REGULATION ON AUTHORIZATION PROCEDURES FOR THE OPERATION OF SPACE LAUNCHING ACTIVITIES
IN THE BRAZILIAN TERRITORY

CHAPTER I
GENERAL PROVISIONS

Art. 1 - The Brazilian Space Agency - AEB, a federal authority, with a civil nature, created by Law 8.854,
of February 10, 1994, is responsible for issuing authorization for space launch operations in Brazil, as
well as its control, monitoring and inspection.

§ 1. Space launch is the operation of placing or attempting to place a launch vehicle and its payload into
a suborbital trajectory, in space orbit, or any other orbit in outer space.

§ 2. The provisions of these Regulations do not apply to space launches that may be carried out by
Brazilian governmental bodies or entities. Ministry of Science and Technology.

Art. 2 - Authorization is an administrative act of competence of AEB, granted by Resolution of its
Superior Council, for operation of a specific space launch in the Brazilian territory, according to the
conditions established in this Regulation and in the legislation in force. Single paragraph. At AEB’s
discretion, the authorization may contain restrictive or conditional clauses.

Art. 3 - A License for space launching activities is a requirement to formalize the application and grant
authorization.

Art. 4 - Authorization requires the licensee to contract insurance to cover damages caused to third
parties, arising from the respective space launch, in amounts established by the AEB.

§ 1. Responsibility for damages arising from space launch shall be governed by the International Treaties
and Conventions regulating space activities, of which Brazil is a signatory, and by other applicable rules,
without prejudice to any agreements between the parties regarding the financial obligations for which
they are responsible.

§ 2. Damage shall be considered to include: loss of life, injury or other damage to the health of persons,
loss of State property, physical or legal persons, including international intergovernmental
organizations, as well as damage to the environment.

Art. 5 - Authorization will be granted for defined periods, case by case, according to the technical
necessities inherent to the respective space launch.

§ 1. The licensee shall submit detailed documentation for the proposed launch operation, as provided in
paragraph 2 of art. 9 of these Regulations, in strict compliance with the safety standards established by
AEB and its Launch Center.

§ 2. The space launch shall occur during the period of validity of the license granted for the execution of
space activities in the Brazilian territory.

Art. 6 - Each authorization shall have an identification number for control, monitoring and inspection
purposes.
Art. 7 - The space launch shall be controlled, monitored and supervised by AEB.

§ 1. The AEB is authorized to enter into agreements with public or private bodies or entities or contracts with third parties to provide specialized technical services, in accordance with applicable legislation.

§ 2. AEB shall keep confidential the information obtained as a result of its supervision and shall undertake a commitment with the authorized party, its associates, its consortium members, contractors, not to disclose them to third parties or to allow any organ, public entity or private contracted or contracted to do so.

Article 8 - The President of AEB, after consulting the Department of Research and Development - DEPED, of the Aeronautics Command of the Ministry of Defense, shall appoint a representative to coordinate each authorized space launch, which may:

I - interrupt, at any moment, the launch procedures when any safety standard or that established for its operation has not been complied with; and

II - propose the application of penalties as long as it establishes irregularities, persistent errors or failures, or conflict with security regulations or public order.

§ 1. The representative shall note in his own record all occurrences of such behavior of the authorized party in relation to the launch under his supervision.

§ 2. Decisions or measures that exceed the authority of the representative shall be proposed to the competent authorities of the AEB in a timely manner to allow for appropriate measures to be adopted.

CHAPTER II

AUTHORIZATION PROCEDURE

Art. 9º. - The authorization procedure will be initiated with the opening of an administrative process, duly countersigned, filed and numbered, containing the application and documentation submitted by the licensee, to which the other pertinent articles and documents will be added in a timely manner.

§ 1. The licensee must file its application with AEB, observing a minimum term of 120 (one hundred and twenty) days before the date scheduled for launch.

§ 2. The application shall contain a brief and clear description of the purpose of the authorization sought, accompanied by the following documents:

I - draft of the launch services contract to be signed by the licensee;

II - launch plan containing orbital data, trajectory and respective schedule;

III - description of the launch vehicle, detailing the propellants to be used in each of its stages;

IV - description of payloads, explaining their use and indicating owners;

V - list of legal entities involved in the launch and their attributions;

VI - proof of contracting insurance for the launch operation;

VII - proof of payment of the fees;
§ 3. The documents that inform the application must be presented in Portuguese, or in their original language, duly authenticated and accompanied by a translation by a certified (“juramentado”) translator.

Article 10. - The documentation shall be previously examined by the representative appointed by the AEB to supervise the corresponding licensing activities, which shall prepare a detailed report, within a maximum period of 25 (twenty-five) consecutive days after receiving the process.

§ 1. For each authorization, measures will be adopted in collaboration with the competent body for purposes of an environmental impact assessment.

§ 2. The officials of the AEB departments shall support the work of their representative.

§ 3. It will be the responsibility of the Regulation and Licensing Board - DNL to act as technical secretary, as well as to adopt measures for the accomplishment of the tasks.

§ 4. When the applicant fails to comply with the aforementioned measures within 30 (thirty) days after its notification, the administrative process will be automatically terminated.

§ 5. After the report provided for in the main clause of this article has been prepared, the process will be submitted to the Regulation and Licensing Board - DNL and, depending on the needs of each case, to other AEB bodies, according to their respective competencies, for a maximum period of thirty (30) consecutive days.

§ 6. After review by the Regulation and Licensing Board - DNL, the process, duly instructed, will be sent to the President of AEB who will submit it to the Superior Council for deliberation in the first subsequent meeting.

Article 11. - Authorization shall be issued within a period of up to fifteen (15) consecutive days after the date of its approval by the Superior Council.

CHAPTER III

ADMINISTRATIVE PENALTIES

Art. 12. - In the event of violation of any of the provisions of these Regulations, AEB may subject the offender to the following penalties, ensuring adversarial and ample defense:

I - warning;

II - temporary suspension of authorization;

III - revocation of authorization.

§ 1. The application of penalties will not exempt the authorized person from civil and criminal liability.

§ 2. Application of the penalties provided for in this article shall be decided by the Superior Council, and the President of the AEB, ad referendum of the Council, may apply them in case of urgency.

§ 3. For the application of penalties, the seriousness of the infraction will be taken into account, through determinations in the administrative process.
Article 13. - The authorization may be suspended or revoked:

I - in cases where any previously established rule has not been complied with;

II - when the space launch campaign is being carried out in a manner different from the authorized one.

III - when the License is suspended or revoked;

CHAPTER IV

ADMINISTRATIVE RESOURCES

Art. 14. - AEB will be subject to appeals for decisions denying the concession of, or modifying launch authorization, or those that determine its suspension and revocation or, also, that impose any penalties, within a period of 15 (fifteen) consecutive days, from the date of the summons of the applicant.

Single paragraph. The appeal shall be addressed to the President of AEB, through the entity that carried out the action being appealed, which may reconsider the decision, within a period of 15 (fifteen) consecutive days, or, within that same period, refer it to the Superior Council, duly instructed, in which case the decision shall be rendered within fifteen (15) consecutive days, counted from the receipt of the process.

Art. 15. The summons of the appeals referred to in art. 14 shall be published in the Official Gazette of the Union (federal register) or, if the representative of the interested party is present, by direct communication.

CHAPTER V

FINAL PROVISIONS

Article 16. - The decisions related to the authorization and the penalties provided for in art. 12 of this Regulation shall be formalized by means of a Resolution of the Superior Council, published in the Official Gazette of the Union.

Art. 17. - The President of AEB shall establish the reference values for the collection of fees for granting the authorization, by means of an Order published in the Official Gazette of the Union.

Article 18. - AEB will keep a register for the purpose of recording the authorizations.

Article 19. - The AEB will create and maintain a register of space objects launched into outer space from the Brazilian territory.

§ 1 For registration purposes, the term "space object" includes the launch vehicle, its component parts and the payload.

§ 2 The following information on the space object shall be recorded in the Registry:

I - name of the launching State or States;

II - designation and general function of the space object;

III - date, time and place of launch;
IV - basic orbital parameters, including: nodal period, inclination, apogee and perigee;

V - owner information and additional information requested.

§ 3. Any change in the data contained in the Registry shall be communicated to the AEB, especially if related to the orbital parameters and the return or destruction of the space object.

§ 4. The registration data are public, and upon formal request of the interested party and proof of payment of the fees determined by AEB, a certificate of its contents may be issued.

Art. 20. In order to resolve any and all controversy arising from the matter dealt with in this Regulation, the Federal Justice Forum of Brasília - DF is established. (Of El. No. 74/2002).