Minister considers that the change, expiry, or revocation affects interests of national security, public safety, or New Zealand's compliance with any of New Zealand's international obligations, or other national interests; or

(d) for any other reason specified in the licence.

(2) Before varying, suspending, or revoking an overseas launch licence, the Minister must consult the security Ministers in accordance with section 55.

(3) The Minister must suspend or revoke an overseas launch licence if a certificate is issued under section 55 in relation to the licence.

Subpart 4—Permit for launch of payload overseas

31 Overseas launch of payload requires overseas payload permit

(1) This section applies to the launch of a payload from—

(a) a launch facility outside New Zealand; or

(b) a launch vehicle that was launched from a launch facility outside New Zealand or a vehicle in the air that was launched from outside New Zealand.

(2) A New Zealand national must not procure the launch of a payload unless the New Zealand national has an overseas payload permit for the launch of the payload and the operation of the payload in outer space.

(3) A New Zealand national must not launch a payload unless the New Zealand national, or a New Zealand national procuring the launch of the payload, has an overseas payload permit for the launch of the payload and the operation of the payload in outer space.

(4) Nothing in subsection (2) or (3) prevents a New Zealand national entering into a contract for the launch of a payload or taking any other step prior to the launch of a payload provided a New Zealand national has a payload permit for the launch of the payload at the time of the launch.

(5) Despite subsections (2) and (3), only 1 overseas payload permit is needed in respect of a payload.

32 Application for overseas payload permit

(1) A person or persons may apply to the Minister for an overseas payload permit for the launch or operation of 1 or more payloads of a particular type.

(2) The application must be made in accordance with prescribed requirements.

33 When overseas payload permit may be granted

(1) The Minister may grant an overseas payload permit only if the Minister is satisfied that—

(a) the applicant has taken, and will continue to take, all reasonable steps to safely manage the operation of the payload; and

(b) the applicant has an orbital debris mitigation plan that meets any prescribed requirements; and

(c) the proposed operation of the payload or payloads under the permit is consistent with New Zealand's international obligations; and

(d) the applicant and the proposed operation of the payload or payloads under the permit meet any other prescribed requirements.

(2) The Minister may, despite the Minister being satisfied of all the matters in subsection (1), decline to grant an overseas payload permit if the Minister is not satisfied that the proposed operation of a payload under the permit is in the national interest.

(3) In considering the national interest for the purposes of subsection (2), the Minister may have regard to—

(a) economic or other benefits to New Zealand of the proposed operation:

(b) any risks to national security, public safety, international relations, or other national interests:

(c) the extent to which the risks can be mitigated by licence or permit conditions:

(d) any other matters that the Minister considers relevant.

(4) Before granting an overseas payload permit, the Minister must consult the security Ministers in accordance with section 55.

(5) The Minister must not grant an overseas payload permit if a certificate is issued under section 55 in relation to the payload.

34 Conditions, indemnity, and insurance relating to overseas payload permit

(1) A permit holder must—

(a) provide to the Minister, in accordance with any prescribed requirements,—

(i) the date and location of each proposed operation of a payload under the permit; and

(ii) details of the intended and actual basic orbital parameters (including the nodal period, inclination, apogee, and perigee) of the payload that reaches or is intended to reach outer space; and

(iii) any prescribed information relating to each payload; and

(b) comply with any request by the Minister under section 50; and

(c) notify the Minister, in accordance with any prescribed requirements, if any of the following occurs:

(i) in a case where the Minister has advised the permit holder that the Minister treated a licence, permit, or other authorisation granted in a country other than New Zealand as satisfying any criteria under section 51, that licence, permit, or other authorisation changes, expires, or is revoked; or

(ii) the payload is no longer in earth orbit (unless the permit holder does not know, and could not reasonably know, that the payload is no longer in earth orbit); and

(d) comply with any other conditions prescribed by regulations relating to a payload; and

(e) comply with any other conditions that the Minister considers necessary or desirable in order to—

(i) give effect to New Zealand's international obligations; or

(ii) protect national security or other national interests; or

(iii) ensure public safety; or

(iv) avoid potentially harmful interference with the activities of others in the peaceful exploration and use of outer space; or

(v) minimise the risk of contamination of outer space or adverse changes in the earth's environment; or

(vi) manage New Zealand's potential liability under international law (including under the Liability Convention and the Outer Space Treaty).

(2) The Minister may require a permit holder, as a condition of the permit, to—

(a) indemnify the Crown in whole or in part against—

(i) any claim brought against the Crown under the Liability Convention or the Outer Space Treaty; or

(ii) any other claim brought against the Crown under international law in relation to an act or omission of the permit holder under this Act; and

(b) hold insurance of a type and an amount (including a type and an amount calculated in a manner prescribed in regulations), and containing any provisions, specified by the Minister.

35 Duration of overseas payload permit

(1) An overseas payload permit must specify—

(a) the date on which it comes into force; and

(b) either—

(i) the date on which the overseas payload permit expires; or

(ii) that the overseas payload permit expires on the occurrence of a particular event (rather than at a specified time).

(2) An overseas payload permit expires in the manner specified in the overseas payload permit unless revoked or suspended earlier under section 37.

36 Continuing obligations of permit holder

The obligations of a permit holder under an overseas payload permit (including, without limitation, any obligations under an indemnity required under section 34(2)(a)) survive the expiry or revocation of the overseas payload permit and continue until all matters connected to the operation of the payload or payloads under the overseas payload permit have been completed.

37 Minister may vary, revoke, or suspend overseas payload permit

(1) The Minister may, at any time, vary an overseas payload permit on any conditions that the Minister thinks fit, or suspend or revoke an overseas payload permit,—

(a) with the prior written consent of the permit holder; or

(b) on the written application of the permit holder; or

(c) if the Minister believes on reasonable grounds that—

(i) the permit holder has breached the Act, the regulations, or a condition of the overseas payload permit; or

(ii) the revocation, variation, or suspension is necessary in the interests of national security, public safety, or compliance with any of New Zealand's international obligations, or other national interests; or

(iii) a licence, permit, or other authorisation granted in a country other than New Zealand that the Minister treated as satisfying any criteria under section 51 has changed, expired, or been revoked and the Minister considers that the change, expiry, or revocation affects interests of national security, public safety, or New Zealand's compliance with any of New Zealand's international obligations, or other national interests; or

(d) for any other reason specified in the permit.

(2) Before varying, suspending, or revoking an overseas payload permit, the Minister must consult the security Ministers in accordance with section 55.

(3) The Minister must, if a certificate is issued under section 55 in relation to a payload or payloads under an overseas payload permit, do 1 or both of the following:

(a) suspend or revoke the overseas payload permit:

(b) vary the overseas payload permit to prohibit the launch of the relevant payload or payloads.

Subpart 5—Facility licences

38 Requirement for facility licence

A person must not operate a launch facility in New Zealand unless the person has a facility licence for the launch facility.

39 Application for facility licence

(1) A person or persons may apply to the Minister for a facility licence.

(2) The application must be in accordance with prescribed requirements.

40 When facility licence may be granted

(1) The Minister may grant a facility licence only if the Minister is satisfied that—

(a) the applicant is technically capable of operating a launch facility safely; and

(b) the applicant has taken, and will continue to take, all reasonable steps to manage risks to public safety; and

(c) the proposed operation of the launch facility is consistent with New Zealand's international obligations; and

(d) the applicant and the proposed operation of the launch facility meet any other prescribed requirements relating to the launch facility.

(2) The Minister may, despite being satisfied of all the matters in subsection (1), decline to grant a facility licence if the Minister is not satisfied that—

(a) the operation of the launch facility under the licence is in the national interest; or

(b) the applicant is a fit and proper person to hold a licence (*see* section 52); or

(c) a person who is to have or is likely to have control over the exercise of the rights under the licence is a fit and proper person to have control over the exercise of rights under the licence (*see* section 52).

(3) In considering the national interest for the purposes of subsection (2)(a), the Minister may have regard to—

(a) economic or other benefits to New Zealand of the proposed operation:

(b) any risks to national security, public safety, international relations, or other national interests:

(c) the extent to which the risks can be mitigated by licence or permit conditions:

(d) any other matters that the Minister considers relevant.

(4) Before granting a facility licence, the Minister must consult the security Ministers in accordance with section 55.

(5) The Minister must not grant a facility licence if a certificate is issued under section 55 in relation to the proposed operation of the launch facility.

41 Conditions and indemnity relating to facility licence

(1) A licensee must—

(a) notify the Minister, in a case where the Minister has advised the licensee that the Minister treated a licence, permit, or other authorisation granted in a country other than New Zealand as satisfying any criteria under section 51, if that licence, permit, or other authorisation changes, expires, or is revoked; and

(b) comply with any prescribed conditions relating to a launch facility; and

(c) comply with any other conditions imposed by the Minister, including, without limitation, any conditions that the Minister considers necessary or desirable in order to—

(i) give effect to New Zealand's international obligations; or

(ii) protect national security or other national interests; or

(iii) ensure public safety.

(2) The Minister may require a licensee, as a condition of the licence, to indemnify the Crown in whole or in part against—

(a) any claim brought against the Crown under the Liability Convention or the Outer Space Treaty; or

(b) any other claim brought against the Crown under international law in relation to an act or omission of the licensee under this Act.

42 Duration of facility licence

(1) A facility licence must specify the date on which it comes into force and the expiry date.

(2) The expiry date must not be later than 5 years after the date on which the facility licence comes into force.

(3) A facility licence expires on the expiry date unless it is—

(a) renewed in accordance with section 43; or

(b) revoked or suspended earlier under section 44.

43 Renewal of facility licence

(1) The Minister may renew a facility licence for a further period of up to 5 years if the Minister continues to be satisfied of the matters in section 40(1).

(2) The Minister may impose further conditions of a kind specified in section 41 when renewing the licence.

44 Minister may vary, revoke, or suspend facility licence

(1) The Minister may, at any time, vary a facility licence on any conditions that the Minister thinks fit, or suspend or revoke a facility licence,—

(a) with the prior written consent of the licensee; or

(b) on the written application of the licensee; or

(c) if the Minister believes on reasonable grounds that—

(i) the licensee has breached the Act, the regulations, or a condition of the licence; or

(ii) the revocation, variation, or suspension is necessary in the interests of national security, public safety, or compliance with any of New Zealand's international obligations, or other national interests; or

(iii) a licence, permit, or other authorisation that the Minister treated as satisfying any criteria under section 51 has changed, expired, or been revoked and the Minister considers that the change, expiry, or revocation affects interests of national security, public safety, or New Zealand's compliance with any of New Zealand's international obligations, or other national interests; or

(d) for any other reason specified in the licence.

(2) Before varying, suspending, or revoking a facility licence, the Minister must consult the security Ministers in accordance with section 55.

(3) The Minister must suspend or revoke a licence if a certificate is issued under section 55 in relation to the operation of the facility.

Subpart 6—High-altitude licences

45 Requirement for high-altitude licence

(1) A person must not launch a high-altitude vehicle from New Zealand, or from a vehicle in the air that was launched from New Zealand, unless the person has a high-altitude licence for the launch.

(2) A high-altitude licence is not required in respect of a particular activity described in subsection (1) if the activity is conducted under a launch licence issued under subpart 1.

46 Application for high-altitude licence

(1) A person or persons may apply to the Minister for a licence for 1 or more launches from New Zealand of 1 or more high-altitude vehicles.

(2) The application must be made in accordance with prescribed requirements.

47 When high-altitude licence may be granted

(1) The Minister may grant a high-altitude licence only if —

(a) the Minister is satisfied that,—

(i) in relation to each high-altitude vehicle that is proposed to be launched under the licence (other than any high-altitude vehicle that is an aircraft), the applicant is technically capable of conducting a safe launch; and

(ii) in relation to each high-altitude vehicle that is proposed to be launched under the licence (other than any high-altitude vehicle that is an aircraft), the applicant has taken, and will continue to take, all reasonable steps to manage risks to public safety; and

(iii) the proposed launch or launches under the licence are consistent with New Zealand's international obligations; and

(iv) the applicant and the proposed launch or launches meet any prescribed requirements; and

(b) in relation to each high-altitude vehicle proposed to be launched under the licence that is an aircraft, the Minister—

(i) has received confirmation from the Director of Civil Aviation that the aircraft or (where relevant) the operator of the aircraft has the appropriate permits, certificates, or other documents under the Civil Aviation Act 2023 (if any) or, in the case of a foreign aircraft, that the aircraft is recognised under New Zealand law; and

(ii) has taken into account any advice or information provided by the Director of Civil Aviation in relation to the safety of the operation of the aircraft at high altitude.

(2) The Minister may, despite being satisfied of all the matters in subsection (1)(a) and, if relevant, having received the advice in subsection (1)(b), decline to grant a high-altitude licence if the Minister is not satisfied that—

(a) the proposed launch of a high-altitude vehicle or high-altitude vehicles under the licence is in the national interest; or

(b) the applicant is a fit and proper person to hold a high-altitude licence (*see* section 52); or

(c) a person who is to have or is likely to have control over the exercise of the rights under the licence is a fit and proper person to have control over the exercise of rights under the licence (*see* section 52).

(3) In considering the national interest for the purposes of subsection (2)(a), the Minister may have regard to—

(a) economic or other benefits to New Zealand of the proposed launch:

(b) any risks to national security, public safety, international relations, or other national interests:

(c) the extent to which the risks can be mitigated by licence or permit conditions:

(d) any other matters that the Minister considers relevant.

(4) Before granting a high-altitude licence, the Minister must consult the security Ministers in accordance with section 55.

(5) The Minister must not grant a high-altitude licence if a certificate is issued under section 55 in relation to a proposed launch or launches under the licence.

Section 47(1)(b)(i): amended, on 5 April 2025, by section 486 of the Civil Aviation Act 2023 (2023 No 10).

48 Conditions and insurance relating to high-altitude licence

(1) A licensee must—

(a) provide to the Minister, in accordance with any prescribed requirements,—

(i) the date, nature, location, purpose, intended duration, and intended range of altitudes of each proposed launch and operation; and

(ii) information about any high-altitude payload to be carried by a high-altitude vehicle under the licence (including the purpose of carrying the high-altitude payload, the intended frequencies of the high-altitude payload, and who intends to communicate with the high-altitude payload); and

(iii) any prescribed information relating to each launch; and

(b) comply with any request by the Minister under section 50; and

(c) notify the Minister, in accordance with any prescribed requirements, if the high-altitude vehicle deviates from operational parameters; and

(d) obtain advance approval from the Minister for any intended deviation from operational parameters; and

(e) conduct the launch and operation in a manner that complies with the Civil Aviation Act 2023 and any regulations and rules made under that Act; and

(f) comply with any other conditions prescribed by regulations relating to the launch and operation of a high-altitude vehicle; and

(g) comply with any other conditions imposed by the Minister including, without limitation, any conditions that the Minister considers necessary or desirable in order to—

(i) regulate any high-altitude payload carried by the high-altitude vehicle; or

(ii) protect national security or other national interests.

(2) The Minister may require a licensee, as a condition of the licence, to hold insurance of a type and an amount (including a type and an amount calculated in a manner prescribed in regulations) specified by the Minister.

Section 48(1)(e): amended, on 5 April 2025, by section 486 of the Civil Aviation Act 2023 (2023 No 10).

49 Minister may revoke, vary, or suspend high-altitude licence

(1) The Minister may, at any time, vary a high-altitude licence on any conditions that the Minister thinks fit, or suspend or revoke a high-altitude licence,—

(a) with the prior written consent of the licensee; or

(b) on the written application of the licensee; or

(c) if the Minister believes on reasonable grounds that—

(i) the licensee has breached the Act, the regulations, or a condition of the licence; or

(ii) the revocation, variation, or suspension is necessary in the interests of national security, public safety, or compliance with any of New Zealand's international obligations, or other national interests; or

(d) for any other reason specified in the licence.

(2) Before varying, suspending, or revoking a high-altitude licence, the Minister must consult the security Ministers in accordance with section 55.

(3) The Minister must, if a certificate is issued under section 55 in relation to a high-altitude vehicle, do 1 or both of the following:

(a) suspend or revoke the licence:

(b) vary the licence to prohibit the launch from New Zealand of the relevant high-altitude vehicle.

Subpart 6A—Ground-based space infrastructure

Subpart 6A: inserted, on 29 July 2025, by section 7 of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

49A Requirement for authorisation to operate GBSI

(1) A person must not operate ground-based space infrastructure to carry out a regulated activity unless the person has a GBSI activity authorisation for the operation of the GBSI for the activity.

(2) In this Act, **regulated activity**, subject to any regulations made under section 88(1)(13C),—

(a) means either of the following:

(i) communicating with a space object including, without limitation, for the purpose of—

(A) tracking the space object; or

(B) telemetry; or

(C) controlling the space object:

(ii) identifying or surveilling a space object; but

(b) does not include an activity consisting entirely of 1 or more of the following:

(i) an activity of a personal, domestic, or household nature:

(ii) an activity carried out as a recreational pursuit or hobby:

(iii) an activity incidental to an undertaking if the undertaking does not otherwise relate to GBSI or a regulated activity (for example, use by a farm, school, or hotel of a satellite dish or satellite internet terminal):

(iv) an activity carried out for the purpose of astronomy:

(v) an activity carried out by or on behalf of an emergency service (including the New Zealand Police, Fire and Emergency New Zealand, and hospital and health services):

(vi) using a publicly available system to calibrate a measuring instrument, or to access a safety, positioning, navigation, or timing service (for example, by means of a positioning device in a car or boat), unless the use of that system is for the purpose of, or for purposes that include,—

(A) controlling a space object; or

(B) supporting or enhancing the operation of a space object.

Section 49A: inserted, on 29 July 2025, by section 7 of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

49B Application for GBSI activity authorisation

(1) A person or persons may apply to the Minister for a GBSI activity authorisation for the operation of ground-based space infrastructure of a particular type for 1 or more regulated activities.

(2) The application must be made in accordance with prescribed requirements.

(3) The application must include a declaration by the applicant stating—

(a) that the applicant has in place protective security arrangements that—

(i) identify the security risks associated with the activities that they propose to carry out under the authorisation; and

(ii) establish reasonable measures to manage those risks; and

(iii) comply with any prescribed requirements; and

(b) either—

(i) that the applicant has in place partner due diligence arrangements that—

(A) identify the steps (which must be reasonable in the circumstances) that they will take to verify the identity of their partners and understand the nature of their partners' activities; and

(B) comply with any prescribed requirements; or

(ii) that the applicant does not, and does not propose to, operate the GBSI to carry out regulated activities on behalf, or for the benefit, of another person; and

(c) that the applicant meets any other prescribed requirements for the grant of the authorisation.

(4) In this Act,—

partner means anyone on whose behalf, or for whose benefit, a person operates, or proposes to operate, GBSI to carry out regulated activities (for example, a customer or research collaborator)

partner due diligence arrangements means arrangements for verifying the identity of partners or understanding the nature of partners' activities.

Section 49B: inserted, on 29 July 2025, by section 7 of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

49C When GBSI activity authorisation may be granted

(1) The Minister may grant a GBSI activity authorisation only if the Minister is satisfied that the application—

(a) is made in accordance with prescribed requirements; and

(b) includes a declaration under section 49B(3).

(2) The Minister may, despite being satisfied of the matters in subsection (1), decline to grant a GBSI activity authorisation if the Minister is not satisfied that the grant of the authorisation is in the national interest.

(3) The Minister—

(a) must consider under subsection (2) whether the grant of a GBSI activity authorisation is in the national interest if the content of the application causes the Minister to suspect that it is not; and

(b) may do so in any other case.

(4) In considering the national interest for the purposes of subsection (2), the Minister may have regard to—

(a) economic or other benefits to New Zealand of the proposed activity:

(b) any risks to national security, public safety, international relations, or other national interests:

(c) the extent to which the risks can be mitigated by authorisation conditions:

(d) any other matters that the Minister considers relevant.

(5) Before granting a GBSI activity authorisation, the Minister may consult the intelligence and security agencies about—

(a) any risks to national security of a proposed activity under the authorisation; and

(b) the extent to which the risks can be mitigated by authorisation conditions.

(6) The fact that the Minister did not consider whether the grant of an authorisation was in the national interest before granting the application for it does not limit the Minister's powers under section 49E to vary, revoke, or suspend the authorisation.

Section 49C: inserted, on 29 July 2025, by section 7 of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

49D Conditions and obligations relating to GBSI activity authorisation

(1) An authorisation holder must—

(a) comply with any conditions prescribed by regulations relating to the operation of ground-based space infrastructure; and

(b) comply with any other conditions imposed by the Minister, which may include, without limitation, a condition prohibiting the authorisation holder from carrying out activities on behalf, or for the benefit, of a specified person or class of persons; and

(c) comply with any request by the Minister under section 50; and

(d) ensure that the authorisation holder's protective security arrangements continue to meet the requirements in section 49B(3)(a)(i) to (iii); and

(e) if the authorisation holder operates, or proposes to operate, GBSI to carry out regulated activities on behalf, or for the benefit, of another person, ensure that the authorisation holder has in place partner due diligence arrangements that meet the requirements in section 49B(3)(b)(i)(A) and (B); and

(f) notify the Minister, in accordance with any prescribed requirements, if the authorisation holder no longer intends to carry out activities under the authorisation; and

(g) provide the Minister with a report as soon as practicable after each 12-month anniversary of the grant of the authorisation (or, in the case of an authorisation for which approval of a transfer or change of control has been given under section 53, as soon as practicable after each 12-month anniversary of the approval)—

(i) confirming that the authorisation holder's protective security arrangements continue to meet the requirements in section 49B(3)(a)(i) to (iii); and

(ii) confirming either—

(A) that the authorisation holder has in place partner due diligence arrangements that meet the requirements in section 49B(3)(b)(i)(A) and (B); or

(B) that the authorisation holder does not, and does not propose to, operate GBSI to carry out regulated activities on behalf, or for the benefit, of another person; and

(iii) confirming that the information provided in the application for the authorisation (or the most recent update of that information provided under this section) is up to date or, to the extent that it is not, providing an update of that information; and

(h) comply with any other reporting obligations prescribed by regulations.

(2) The Minister must not impose a condition under subsection (1)(b) unless the Minister considers the condition necessary or desirable in order to give effect to New Zealand's international obligations or protect national security or other national interests.

Section 49D: inserted, on 29 July 2025, by section 7 of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

49E Minister may vary, revoke, or suspend GBSI activity authorisation

(1) The Minister may, at any time, vary a GBSI activity authorisation on any conditions that the Minister thinks fit, or suspend or revoke a GBSI activity authorisation,—

(a) with the prior written consent of the authorisation holder; or

(b) on the written application of the authorisation holder; or

(c) if the Minister believes on reasonable grounds that—

(i) the authorisation holder has breached this Act, regulations made under this Act, or a condition of the authorisation; or

(ii) the authorisation holder no longer intends to carry out activities under the authorisation; or

(iii) the revocation, variation, or suspension is necessary in the interests of national security, compliance with any of New Zealand's international obligations, or other national interests; or

(d) for any other reason specified in the authorisation.

(2) When varying a GBSI activity authorisation under this section, the Minister must not impose a condition relating to the operation of GBSI unless the Minister considers the condition necessary or desirable in order to give effect to New Zealand's international obligations or protect national security or other national interests.

Section 49E: inserted, on 29 July 2025, by section 7 of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Subpart 7—General provisions relating to licences, permits, and authorisations under this Part

Subpart 7 heading: amended, on 29 July 2025, by section 8 of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

50 Request for information

(1) The Minister may, by written notice, ask an applicant for, or the holder of, any licence, permit, or authorisation to give the Minister, within the period, and in the manner, specified in the notice, any information that the Minister requires for the purposes of performing functions or exercising powers under this Act in relation to the licence, permit, or authorisation.

(2) Where the request for information relates to the consideration by the Minister of an application for a licence, permit, or authorisation, the Minister may refuse to grant the licence, permit, or authorisation if—

(a) the applicant does not provide the information requested within a reasonable time after the requirement; or

(b) the Minister is unable to verify any information provided.

Section 50(1): amended, on 29 July 2025, by section 9(1) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 50(2): amended, on 29 July 2025, by section 9(2) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

51 Minister may take into account authorisation granted in country other than New Zealand

(1) The Minister may treat a licence, permit, or other authorisation that concerns a matter relevant to the Minister's decision and that was granted, or is likely to be granted, to an applicant or other person in a country other than New Zealand as satisfying some or all of the criteria for granting a launch licence under section 9, a payload permit under section 17, an overseas launch licence under section 25, an overseas payload permit under section 33, or a facility licence under section 40.

(2) A licence or permit granted in reliance in whole or in part on subsection (1) may come into force only after the overseas licence, permit, or other authorisation is granted.

52 Criteria for fit and proper person test

(1) For the purpose of considering whether a person is a fit and proper person for any purpose under this Act, the Minister may take into account—

(a) the person's regulatory compliance history; and

(b) the person's related experience (if any) within the aviation or aerospace industry; and

(c) the person's knowledge of the applicable regulatory requirements; and

(d) any history of mental health problems or serious behavioural problems; and

(e) any conviction for any offence and the nature of any such offence, whether or not—

(i) the conviction was in a New Zealand court; or

(ii) the offence was committed before the commencement of this Act; and

(f) any other information and evidence as may be relevant.

(2) The Minister may, for the purposes of subsection (1),—

(a) seek and receive any information (including medical reports) as the Minister thinks fit; and

(b) consider information obtained from any source.

(3) Subsection (1) applies to a body corporate with the following modifications:

(a) subsection (1)(a), (b), (c), (e), and (f) must be read as if it refers to the body corporate and its officers:

(b) subsection (1)(d) must be read as if it refers only to the officers of the body corporate.

53 Change of licensee, permit holder, or authorisation holder requires approval of Minister

(1) A licensee, permit holder, or authorisation holder must not, without the prior approval of the Minister,—

(a) transfer an interest in a licence, permit, or authorisation; or

(b) if the licensee, permit holder, or authorisation holder is a body corporate, undergo a change of control.

(2) A licensee, permit holder, or authorisation holder may apply to the Minister for approval of a transfer or change of control.

(3) The application—

(a) must be made in accordance with prescribed requirements; and

(b) in the case of a GBSI activity authorisation, must include a declaration under section 49B(3) by the applicant or, in the case of a transfer, by the person who will be the authorisation holder following the transfer, as if the application were an application for a new GBSI activity authorisation.

(4) When considering an application of a licensee, permit holder, or authorisation holder to undergo a change of control or to transfer an interest in a licence, permit, or authorisation, the Minister—

(a) in the case of a launch licence, payload permit, overseas launch licence, overseas payload permit, facility licence, or high-altitude licence, must consult the security Ministers in accordance with section 55; and

(aa) in the case of a GBSI activity authorisation, may consult the intelligence and security agencies about—

(i) any risks to national security of the proposed transfer or change of control; and

(ii) the extent to which the risks can be mitigated by authorisation conditions; and

(b) must take into account,—

(i) in the case of a launch licence, all the matters in section 9 as if the application were an application for a new launch licence; and

(ii) in the case of a payload permit, all the matters in section 17 as if the application were an application for a new payload permit; and

(iii) in the case of an overseas launch licence, all the matters in section 25 as if the application were an application for a new overseas launch licence; and

(iv) in the case of an overseas payload permit, all the matters in section 33 as if the application were an application for a new overseas payload permit; and

(v) in the case of a facility licence, all the matters in section 40 as if the application were an application for a new facility licence; and

(vi) in the case of a high-altitude licence, all the matters in section 47 as if the application were an application for a new high-altitude licence; and

(vii) in the case of a GBSI activity authorisation, all the matters in section 49C as if the application were an application for a new GBSI activity authorisation (and for that purpose the reference in section 49C(1)(a) to prescribed requirements must be treated as a reference to the prescribed requirements referred to in subsection (3)(a) of this section); and

(c) must be satisfied that the licensee, permit holder, or authorisation holder following the transfer or change of control is likely to be able to comply with the conditions of, and give proper effect to, the licence, permit, or authorisation; and

(d) may ask an applicant to supply any further information or documentation in support of the application.

(5) In the case of a launch licence, payload permit, overseas launch licence, overseas payload permit, facility licence, or high-altitude licence, the Minister must

not consent to a transfer or change of control if a certificate is issued under section 55 in relation to the proposed transfer or change of control.

(6) For the purposes of this section, a body corporate undergoes a **change of control** if—

(a) a person obtains the power (whether directly or indirectly) to exercise, or control the exercise of, 50% or more of the voting rights in the corporate body; or

(b) a person (**person A**) obtains, together with 1 or more specified persons, the power (whether directly or indirectly) to exercise, or control the exercise of, 50% or more of the voting rights in the corporate body.

(7) In subsection (6)(b), a **specified person**, in relation to person A, means—

(a) a person who is acting, or will act, jointly or in concert with person A in respect of exercising, or controlling the exercise of, the voting rights of the licensee, permit holder, or authorisation holder; or

(b) a person who acts, or is accustomed to acting, in accordance with the wishes of person A.

Section 53 heading: amended, on 29 July 2025, by section 10(1) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 53(1): amended, on 29 July 2025, by section 10(2) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 53(1)(a): amended, on 29 July 2025, by section 10(3) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 53(1)(b): amended, on 29 July 2025, by section 10(2) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 53(2): amended, on 29 July 2025, by section 10(4) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 53(3): replaced, on 29 July 2025, by section 10(5) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 53(4): amended, on 29 July 2025, by section 10(6)(a) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 53(4): amended, on 29 July 2025, by section 10(6)(b) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 53(4)(a): replaced, on 29 July 2025, by section 10(7) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 53(4)(aa): inserted, on 29 July 2025, by section 10(7) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 53(4)(b)(vii): inserted, on 29 July 2025, by section 10(8) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 53(4)(c): amended, on 29 July 2025, by section 10(6)(a) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 53(4)(c): amended, on 29 July 2025, by section 10(6)(b) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 53(5): amended, on 29 July 2025, by section 10(9) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 53(7)(a): amended, on 29 July 2025, by section 10(10) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

54 Minister may impose further conditions on transfer or change of control

(1) The Minister may grant consent to a transfer or change of control under section 53 subject to any further conditions of a kind described in section 10, 18, 26, 34, 41, 48, or 49D as the Minister thinks fit.

(2) All conditions of the Minister's consent are, for the purposes of this Act, to be treated as conditions of the relevant licence, permit, or authorisation.

(3) If, as a result of the transfer of an interest in a licence, permit, or authorisation in accordance with section 53, a person ceases to have an interest in the licence, the permit, or the authorisation, that person ceases to have any rights or obligations under the licence, permit, or authorisation except in respect of any contravention of the conditions of the licence, permit, or authorisation that occurred before the date of the transfer of the interest.

(4) Subsection (3) is subject to—

(a) the conditions of licence, permit, or authorisation; and

(b) the conditions of the Minister's consent to the transfer of the interest.

Section 54(1): amended, on 29 July 2025, by section 11(1) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 54(2): amended, on 29 July 2025, by section 11(2) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 54(3): amended, on 29 July 2025, by section 11(3)(a) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 54(3): amended, on 29 July 2025, by section 11(3)(b) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 54(4)(a): amended, on 29 July 2025, by section 11(4) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

55 Minister must consult security Ministers about national security

(1) The purpose of the consultation with the security Ministers required by any provision of this Act is to enable the following to be taken into account by the Minister in making the relevant decision:

(a) any risks to national security of the activity or proposed activity under the relevant licence or permit; and

(b) the extent to which the risks can be mitigated by licence or permit conditions.

(2) The Minister must, if either the Minister or a security Minister thinks it appropriate for national security reasons, refer the application or other matter to the Prime Minister.

(3) The Prime Minister may, after consultation with the responsible Ministers as he or she thinks fit and taking into account the advice of the intelligence and

security agencies, issue a certificate that the activity or proposed activity poses a significant risk to national security.

(4) The Prime Minister must inform the applicant or, as the case may be, the holder of the relevant licence or permit of—

(a) the reasons for the decision (except to the extent that the Prime Minister considers that providing reasons would involve a disclosure of information that would be likely to prejudice the security or defence of New Zealand or the international relations of the Government of New Zealand); and

(b) the review procedure available in relation to the certificate under section 56.

(5) *[Repealed]*

(6) For the purposes of this section, the **responsible Ministers** are—

(a) the Minister; and

(b) the security Ministers; and

(c) the Minister responsible for the administration of the Defence Act 1990; and

(d) the Minister of Foreign Affairs; and

(e) any other Minister that the Prime Minister thinks fit.

Section 55(5): repealed, on 28 November 2023, by section 102 of the Security Information in Proceedings (Repeals and Amendments) Act 2022 (2022 No 72).

56 Review procedure in relation to certificate of risk to national security

(1) If the Prime Minister issues a certificate under section 55, the applicant or, as the case may be, the holder of the relevant licence or permit may, in accordance with sections 158(1)(e) and 171 of the Intelligence and Security Act 2017, make a complaint to the Inspector-General of Intelligence and Security in relation to any advice given by an intelligence and security agency to—

(a) the Minister or a security Minister; or

(b) the Prime Minister.

(2) If the Inspector-General of Intelligence and Security sends a report to 1 or both security Ministers in accordance with section 185 of the Intelligence and Security Act 2017, the Prime Minister may withdraw or confirm the certificate.

(3) For the purposes of this section, **Inspector-General of Intelligence and Security** means the person holding office under section 157 of the Intelligence and Security Act 2017.

Part 3
Enforcement and other matters

Subpart 1—Enforcement officers and enforcement powers

Enforcement officers

57 Appointment of enforcement officers

(1) The chief executive may appoint such suitably qualified and trained enforcement officers as the chief executive thinks necessary for the purposes of this Act.

(2) An enforcement officer—

(aaa) may be appointed to perform or exercise all the functions, duties, and powers of enforcement officers conferred by this Act, or particular functions, duties, and powers only:

(a) is appointed for a term not exceeding 3 years, but may be reappointed:

(b) may be removed from office by the chief executive, by written notice, for inability to perform the functions of the office, legal incapacity, neglect of duty, or misconduct, proved to the satisfaction of the chief executive:

(c) may at any time resign office by written notice to the chief executive.

(3) The chief executive must issue a written warrant to an enforcement officer appointed under this section.

(3A) The warrant must specify the functions, duties, and powers of the holder.

(4) An enforcement officer must, on the termination of the enforcement officer's appointment, surrender his or her warrant to the chief executive.

(5) An enforcement officer appointed under subsection (1) is not to be regarded as employed in the service of the Crown for the purposes of the Government Superannuation Fund Act 1956 or the Public Service Act 2020 just because the person is an enforcement officer.

Section 57(2)(aaa): inserted, on 29 July 2025, by section 12(1) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 57(3A): inserted, on 29 July 2025, by section 12(2) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 57(5): amended, on 7 August 2020, by section 135 of the Public Service Act 2020 (2020 No 40).

58 Enforcement officers must produce evidence of appointment

An enforcement officer appointed under section 57 must produce his or her warrant of appointment under this Act whenever requested to do so in the course of the enforcement officer's duties.

59 Functions of enforcement officers

The functions of an enforcement officer are to—

(a) investigate compliance with this Act, regulations made under this Act, and the conditions of licences, permits, and authorisations issued under this Act; and

(b) take all reasonable steps to ensure that this Act, regulations made under this Act, and the conditions of licences, permits, and authorisations issued under this Act are complied with; and

(c) promote compliance with the requirements of this Act, regulations made under this Act, and the conditions of licences, permits, and authorisations issued under this Act by providing information, education, and advice about those requirements.

Section 59(a): amended, on 29 July 2025, by section 13 of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 59(b): amended, on 29 July 2025, by section 13 of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 59(c): amended, on 29 July 2025, by section 13 of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Powers of enforcement officers

60 Powers of enforcement officers

(1) For the purpose of exercising any of his or her functions under section 59(a) and (b), an enforcement officer may—

(a) enter a launch facility or any other premises or place where any launch vehicle, payload, high-altitude vehicle, high-altitude payload, ground-based space infrastructure, related equipment, or technical data is held and inspect the site or other premises or any other place and any launch vehicle, payload, high-altitude vehicle, high-altitude payload, ground-based space infrastructure, related equipment, or technical data:

(b) seize and detain any launch vehicle, payload, high-altitude vehicle, high-altitude payload, ground-based space infrastructure, related equipment, or technical data:

(c) require any licensee, permit holder, or authorisation holder, employee of a licensee, permit holder, or authorisation holder, or other person to produce any information or document within that person's possession or control relating to any launch, payload, high-altitude payload, or ground-based space infrastructure and make copies of that information or document:

(d) question any licensee, permit holder, or authorisation holder, employee of a licensee, permit holder, or authorisation holder, or other person about a launch or the operation of any launch vehicle, payload, high-

altitude vehicle, high-altitude payload, or ground-based space infrastructure:

(e) question any licensee, permit holder, or authorisation holder, or employee of a licensee, permit holder, or authorisation holder, about compliance with this Act, regulations made under this Act, or the conditions of any licence, permit, or authorisation issued under this Act:

(f) test, or require testing of, at the expense of a licensee, permit holder, or authorisation holder, any launch vehicle, payload, high-altitude vehicle, high-altitude payload, ground-based space infrastructure, or related equipment:

(g) assess, or require the assessment of, at the expense of an authorisation holder, the authorisation holder's protective security arrangements or partner due diligence arrangements:

(h) enter any premises or place where GBSI or related equipment is held and take all reasonable steps to disable it.

(2) The provisions of subparts 1, 4, 5, 6, 7, 9, and 10 of Part 4 of the Search and Surveillance Act 2012 (except sections 118 and 119) apply.

Section 60(1)(a): amended, on 29 July 2025, by section 14(1) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 60(1)(b): amended, on 29 July 2025, by section 14(2) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 60(1)(c): amended, on 29 July 2025, by section 14(3)(a) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 60(1)(c): amended, on 29 July 2025, by section 14(3)(b) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 60(1)(c): amended, on 29 July 2025, by section 14(3)(c) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 60(1)(d): amended, on 29 July 2025, by section 14(4)(a) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 60(1)(d): amended, on 29 July 2025, by section 14(4)(b) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 60(1)(e): amended, on 29 July 2025, by section 14(5)(a) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 60(1)(e): amended, on 29 July 2025, by section 14(5)(b) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 60(1)(f): amended, on 29 July 2025, by section 14(6)(a) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 60(1)(f): amended, on 29 July 2025, by section 14(6)(b) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 60(1)(g): inserted, on 29 July 2025, by section 14(7) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 60(1)(h): inserted, on 29 July 2025, by section 14(7) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

61 Provisions relating to entry to dwellinghouse or marae

(1) Nothing in section 60(1)(a) confers on any person the power to enter any dwellinghouse, or any marae or building associated with a marae, unless the entry is authorised by a warrant given by an issuing officer on application in the manner provided for an application for a search warrant in subpart 3 of Part 4 of the Search and Surveillance Act 2012, which must not be granted unless the issuing officer is satisfied that there are reasonable grounds to believe that the entry is essential to enable the inspection to be carried out.

(2) Subject to subsection (3), subparts 1, 3, 4, 5, 7, 9, and 10 of Part 4 of the Search and Surveillance Act 2012 apply in relation to the issue of a warrant under subsection (1) and its execution.

(3) Sections 118 and 119 of the Search and Surveillance Act 2012 apply only in respect of a warrant issued to a named constable or to every constable.

62 Constable may exercise enforcement powers

For the purpose of investigating compliance with this Act, regulations made under this Act, or the conditions of licences, permits, and authorisations issued under this Act, a constable may exercise any of the powers of an enforcement officer under section 60(1)(a) to (h), and sections 60(2) and 61 apply.

Section 62: amended, on 29 July 2025, by section 15(a) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 62: amended, on 29 July 2025, by section 15(b) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Subpart 2—Protection of sensitive space technology

63 Segregated areas and areas set aside

(1) For the purpose of the Technology Safeguards Agreement, the Minister may declare, by a sign or signs affixed at the perimeter of an area or by other appropriate notification, that the area is—

(a) a segregated area; or

(b) an area specially set aside exclusively for work with US launch vehicles, US spacecraft, or equipment that is related equipment in relation to those vehicles and spacecraft.

(2) The Minister may declare private land to be, or to be included within, a segregated area or an area specially set aside only with the consent of the owner or occupier of the land.

(3) Only the following persons may enter or remain in a segregated area or an area specially set aside:

(a) if authorised by the US participants,—

(i) an enforcement officer on official duties:

(ii) a person wearing his or her identity card issued or recognised by the chief executive:

(iii) a person accompanied by a person described in subparagraph (ii):

(b) a constable, a person exercising a statutory function, or a person acting for or on behalf of fire or ambulance services.

(4) Every person in a segregated area or an area specially set aside must, on the request of an enforcement officer or a person having control of the area,—

(a) state his or her name and address, the purpose of his or her presence in the area, and his or her authority to enter it; and

(b) produce satisfactory evidence of the correctness of his or her stated name and address.

(5) An enforcement officer or a person having control of a segregated area or an area specially set aside may order a person to leave the area if the person—

(a) fails or refuses to provide the enforcement officer or person having control of the area with satisfactory evidence of his or her name and address when requested under subsection (4); or

(b) fails to satisfy the enforcement officer or person having control of the area that he or she is authorised to be there.

(6) An enforcement officer or a constable, and any person whom he or she calls to his or her assistance, may use such force as may be reasonably necessary to remove from any segregated area or area specially set aside any person who fails or refuses to leave the area immediately after having been ordered to do so under subsection (5).

(7) Any person who refuses to comply with subsection (4) or an order under subsection (5) and, after having been warned that he or she commits an offence under section 73(1), persists in its commission may be detained by an enforcement officer or a constable.

(8) If a person is detained by an enforcement officer under subsection (7), the person must as soon as practicable be delivered to a constable.

(9) In this section,—

Technology Safeguards Agreement means the Agreement between the Government of New Zealand and the Government of the United States of America on Technology Safeguards Associated with United States Participation in Space Launches from New Zealand dated 16 June 2016, and includes the Arrangement between the Government of New Zealand and the Government of the United States of America dated 16 June 2016 relating to that agreement

NZ representatives, **US launch vehicle**, **US participants**, and **US spacecraft** have the meanings given to them in the Technology Safeguards Agreement.

64 Minister may declare debris protection area

(1) The Minister may exercise the power in this section only if the Minister is satisfied that it is necessary to do so in order to comply with any international agreement relating to the protection of sensitive space technology.

(2) The Minister may declare, by a sign or signs affixed at the perimeter of an area or by other appropriate notification, that the area is a debris protection area if the Minister is satisfied that it is—

(a) a site where a launch termination or an accident involving a launch vehicle has occurred; or

(b) a site on which there is a space object that has been involved in a launch termination or an accident involving a launch vehicle.

(3) No person may, without the permission of an enforcement officer or other authorised person,—

(a) take any photograph, make any sketch, plan, model, or note, or otherwise record any image of, or study, any launch vehicle, payload, component of a launch vehicle or payload, related equipment, or other debris that the person knows or ought to know is in a debris protection area; or

(b) take a sample of any thing referred to in paragraph (a) from an area that the person knows or ought to know is a debris protection area.

(4) Nothing in subsection (3) applies to any person who, in the exercise of a statutory function, is conducting an investigation into an accident involving a launch vehicle.

(5) An enforcement officer may order a person to leave a debris protection area if the enforcement officer has reasonable grounds to believe that the person is contravening subsection (3).

(6) An enforcement officer, and any person whom he or she calls to his or her assistance, may use such force as may be reasonably necessary to remove from any debris protection area any person who fails or refuses to leave the debris protection area immediately after having been ordered to do so under subsection (5).

(7) Any person who refuses to comply with an order under subsection (5) and, after having been warned that he or she commits an offence under section 75(2), persists in its commission may be detained by an enforcement officer or a constable.

(8) If a person is detained by an enforcement officer under subsection (7), the person must as soon as practicable be delivered to a constable.

Subpart 3—Offences

Offences relating to licences, permits, and authorisations

Heading: amended, on 29 July 2025, by section 16 of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

65 Launching without launch licence or overseas launch licence

(1) A person commits an offence if the person—

(a) launches a launch vehicle without a launch licence contrary to section 7; and

(b) knows or ought to know that a launch licence is required.

(2) A person commits an offence if the person—

(a) launches a launch vehicle without an overseas launch licence contrary to section 23; and

(b) knows or ought to know that an overseas launch licence is required.

(3) A person who commits an offence against subsection (1) or (2) is liable on conviction,—

(a) in the case of an individual, to imprisonment for a term not exceeding 1 year or a fine not exceeding $50,000, or both; or

(b) in the case of a body corporate, to a fine not exceeding $250,000.

66 Launching or procuring launch of payload without payload permit or overseas payload permit

(1) A person commits an offence if the person—

(a) launches or procures the launch of a payload without a payload permit contrary to section 15; and

(b) knows or ought to know that a payload permit is required.

(2) A person commits an offence if the person—

(a) launches or procures the launch of a payload without an overseas payload permit contrary to section 31; and

(b) knows or ought to know that an overseas payload permit is required.

(3) A person who commits an offence against subsection (1) or (2) is liable on conviction,—

(a) in the case of an individual, to imprisonment for a term not exceeding 1 year or a fine not exceeding $50,000, or both; or

(b) in the case of a body corporate, to a fine not exceeding $250,000.

67 Operating launch facility without facility licence

(1) A person commits an offence if the person—

(a) operates a launch facility without a facility licence contrary to section 38; and

(b) knows or ought to know that a facility licence is required.

(2) A person who commits an offence against subsection (1) is liable on conviction,—

(a) in the case of an individual, to imprisonment for a term not exceeding 1 year or a fine not exceeding $50,000, or both; or

(b) in the case of a body corporate, to a fine not exceeding $250,000.

68 Launching high-altitude vehicle without high-altitude licence

(1) A person commits an offence if the person—

(a) launches a high-altitude vehicle without a high-altitude licence contrary to section 45; and

(b) knows or ought to know that a high-altitude licence is required.

(2) A person who commits an offence against subsection (1) is liable on conviction,—

(a) in the case of an individual, to imprisonment for a term not exceeding 1 year or a fine not exceeding $50,000, or both; or

(b) in the case of a body corporate, to a fine not exceeding $250,000.

68A Operating ground-based space infrastructure without GBSI activity authorisation

(1) A person commits an offence if the person—

(a) operates ground-based space infrastructure to carry out a regulated activity without a GBSI activity authorisation contrary to section 49A; and

(b) knows or ought to know that a GBSI activity authorisation is required.

(2) A person who commits an offence against subsection (1) is liable on conviction,—

(a) in the case of an individual, to imprisonment for a term not exceeding 1 year or a fine not exceeding $50,000, or both; or

(b) in the case of a body corporate, to a fine not exceeding $250,000.

Section 68A: inserted, on 29 July 2025, by section 17 of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

69 Providing false or misleading information to Minister

(1) A person commits an offence if the person—

(a) holds, or is an applicant for, a licence, permit, or authorisation under this Act; and

(b) for any purpose under this Act provides to the Minister information that the person knows or ought to know is false or misleading in any material respect.

(2) A person who commits an offence against subsection (1) is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding $10,000; or

(b) in the case of a body corporate, to a fine not exceeding $50,000.

Section 69 heading: replaced, on 29 July 2025, by section 18(1) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 69(1): replaced, on 29 July 2025, by section 18(2) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

70 Offence to fail to comply with condition of licence, permit, or authorisation

(1) A person commits an offence if the person, being the holder of one of the following licences or permits, knowingly or without reasonable excuse fails to comply with any condition of that licence or permit:

(a) a launch licence or overseas launch licence:

(b) a payload permit or overseas payload permit:

(c) a facility licence.

(2) A person commits an offence who, being the holder of a high-altitude licence or GBSI activity authorisation, knowingly or without reasonable excuse fails to comply with any condition of that licence or authorisation.

(3) A person who commits an offence against subsection (1) or (2) is liable on conviction,—

(a) in the case of an individual, to imprisonment for a term not exceeding 1 year or a fine not exceeding $50,000, or both; or

(b) in the case of a body corporate, to a fine not exceeding $250,000.

Section 70 heading: amended, on 29 July 2025, by section 19(1) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 70(2): amended, on 29 July 2025, by section 19(2)(a) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 70(2): amended, on 29 July 2025, by section 19(2)(b) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Providing false or misleading information to enforcement officer

71 Providing false or misleading information to enforcement officer

(1) A person commits an offence if the person—

(a) fails or refuses to comply with a request or requirement made or imposed by an enforcement officer or constable under section 60; or

(b) provides to an enforcement officer or constable information that the person knows, or ought to know, is false or misleading in any material respect.

(2) A person who commits an offence against subsection (1) is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding $10,000; or

(b) in the case of a body corporate, to a fine not exceeding $50,000.

Other offences

72 Interfering with launch vehicle or payload

(1) A person commits an offence if the person, without lawful excuse,—

(a) takes, removes, uses, or interferes with—

(i) a launch vehicle, a payload, related equipment, or technical data; or

(ii) debris of a launch vehicle, a payload, or related equipment; or

(b) receives a launch vehicle, a payload, related equipment, debris, or technical data that is taken or removed contrary to paragraph (a).

(2) In any prosecution for an offence against subsection (1), it is not necessary to prove that the defendant intended to commit the offence.

(3) A person commits an offence if the person, with the intention of using or disposing of it for an industrial or commercial purpose, intentionally and without lawful excuse,—

(a) takes, removes, uses, or interferes with—

(i) a launch vehicle, a payload, related equipment, or technical data; or

(ii) debris of a launch vehicle, a payload, or related equipment; or

(b) receives a launch vehicle, a payload, related equipment, debris, or technical data that is taken or removed contrary to paragraph (a).

(4) A person who commits an offence against subsection (1) is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding $1,000; or

(b) in the case of a body corporate, to a fine not exceeding $10,000.

(5) A person who commits an offence against subsection (3) is liable on conviction,—

(a) in the case of an individual, to imprisonment for a term not exceeding 5 years or a fine not exceeding $100,000, or both; or

(b) in the case of a body corporate, to a fine not exceeding $500,000.

73 Offences relating to segregated areas and areas set aside

(1) A person commits an offence if the person, being in a segregated area or an area specially set aside under section 63,—

(a) fails or refuses to comply with a request under section 63(4); or

(b) fails or refuses to leave the segregated area or an area specially set aside immediately after having been ordered to do so under section 63(5).

(2) A person who commits an offence against subsection (1) is liable on conviction to imprisonment for a term not exceeding 3 months or to a fine not exceeding $2,000, or both.

74 Person in control of segregated area or area specially set aside to ensure identity cards displayed

(1) A person in control of a segregated area or an area specially set aside under section 63 must take all practicable steps to have in place at all times a system for ensuring that persons in that area display identity cards.

(2) A person who fails to comply with subsection (1) commits an offence and is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding $50,000; or

(b) in the case of a body corporate, to a fine not exceeding $100,000.

75 Offences in relation to debris protection area

(1) A person commits an offence if the person contravenes section 64(3).

(2) A person commits an offence if the person, being in a debris protection area, fails or refuses to leave the area immediately after having been ordered to do so under section 64(5).

(3) A person who commits an offence against subsection (1) or (2) is liable on conviction to imprisonment for a term not exceeding 3 months or to a fine not exceeding $2,000, or both.

75A Failing to comply with direction to stop providing electricity or internet services to GBSI

(1) A person commits an offence if the person, without reasonable excuse, fails to comply with a direction under section 83B.

(2) A person who commits an offence against subsection (1) is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding $5,000; or

(b) in the case of a body corporate, to a fine not exceeding $50,000.

Section 75A: inserted, on 29 July 2025, by section 20 of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Additional penalty for certain offences

76 Additional penalty for offences involving commercial gain or liability of the Crown under Outer Space Treaty or Liability Convention

(1) This section applies to an offence against any of sections 65 to 71.

(2) In addition to any penalty the court may impose for an offence referred to in subsection (1), the court may, on convicting any person of the offence,—

(a) order that person to pay an amount not exceeding 3 times the value of any commercial gain resulting from the commission of that offence if the court is satisfied that the offence was committed in the course of producing a commercial gain; or

(b) in respect of an offence against section 65, 66, or 67, order that person to pay an amount to the Crown to indemnify the Crown for any liability the Crown has incurred or may incur in respect of the launch vehicle or payload under the Outer Space Treaty or the Liability Convention or in relation to any other claim brought against the Crown under international law.

Infringement offences

77 Failing to display identity card

(1) A person commits an infringement offence if the person, being in a segregated area or an area specially set aside under section 63, fails without reasonable excuse to display his or her identity card issued or recognised by the chief executive.

(2) A person who commits an offence against subsection (1) is liable to—

(a) an infringement fee of $1,000; or

(b) a fine imposed by a court not exceeding $2,000.

78 Providing false information to enforcement officer

(1) A person commits an infringement offence who provides information to an enforcement officer that is false or misleading in any material respect.

(2) In prosecuting an offence against subsection (1), it is not necessary to prove that the defendant intentionally or recklessly committed the offence.

(3) A person who commits an offence against subsection (1) is liable to—

(a) an infringement fee of $1,000; or

(b) a fine imposed by a court not exceeding $2,000.

Certain offences deemed to be included in extradition treaties

79 Offences deemed to be included in extradition treaties

(1) For the purposes of the Extradition Act 1999 and any Order in Council in force under section 15, 40, or 104 of that Act, each offence described in sections 65, 66, 70(1), and 72(3) of this Act is deemed to be an offence described in any extradition treaty concluded before the commencement of this section and for the time being in force between New Zealand and any country that is a party to the Liability Convention.

(2) Despite subsection (1), no person is liable to be surrendered under the Extradition Act 1999 in respect of an act or omission that amounts to an offence to which that subsection applies if that act or omission occurred before the date on which the offence was deemed by that subsection to be an offence described in the relevant extradition treaty.

Provisions concerning infringement offences

80 Interpretation

In this Act,—

infringement fee, in relation to an infringement offence, means the infringement fee for the offence prescribed in this Act

infringement offence means an offence against section 77 or 78.

81 Proceedings for infringement offence

(1) A person who is alleged to have committed an infringement offence may either—

(a) be proceeded against by the filing of a charging document under section 14 of the Criminal Procedure Act 2011; or

(b) be served with an infringement notice under section 82.

(2) Proceedings commenced in the way described in subsection (1)(a) do not require the leave of a District Court Judge or Registrar under section 21(1)(a) of the Summary Proceedings Act 1957.

82 Infringement notices

(1) An enforcement officer may issue an infringement notice to a person if the enforcement officer believes on reasonable grounds that the person is committing, or has committed, an infringement offence.

(2) The enforcement officer may deliver the infringement notice (or a copy of it) in person to the person alleged to have committed an infringement offence or send the notice by post addressed to that person's last known place of residence or business.

(3) An infringement notice (or a copy of it) sent by post to a person under subsection (2) is to be treated as having been served on that person when it was posted.

(4) An infringement notice must be in the prescribed form and must contain the following particulars:

(a) details of the alleged infringement offence that are sufficient fairly to inform a person of the time, place, and nature of the alleged offence; and

(b) the amount of the infringement fee; and

(c) the address of the place at which the infringement fee may be paid; and

(d) the time within which the infringement fee must be paid; and

(e) a summary of the provisions of section 21(10) of the Summary Proceedings Act 1957; and

(f) a statement that the person served with the notice has a right to request a hearing; and

(g) a statement of what will happen if the person served with the notice neither pays the infringement fee nor requests a hearing; and

(h) any other particulars that may be prescribed.

(5) If an infringement notice has been issued under this section, the procedure under section 21 of the Summary Proceedings Act 1957 may be used in respect of the offence to which the infringement notice relates and, in that case, the provisions of that section apply with all necessary modifications.

83 Payment of infringement fees

All infringement fees paid in respect of infringement offences must be paid into a Crown Bank Account.

Subpart 3A—Disposal orders, directions, and forfeiture orders for ground-based space infrastructure

Subpart 3A: inserted, on 29 July 2025, by section 21 of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

83A Disposal order

(1) The Minister may give a disposal order to a person who has an interest in, or a right to operate, ground-based space infrastructure.

(2) A disposal order may—

(a) require disposal of all or part of the interest or right:

(b) specify the time within which, or the manner in which, the disposal must be made:

(c) specify any reasonable steps that must be taken in order to comply with the disposal order:

(d) require the person to report to the Minister within the time specified in the order stating how and when the order has been or will be implemented.

(3) The Minister may give a disposal order to a person only if the Minister is satisfied on reasonable grounds that—

(a) the person's operation of the GBSI to carry out a regulated activity gives rise, is likely to give rise, or has given rise to a risk to national security or another national interest; and

(b) the risk cannot be adequately managed by imposing conditions on an authorisation, suspending or revoking an authorisation, or taking enforcement or other action under subpart 1 or 3 of this Part.

(4) The Minister must have regard to New Zealand's international obligations when acting under this section.

(5) A person who is given a disposal order must comply with it within the time, and in the manner, specified in the order.

Section 83A: inserted, on 29 July 2025, by section 21 of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

83B Direction to stop providing electricity or internet services to GBSI

(1) This section applies if the Minister gives a disposal order under section 83A.

(2) The Minister may direct an electricity retailer or internet service provider to stop providing electricity or internet services to either or both of the following, until the GBSI subject to the disposal order is disposed of:

(a) the person given the disposal order:

(b) the place or premises where the GBSI is located.

(3) The Minister may give a direction under subsection (2) only if the Minister is satisfied on reasonable grounds that—

(a) the direction is necessary to mitigate a risk to national security or another national interest; and

(b) the risk cannot be adequately managed by other enforcement action under this Act.

(4) A person who is given a direction under subsection (2) must comply with it within the time, and in the manner, specified in the direction.

Section 83B: inserted, on 29 July 2025, by section 21 of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

83C Forfeiture order

(1) This section applies if the District Court is satisfied that a person given a disposal order under section 83A (a **disposal order recipient**) has refused or failed to comply with it within the time, or in the manner, specified in the order.

(2) The District Court may, on the application of an enforcement officer or a constable,—

(a) make a forfeiture order in relation to the interest or right that is the subject of the disposal order; and

(b) give any direction that is necessary to give effect to the disposal order.

(3) The application must be made in accordance with the rules of the District Court for originating applications.

(4) A forfeiture order granted under this section may—

(a) vest the interest or right that is the subject of the disposal order in the Crown:

(b) require the enforcement officer or constable to dispose of all or part of the forfeited interest or right:

(c) specify the time within which, or the manner in which, that disposal must be made:

(d) specify any reasonable steps that must be taken in order to comply with the forfeiture order.

(5) If a forfeiture order requires the enforcement officer or constable to dispose of all or part of the forfeited interest or right, the enforcement officer or constable must pay any proceeds of the disposal (less any amount required by the order to be paid to a security holder or another person) to the disposal order recipient.

(6) A disposal order recipient who is given a direction under subsection (2)(b) must comply with it within the time, and in the manner, specified in the direction.

Section 83C: inserted, on 29 July 2025, by section 21 of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Subpart 4—General provisions

Requirement to notify Minister of intention to develop or acquire missile technology

84 Requirement to notify Minister of intention to develop or acquire missile technology

(1) Any person in New Zealand who intends to develop or acquire a category 1 rocket system within the meaning of the Missile Technology Control Regime must notify the Minister.

(2) In this section, the **Missile Technology Control Regime** means the voluntary regime by that name established in 1987 by Canada, France, Germany, Italy, Japan, the United Kingdom, and the United States of America.

Information sharing

85 Sharing of information with agencies

(1) Subject to any enactment,—

(a) the Minister may provide an agency referred to in subsection (2) with any information, or a copy of any document, that the Minister—

(i) holds in relation to the performance or exercise of the Minister's functions, duties, or powers under this Act; and

(ii) considers may assist the agency in the performance or exercise of the regulatory agency's functions, duties, or powers under any enactment; and

(b) an agency referred to in subsection (2) may provide the Minister with any information, or a copy of any document, that it—

(i) holds in relation to the performance or exercise of its functions, duties, or powers under or in relation to any enactment; and

(ii) considers may assist the Minister in the performance or exercise of its functions, duties, or powers under this Act.

(2) The agencies for the purpose of subsection (1) are—

(a) the Civil Aviation Authority:

(b) Airways Corporation of New Zealand Limited:

(c) Maritime New Zealand:

(d) the Transport Accident Investigation Commission:

(e) the Environmental Protection Authority:

(f) WorkSafe New Zealand:

(g) the New Zealand Police:

(h) the New Zealand Customs Service:

(i) any other agency in New Zealand or outside New Zealand that holds information that relates to activities to which this Act applies.

(3) If subsection (1)(a) or (b) applies, the Minister or agency (as the case may be) may impose conditions that he or she or it thinks fit relating to the provision of the information or document, including conditions relating to—

(a) the storage and use of, or access to, anything provided:

(b) the copying, returning, or disposing of copies of any documents provided.

(4) Nothing in this section limits access to information under the Privacy Act 2020.

(5) This section applies despite anything to the contrary in any contract, deed, or document.

Section 85(4): amended, on 1 December 2020, by section 217 of the Privacy Act 2020 (2020 No 31).

Review of this Act

86 Review of Act

(1) The Minister must, as soon as practicable after the expiry of 3 years from the commencement of this Act,—

(a) commence a review of the operation and effectiveness of the Act; and

(b) prepare a report on that review.

(2) The Minister must present the report to the House of Representatives as soon as practicable after it has been completed.

Notices, disposal orders, and directions

Heading: amended, on 29 July 2025, by section 22 of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

87 Giving of notices, disposal orders, and directions

(1) A notice, disposal order, or direction under section 83B required or permitted by this Act to be given by any person (the **sender**) to another person (the **recipient**) may be given by—

(a) delivering it to the recipient; or

(b) delivering it to the recipient's usual home or business address; or

(c) posting it to the recipient's usual home or business address; or

(d) if the recipient has given the sender an email address for the purpose of receiving notices by email, emailing it to that address; or

(e) any other prescribed method.

(2) In relation to a notice, disposal order, or direction under section 83B that is required or permitted by this Act to be given to a company, section 388 of the Companies Act 1993 applies.

Section 87 heading: amended, on 29 July 2025, by section 23(1) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 87(1): amended, on 29 July 2025, by section 23(2) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 87(2): amended, on 29 July 2025, by section 23(3) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Regulations

88 Regulations

(1) The Governor-General may, from time to time, by Order in Council made on the recommendation of the Minister, make regulations for all or any of the following purposes:

Licences, permits, and authorisations

(1) prescribing the information to be given in, or in connection with, applications for licences and permits, which may include, without limitation, requirements for a safety case, an environmental impact assessment, and requirements for an orbital debris mitigation plan:

(1A) prescribing the information to be given in, or in connection with, applications for authorisations, which may include, without limitation, information about the ground-based space infrastructure proposed to be operated, who owns it, the regulated activities to be carried out, and any partners of the applicant:

(1B) prescribing requirements for protective security arrangements and partner due diligence arrangements, and any other requirements for the grant of an authorisation:

(2) prescribing the form or manner of making applications, including, without limitation, permitting a person to make applications together for more than 1 type of licence, permit, or authorisation:

(3) providing for the procedure to be followed in relation to any application, including prescribing the time within which any thing must be done, or providing for the granting of extensions of time for any thing to be done:

(4) providing for the procedure to be followed if a person makes applications together for more than 1 type of licence, permit, or authorisation, including permitting the Minister to grant the applications, or grant 1 or some only of the applications, or decline to grant any of the applications:

(5) prescribing conditions for licences, permits, and authorisations, which may, without limitation, include providing, or providing for the imposition of, requirements for—

(a) safety systems or practices:

(b) security, including physical and information security:

(c) the reporting of accidents and incidents:

(d) obtaining advice, clearance, or any other matter or authority in relation to the re-entry of space objects from outer space or for the avoidance of collisions of space objects in outer space:

(e) the collection and dissemination of data obtained by remote sensing:

(f) the provision of information about ground stations to be used:

(6) prescribing a method or methods by which the requirements as to the type and amount of insurance to be held by a licensee or permit holder may be calculated:

(7) specifying, for the purposes of section 19(1)(b)(ii) and 35(1)(b)(ii), how to determine when events of a particular kind occur:

(8) prescribing information that a licensee or permit holder must give to the Minister, at any time during the period that the licence or permit is in force, including the intervals at which the information must be given, the manner in which it may, or must, be provided, and when information given must be updated or corrected:

(8A) prescribing information that an authorisation holder must give to the Minister, at any time during the period that the authorisation is in force, including,—

(a) without limitation, information relating to—

(i) the authorisation holder's partners, including decisions not to accept a person seeking to be a partner or to end a relationship with a partner:

(ii) the authorisation holder's protective security arrangements, due diligence arrangements, and security breaches; and

(b) the intervals at which the information must be given (which may be at intervals determined by the Minister), the manner in which it may, or must, be provided, and when information given must be updated or corrected:

(9) prescribing technical requirements relating to the manner in which a licensee, permit holder, or authorisation holder must give information to the Minister under this Act:

(10) prescribing the form of licences, permits, and authorisations, or the information that licences, permits, and authorisations must contain:

Meaning of launch vehicle, payload, space object, high-altitude vehicle, high-altitude payload, ground-based space infrastructure, operate, and regulated activity

(11) prescribing that any thing, or class of thing, is, or is not, a launch vehicle, payload, or space object—

(a) for all purposes of this Act or for the purpose of any specified provisions of this Act; or

(b) in specified circumstances:

(12) prescribing that any thing, or class of thing, is, or is not, a launch facility or ground station—

(a) for all purposes of this Act or for the purpose of any specified provisions of this Act; or

(b) in specified circumstances:

(13) prescribing that any thing, or class of thing, is, or is not, a high-altitude vehicle or high-altitude payload—

(a) for all purposes of this Act or for the purpose of any specified provisions of this Act; or

(b) in specified circumstances:

(13A) prescribing that any thing, or class of thing, is, or is not, ground-based space infrastructure—

(a) for all purposes of this Act or for the purpose of any specified provisions of this Act; or

(b) in specified circumstances:

(13B) prescribing, in relation to GBSI, that any act, or class of act, is, or is not, an operation of GBSI—

(a) for all purposes of this Act or for the purpose of any specified provisions of this Act; or

(b) in specified circumstances:

(13C) prescribing that any activity, or class of activity, is, or is not, a regulated activity—

(a) for all purposes of this Act or for the purpose of any specified provisions of this Act; or

(b) in specified circumstances:

Registration of space objects

(14) prescribing the space objects that must be registered, who must register those objects, and the manner of registration:

(15) providing for the keeping of the register, including processes for amending the register:

(16) providing who may access the register and the fees for accessing the register:

Levy, fees, and charges

(17) imposing a levy on holders of licences, permits, and authorisations under this Act for the purpose of recovering all or part of the reasonable direct and indirect costs of administering this Act:

(18) specifying the licensees, permit holders, and authorisation holders, or classes of licensees, permit holders, or authorisation holders, who are liable to pay the levy:

(19) providing for the exemption from fees, in whole or in part (including, without limitation, if a person makes applications together for more than 1 type of licence, permit, or authorisation):

(20) specifying the levy, or how the levy or rates of levy are calculated:

(21) specifying when and how the levy is to be paid:

(22) prescribing fees and charges payable in respect of any matter under this Act or the manner in which fees and charges may be calculated:

(23) consistent with the purposes of this Act, providing for exemptions from, or waivers or refunds of, any fee, levy, or charge payable under the regulations, in whole or in part, in any class of case:

General

(24) prescribing any measure consistent with the purpose of this Act that, in relation to activities or proposed activities of licensees, permit holders, and authorisation holders under this Act, is necessary or desirable to—

(a) protect public safety, protect the environment, preserve national security, avoid interference with space or terrestrial telecommunications; or

(b) comply with New Zealand's international obligations:

(25) prescribing technical requirements for launch facilities, launch vehicles, high-altitude vehicles, payloads, and ground-based space infrastructure:

(26) prescribing the form of infringement notices and infringement offence reminder notices:

(27) prescribing the requirements for giving notices under this Act or the regulations:

(28) prescribing the manner in which any thing must be done for the purposes of this Act:

(29) providing transitional and savings provisions concerning the coming into force of this Act that may be in addition to, or in place of, the transitional and savings provisions in Schedule 1:

(30) providing for any matters contemplated by this Act, necessary for its administration, or necessary for giving it full effect.

(2) Regulations made under this section may provide differently for different types of licence, permit, authorisation, launch vehicle, payload, launch facility, high-altitude vehicle, high-altitude payload, ground-based space infrastructure, or regulated activity, or on any other differential basis.

(3) Before making a recommendation relating to regulations to be made under subsection (1)(5), (11), (12), (13), (13A), (13B), (13C), or (24), the Minister must—

(a) consult any persons (or representatives of those persons) that appear to the Minister likely to be substantially affected by any regulations made in accordance with the recommendation; and

(b) have regard to the purposes of this Act.

(3A) The Minister must not make a recommendation regarding regulations to be made under subsection (1)(5) prescribing conditions relating to the operation of ground-based space infrastructure unless the Minister considers that—

(a) the conditions are necessary or desirable in order to give effect to New Zealand's international obligations; or

(b) they are necessary or desirable in order to protect national security or other national interests.

(4) If the Minister makes a recommendation relating to regulations to be made under subsection (1)(11), (12), (13), (13A), (13B), (13C), or (23), the Minister's reasons for making the recommendation (including why the regulations are appropriate) must be published together with the regulations.

(5) No regulations made under subsection (1)(29) may be made, or continue in force, later than 3 years after the commencement of this section.

(6) Regulations made under this Act are not invalid merely because they confer any discretion on, or allow any matter to be determined or approved by, any person.

(7) Regulations under this section are secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this section		
Publication	PCO must publish it on the legislation website and notify it in the *Gazette*	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 88(1)(1) heading: replaced, on 29 July 2025, by section 24(1) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 88(1)(1A): inserted, on 29 July 2025, by section 24(2) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 88(1)(1B): inserted, on 29 July 2025, by section 24(2) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 88(1)(2): amended, on 29 July 2025, by section 24(3) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 88(1)(4): amended, on 29 July 2025, by section 24(4) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 88(1)(5): amended, on 29 July 2025, by section 24(5) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 88(1)(8A): inserted, on 29 July 2025, by section 24(6) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 88(1)(9): amended, on 29 July 2025, by section 24(7) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 88(1)(10): amended, on 29 July 2025, by section 24(8) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 88(1)(11) heading: replaced, on 29 July 2025, by section 24(9) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 88(1)(13A): inserted, on 29 July 2025, by section 24(10) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 88(1)(13B): inserted, on 29 July 2025, by section 24(10) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 88(1)(13C): inserted, on 29 July 2025, by section 24(10) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 88(1)(17): amended, on 29 July 2025, by section 24(11) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 88(1)(18): amended, on 29 July 2025, by section 24(12)(a) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 88(1)(18): amended, on 29 July 2025, by section 24(12)(b) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 88(1)(19): amended, on 29 July 2025, by section 24(13) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 88(1)(24): amended, on 29 July 2025, by section 24(14) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 88(1)(25): amended, on 29 July 2025, by section 24(15) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 88(2): amended, on 29 July 2025, by section 24(16)(a) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 88(2): amended, on 29 July 2025, by section 24(16)(b) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 88(3): amended, on 29 July 2025, by section 24(17) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 88(3A): inserted, on 29 July 2025, by section 24(18) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 88(4): amended, on 29 July 2025, by section 24(19) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Section 88(7): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

89 Incorporation by reference

(1) The following, whether in written or electronic form, may be incorporated by reference in regulations made by the Governor-General:

- (a) any standards, requirements, or recommended practices of international organisations:
- (b) any standards, requirements, or rules—
  - (i) prescribed under law by any other member State of the Committee on the Peaceful Uses of Outer Space:
  - (ii) of the Committee on the Peaceful Uses of Outer Space:
- (c) any other material or document that, in the opinion of the Minister, is too large or impractical to be printed as part of the regulations.

(2) Material may be incorporated by reference in regulations—

- (a) in whole or in part; and
- (b) with modifications, additions, or variations specified in the regulations.

(3) A copy of any material incorporated by reference in regulations, including any amendment to, or replacement of, the material, must be—

- (a) certified as a correct copy of the material by the Minister; and

(b) retained by the Minister.

(4) Any material incorporated in regulations by reference under subsection (1) is to be treated for all purposes as forming part of the regulations, and, unless otherwise provided in the regulations, every amendment to any material incorporated by reference under subsection (1) that is made by the person or organisation originating the material is, subject to subsections (5) and (6), to be treated as being a part of the regulations.

(5) The Minister must give notice in the *Gazette* stating—

(a) that the material is incorporated in the regulations and the date on which the regulations were made; and

(b) that the material is available for inspection during working hours, free of charge; and

(c) the place where the material can be inspected; and

(d) that copies of the material can be purchased; and

(e) if copies of the material are available in other ways, the details of where or how the material can be accessed or obtained.

(6) All material incorporated by reference under subsection (1) or (2) must be made available at the Ministry of Business, Innovation, and Employment for inspection by the public free of charge.

(7) Subpart 1 of Part 3 and section 114 of the Legislation Act 2019 do not apply to material that is incorporated by reference in a rule merely because it is incorporated.

(8) *[Repealed]*

(9) Subsections (1) to (7) do not affect the application of sections 29 to 32 of the Standards and Accreditation Act 2015.

Section 89(7): replaced, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

Section 89(8): repealed, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

Section 89(9): amended, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

Amendment to Search and Surveillance Act 2012

90 Amendment to Search and Surveillance Act 2012

(1) This section amends the Search and Surveillance Act 2012.

(2) In the Schedule, insert in its appropriate alphabetical order the item set out in Schedule 2 of this Act.

Amendment to Summary Proceedings Act 1957

91 Amendment to Summary Proceedings Act 1957

(1) This section amends the Summary Proceedings Act 1957.

(2) In section 2(1), definition of **infringement notice**, after the second paragraph (jb), insert:

(jba) section 82 of the Outer Space and High-altitude Activities Act 2017; or

Amendment to Health and Safety at Work Act 2015

92 Amendment to Health and Safety at Work Act 2015

(1) This section amends the Health and Safety at Work Act 2015.

(2) In section 16, definition of **relevant health and safety legislation**, after paragraph (b)(iii), insert:

(iiia) Outer Space and High-altitude Activities Act 2017:

Amendment to Privacy Act 1993

93 Amendment to Privacy Act 1993

(1) This section amends the Privacy Act 1993.

(2) In Schedule 5, under the heading *Police records*, item relating to details of overseas hearings, third column, after the item relating to the Serious Fraud Office, insert:

Ministry of Business, Innovation, and Employment (access is limited to obtaining information for the purposes of section 52 of the Outer Space and High-altitude Activities Act 2017)

(3) In Schedule 5, under the heading *Police records*, item relating to offender identity, third column, after the item relating to the Ministry of Justice, insert:

Ministry of Business, Innovation, and Employment (access is limited to obtaining information for the purposes of section 52 of the Outer Space and High-altitude Activities Act 2017)

(4) In Schedule 5, under the heading *Police records*, item relating to wanted persons, third column, after the item relating to the Ministry of Justice, insert:

Ministry of Business, Innovation, and Employment (access is limited to obtaining information for the purposes of section 52 of the Outer Space and High-altitude Activities Act 2017)

Schedule 1
Transitional, savings, and related provisions

s 5

Part 1
Provisions relating to Act as enacted

1 Interpretation

In this Part, unless the context otherwise requires,—

6-month transition period means the period beginning on the commencement date and ending on the date that is 6 months after the commencement date

commencement date means the date on which this Act comes into force

Rocket Lab agreement means the agreement dated 16 September 2016 between Her Majesty the Queen in right of New Zealand acting by and through the Minister for Economic Development and Rocket Lab NZ and Rocket Lab USA

Rocket Lab NZ means Rocket Lab Limited (company number 1835428) incorporated in New Zealand under the Companies Act 1993

Rocket Lab USA means Rocket Lab USA, a corporation incorporated in the United States of America.

Schedule 1 clause 1: amended, on 29 July 2025, by section 25(1) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

2 Rocket Lab agreement treated as launch licence

(1) The Rocket Lab agreement is to be treated as a launch licence issued under this Act.

(2) The launch licence referred to in subclause (1) expires,—

(a) if Rocket Lab NZ or Rocket Lab USA makes an application for a launch licence under section 8 before the expiry of the 6-month transition period, on the date on which the Minister grants or declines to grant a licence under section 9; or

(b) on the expiry of the 6-month transition period.

3 Transitional period for payloads launched under Rocket Lab agreement

Nothing in this Act applies to a person who, whether before or after the expiry of the 6-month transition period, launches, or procures the launch of, a payload that is intended to reach outer space if—

(a) the Rocket Lab agreement applies to the payload; and

(b) confirmation has been given, within 6 months after the commencement date, that no determination will be made in respect of the payload under clause 3.4 of the Rocket Lab agreement.

4 Rocket Lab agreement treated as facility licence

(1) The Rocket Lab agreement is to be treated as a facility licence issued under this Act.

(2) The facility licence referred to in subclause (1) expires,—

(a) if Rocket Lab NZ or Rocket Lab USA makes an application for a facility licence under section 39 before the expiry of the 6-month transition period, on the date on which the Minister grants or declines to grant a licence under section 40; or

(b) on the expiry of the 6-month transition period.

5 Segregated areas to be treated as security areas

(1) This clause applies to any area that was, immediately before this clause came into force, a segregated area within the meaning of the Rocket Lab agreement.

(2) On and after the date on which this clause comes into force, and until revoked by the Minister, the segregated area is to be treated as if it were a segregated area declared by the Minister under this Act.

6 Recognition of pre-commencement actions and processes in relation to high-altitude vehicle licences

Any action or process undertaken before the commencement date by the Minister or any other person may be taken into account by the Minister in issuing a high-altitude licence on or after the commencement date if the action or process substantially complies with the provisions of the Act.

7 Pre-commencement consultation relating to regulations

Section 88(3)(a) is satisfied in relation to any regulations if action of the kind described in that provision was taken before the commencement of section 88 for the purpose of facilitating the making of the regulations.

Part 2
Provisions relating to Outer Space and High-altitude Activities Amendment Act 2025

Schedule 1 Part 2: inserted, on 29 July 2025, by section 25(2)(a) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

8 Interpretation

In this Part,—

amendment Act means the Outer Space and High-altitude Activities Amendment Act 2025

transition period means the period beginning on 29 July 2025 and ending immediately before the earlier of—

(a) the commencement date of the first regulations made under section 88 for the purposes of subpart 6A of Part 2 of this Act (which relates to ground-based space infrastructure); and

(b) 29 July 2026.

Schedule 1 clause 8: inserted, on 29 July 2025, by section 25(2)(a) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

9 Transitional authorisation for GBSI activities

(1) During the transition period, a person who operates ground-based space infrastructure to carry out a regulated activity must be treated as having been granted a GBSI activity authorisation for the operation of the GBSI for the activity.

(2) However, the following do not apply to an authorisation under subclause (1):

(a) section 49D(1)(d) to (f):

(b) section 49E (except for section 49E(1)(c)(iii) if the revocation, variation, or suspension is on national security grounds).

(3) An authorisation under subclause (1) ends at the close of the transition period, unless—

(a) it is revoked earlier under section 49E(1)(c)(iii) on national security grounds; or

(b) before the close of the transition period, the person ceases to operate GBSI to carry out a regulated activity.

Schedule 1 clause 9: inserted, on 29 July 2025, by section 25(2)(a) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

10 Pre-commencement consultation relating to regulations

Paragraph (a) of section 88(3) is satisfied in relation to any regulations made under section 88(1)(5), (13A), (13B), (13C), or (24) as inserted or amended by the amendment Act if action of the kind described in that paragraph was taken before 29 July 2025 for the purpose of facilitating the making of the regulations.

Schedule 1 clause 10: inserted, on 29 July 2025, by section 25(2)(a) of the Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38).

Schedule 2
Amendment to Search and Surveillance Act 2012

s 90

Outer Space and High-altitude Activities Act 2017	60	Powers of enforcement officers	Subparts 1, 4, 5, 6, 7, 9, and 10 (except for sections 118 and 119)
	61	Provisions relating to entry to dwellinghouse or marae	Subparts 1, 3, 4, 5, 7, 9, and 10 (except that sections 118 and 119 apply only in respect of warrant issued to a named constable or to every constable)

Notes

1 General

This is a consolidation of the Outer Space and High-altitude Activities Act 2017 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 Legal status

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 Editorial and format changes

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 Amendments incorporated in this consolidation

Outer Space and High-altitude Activities Amendment Act 2025 (2025 No 38): Part 1

Civil Aviation Act 2023 (2023 No 10): section 486

Security Information in Proceedings (Repeals and Amendments) Act 2022 (2022 No 72): section 102

Secondary Legislation Act 2021 (2021 No 7): section 3

Public Service Act 2020 (2020 No 40): section 135

Privacy Act 2020 (2020 No 31): section 217

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