

Terms of Reference

Workshops on the Regulation of Space Activities and Technologies (WRegSAT)

Background

The Workshops on the Regulation of Space Activities and Technologies (WRegSAT) are a groundbreaking initiative at the forefront of space governance research to address the complex challenges and opportunities presented by Australia's rapidly evolving space industry and the opportunities for Australia in the global space industry. WRegSAT consists of annual series of workshops, each series comprising three workshops, that bring together a multi-disciplinary team of experts to examine pressing regulatory issues in the space sector. Each series will focus on a specific regulatory challenge, culminating in the production of a Regulatory Options Paper (ROP). The ROP are intended to serve as valuable resources for policymakers and other stakeholders, offering insights and regulatory options to help inform Australia's evolving framework for the regulation of space activities.

By fostering interdisciplinary collaboration and engaging a broad range of stakeholders, WRegSAT aims to develop regulatory options that ensure safety and sustainability, support innovation, foster commercial success, align with national security priorities, balance the interests of the broader public and meet or exceed global standards. This initiative positions Australia to play a significant role in shaping the future of space activities, ensuring that its regulatory framework not only remains competitive on the global stage, but represents a global exemplar.

Purpose

1. Purpose and Objectives

1.1 Purpose

The WRegSAT series aim to facilitate Australia's role in a sustainable and responsible global space industry by researching, and developing options for, the evolution of an efficient and effective regulatory framework for space activities conducted in Australia and by Australians.

1.2 Objectives

- To conduct an annual series of regulatory workshops on a focused issue currently or prospectively impacting the Australian space community.
- To produce a Regulatory Options Paper (ROP) at the end of each series of workshops.

This task will be led by the following values:

1. **Informing a Future-Oriented Regulatory Framework:** The workshops aim to inform a regulatory framework that is adaptable to future challenges and technological advancements. This involves anticipating emerging trends in the space industry and ensuring that regulations can evolve alongside them and considering the environmental, safety and security aspects of space activities.
2. **Promoting Sustainable Practices:** Recalling historical experience of the use of resources on planet Earth, and the typically long time-horizon of activities and their impact in the space domain, a core objective of the workshops is to integrate sustainability into the heart of space regulations. This includes addressing issues such as space debris, orbital congestion, and environmental impacts while ensuring that the benefits of the space domain may equally, if not more greatly, be enjoyed by the next and all future generations.
3. **Encouraging Innovation and Competitiveness:** The workshops seek to foster a regulatory environment that supports innovation and competitiveness by

Australian space actors in the global market and to inform a regulatory framework that provides regulatory certainty.

4. **Ensuring National Security and Compliance:** The workshops also focus on aligning Australia's space regulations with national security priorities and international agreements. This includes informing regulations that protect Australia's strategic interests, while complying with global norms.
5. **Facilitating Stakeholder Collaboration:** The workshops aim to engage a wide range of stakeholders, including government agencies, private companies, academic institutions, civil society and international partners, to ensure that the regulatory framework is comprehensive, inclusive and reflects the interests and concerns of the broader Australian space community, beyond just the space industry.
7. **Independence:** The output of the Workshops as a research-led collaboration will be independent of the agendas of any one individual stakeholder or group or group of stakeholders.
8. **Draw on Unique Australian Perspectives:** Seek out the unique contributions that Australia can make to the regulation of space activities and technologies everywhere, drawing especially on First Nations Peoples' experience, expertise and perspectives in all our work.
9. **Meeting or Exceeding International Best Practice:** Where appropriate, in light of the objectives above, the regulatory options proposed should enable Australia's regulatory framework for space activities to meet, and if necessary, exceed international best practice.
10. **Influence External Regulatory Frameworks:** Develop regulatory exemplars to influence the international and transnational regulatory frameworks applicable to Australian space activities and technologies.

Sponsorship

2. Sponsorship

2.1 Collaboration between ACSG and Sponsors of a WRegSAT Series

The WRegSAT series are an initiative of the Australian Centre for Space Governance (ACSG), undertaken in collaboration with the sponsor of each series, and only made possible by the generous commitment of funding, as well as people and other resources by the sponsor. The ACSG expects that all persons involved would participate substantially for the benefit of the Australian space community, although not necessarily solely for that purpose. The ACSG expects that the participation of relevant, experienced and leading industry participants and academic experts, together with the participation of the Australian Space Agency and other relevant government entities (as observers only), will give WRegSAT a high level of gravitas and respect, and that all participants will do their utmost to maintain that gravitas and respect. WRegSAT offers prospective sponsors the opportunity to connect and demonstrate value broadly throughout the Australian space community in the context of that gravitas and respect. Respectful participation in WRegSAT will also support a mutual exchange of knowledge and experience, thereby developing the capability of all involved. It is the commitment to that context that will draw the ACSG and sponsors together to collaborate for the benefit of the Australian space community.

The ACSG will begin to approach sponsors for future series as soon as the time of the first workshop in a current series, and will seek to settle a sponsorship agreement not later than three months prior to the first workshop in a series.

2.2 Resources Required

While a large portion of the resources sought from a sponsor will be in the form of funds (covered further below), sponsors should also bring practical expertise, knowledge and

experience, a client-focussed approach to the professional delivery of services, as well as their networks.

Funds will be sought to cover:

- interstate travel and local transport, accommodation and meal expenses for those participants actively participating in research as part of WRegSAT;
- costs of each workshop itself, which may include venue costs (where a participating university is unable to provide a suitable venue) and catering;
- desktop research time for each academic workshop participant; and
- research assistance for the Deputy Chair, including for logistics and administration in preparation for, during and after each workshop, making and distributing workshop reports, information management, digital facilitation of collaborative work, editorial work, recruiting and managing a research assistant.

2.3 Relative Responsibilities

Either the ACSG itself, or an ACSG participating university will take management responsibility for the legal relationship with the sponsor and for logistics and administration for WRegSAT series. The managing institution will select the Deputy Chair. The Deputy Chair will provide an account of the expenditure of sponsorship funds to the sponsor prior to the end of the term of a sponsorship agreement, or before the commencement of a new series – whichever comes sooner. Except to the extent specified in the sponsorship agreement, the sponsor will not direct the use of the sponsorship funds and is not responsible for any aspect of the logistics and administration of a WRegSAT series. Nevertheless, the managing institution will keep the sponsor informed of logistic and administrative arrangements and will consult with the sponsor on request.

2.4 Sponsorship Tiers

The ACSG, through the managing institution, will seek sponsorship by reference to tiers. Such tiers will be differentiated by reference to at least the following: the extent to which all the expenses of the workshops for a series are covered, exclusivity, selection

of the Chair, association of the series with the sponsor, and initiation of associated events.

Wherever possible, the ACSG will prefer a single sponsor for a series.

Structure

3.1 Workshop Structure

- The WRegSAT model involves 15 – 20 invited experts participating in closed workshops.
- The goal is to produce a Regulatory Options Paper (ROP) on a focused regulatory issue significantly impacting diverse stakeholders in the space community, now or in the near future.
- Workshops will be held three times per year, each lasting one or two days.
- Inter-sessional work will be required for academic participants, select staff from the sponsoring organisation, and other key participants.

3.2 Phases

- **Preparation:** Identification of key topics, selection of participants, and distribution of preparatory materials. Occurs prior to the commencement of the first workshop in a series.
- **Execution:** Conduct of workshops, documentation of discussions, and identification of actionable items.
- **Reporting:** Compilation of workshop outcomes and recommendations into a Regulatory Options Paper (ROP), plus dissemination and promotion of the ROP and

delivery of a presentation to the Australian Space Agency and other interested parties on the workshop outcomes

3.3 Inter-sessional Work

- Inter-sessional work will involve deep research and report writing by participants, including select staff from the sponsor, and other experts who agree to commit time to inter-sessional work.
- Observers will not be asked to participate to inter-sessional work.

3.4 Focus and Deliverables

- Over the course of a year, WRegSAT will maintain a focus on a particular issue.
- At the end of a series of workshops, a Regulatory Options Paper (ROP) will be delivered to the Australian Space Agency and other interested parties, including other government entities where relevant.
- The Deputy Chair will also arrange a presentation to the Australian Space Agency and other interested parties.

3.5 Frequency

Workshops will be held three times per year, with dates settled by the Chair and Deputy Chair, in consultation with participants.

3.6 Documentation

The Deputy Chair will manage the keeping of a succinct record of discussion during the workshops and documentation of key outcomes of each workshop, and their dissemination to all participants.

3.7 Consultation

The Regulatory Challenge document and supporting documents will be publicised and made available to interested parties. Feedback will be welcomed. Written feedback and enquiries will be triaged through the Research Officer.

While a consultative approach is a stated objective of WRegSAT, there is no formalised consultation process. Rather, the success of WRegSAT relies on experts informally leveraging their professional networks to collaborate with industry. The workshops remain invitation only. Each of the academics will be encouraged to go beyond a desktop study to conduct primary research, including by engaging with relevant stakeholders during their intersessional work.

Roles of Individual Participants

4.1 Chair

Usually provided by the sponsor, or selected by the Steering Committee of the ACSG by exception, this person oversees the workshops, ensures adherence to the agenda, and facilitates discussions. The Chair may, at their discretion, include other staff from the sponsor in the workshops.

- Agrees the focus area for each workshop series in consultation with the Deputy Chair.
- Sets the agenda and objectives for each workshop.
- Facilitates discussions and ensures balanced participation.
- Ensures clear outcomes.
- Ultimately responsible for the completion of the ROP for a series, and the presentation to the Australian Space Agency and other interested parties.

4.2 Deputy Chair

A member of the Steering Committee or an Affiliate of the Australian Centre for Space Governance (ACSG), responsible for managing logistics and administration, and supports the Chair.

- Manages logistics and administration.
- Manages the relationship between the Sponsor and the ACSG.
- Supports the Chair in all responsibilities.
- Takes over the Chair's duties in their absence.
- Consults with the Chair on the inclusion of operational and other relevant experts, as well as observers.
- Summarises key points and allocation of tasks.
- Manages keeping of a record of each workshop and documentation of outcomes.

4.3 Experts

Experts will be drawn predominantly from the Steering Committee and Affiliates of the ACSG, along with relevant operational experts and other relevant experts sourced through various channels.

The Deputy Chair, in consultation with the Chair, will seek participation from relevant operational experts, either approaching individuals directly, or through organisations such as the Space Industry Association of Australia (SIAA) and the Space Law Council of Australia. The Deputy Chair will provide a list of proposed participants to the Steering Committee of the ACSG at least one month prior to finalising the list.

Participants will be selected based on their expertise, experience, and ability to contribute to the objectives of the workshops having regard to the focus area of the relevant series. Diversity and representation from various sectors will be ensured.

Participants will be asked to:

- commit to attendance at workshops;
- provide specialised knowledge and insights;
- participate in discussions and contribute to the development of regulatory options;
- and
- undertake intersessional research allocated by the Chair or Deputy Chair.

4.4 Observers

Observers are representatives from relevant organizations, especially government bodies with responsibility for or interest in the focus area of the relevant series, who may suggest useful sources for research, but not influence the work directly.

Representatives from the Office of the Space Regulator in the Australian Space Agency will especially be sought to participate in the workshop series as observers. However, to ensure the independence of this initiative, while Australian Space Agency representatives may provide high level input and responses to issues raised through the workshops, they will not contribute to, or otherwise seek to influence, the development of the Regulatory Options Paper. Accordingly, the work of WRegSAT, including any associated recommendations or outputs, is not endorsed by the Australian Space Agency or the Australian Government.

Observers will be asked to:

- attend workshops to gain insights and provide feedback to their organisations; and
- suggest useful sources for research;

- but will not participate in decision-making processes.

Conflicts of Interest

5. Management of Conflicts of Interest

A conflict of interest, for the purposes of these Terms of Reference is any interest that may operate contrary to the purpose and objectives of WRegSAT stated above.

5.1 Declaration

All participants must declare any actual conflict of interest, or reasonably foreseeable perception of a conflict of interest, as soon as such conflict of interest, or perception of a conflict of interest, becomes apparent, within one month prior to any WRegSAT workshop.

5.2 Resolution

Conflicts of interest will be managed by ensuring transparency and, where considered reasonably necessary by the impacted participant, the Chair and/or the Deputy Chair, by recusal from certain discussions or decisions.

The Regulatory Options Paper shall include a supplementary document that lists any declarations and shows how conflicts of interest were managed.

In the event of any uncertainty about the existence and appropriate resolution of a conflict of interest, the Deputy Chair will consult with an ethics expert from the Law Society in her, his or their state or territory.

Meeting Process

6.1 Decision-Making

The Chair shall call for a decision on matters affecting the regulatory options presented in the ROP, but need not call for a decision on matters of detail, such as the manner of articulation of the ROP. The Chair may call for decisions on other matters.

Decisions will be made by consensus where possible. If the Chair reaches the conclusion that a consensus cannot be reached, then a majority vote will decide. This will be reflected in the meeting record, and where relevant, in the ROP.

6.2 Preparation

- Ensure clear objectives and an agenda are set and communicated in advance (Deputy Chair).
- Distribute preparatory materials to participants to facilitate informed discussions (Deputy Chair).
- Arrange the venue to support productive and comfortable interactions (Deputy Chair).

6.3 Facilitation

- The Chair should facilitate balanced participation, ensuring all voices are heard (Chair).
- Encourage open, respectful, and constructive dialogue among participants (Chair).
- Keep discussions focused on the agenda and objectives (Chair).

6.4 Documentation

- Accurately document key points, decisions, and action items (Deputy Chair).
- Summarise discussions and ensure clarity on next steps and responsibilities (Deputy Chair).
- Share minutes and key outcomes promptly with all participants (Deputy Chair).

6.5 Follow-Up

- Ensure timely follow-up on action items and inter-sessional work (Deputy Chair).
- Maintain communication with participants to keep them engaged and informed (Deputy Chair).
- Prepare and distribute the Regulatory Options Paper (ROP) as planned (Chair).

Intellectual Property

6.1 Ownership

Any intellectual property generated during the workshops will be owned by the managing institution.

6.2 Usage Rights

Participants retain existing intellectual property rights over background material, but grant a licence for the use of such material for the purpose of WRegSAT.

Participants will have the right to use the outcomes of the workshops for non-commercial purposes, with appropriate acknowledgment, subject to control over publicity, as specified below.

The sponsor has a perpetual licence to use the IP relating to each WRegSAT series that it sponsors.

Publicity

7.1 Public Announcements

All public announcements, press releases, or public statements regarding the workshops and their outcomes must be coordinated through the Chair and Deputy Chair.

7.2 Approval Process

Any participant wishing to make a public statement regarding the workshops must seek approval from the Chair and Deputy Chair before proceeding.

7.3 Confidentiality

Participants must maintain confidentiality regarding the discussions and outcomes of the workshops until an official announcement is made.

7.4 Media Interaction

The Chair, in consultation with the Deputy Chair, will handle all interactions with the media to ensure consistent and accurate representation of the workshops and their objectives.

Administration and Logistics

8.1 Venue

Workshops will be held at a suitable venue with necessary facilities to support effective discussions. The Deputy Chair will manage securing a venue and will consult with the Chair on the selection of a venue.

8.2 Funding

The Deputy Chair will manage the administration of funds to cover all the expenses of a WRegSAT series, including reimbursement of travel, accommodation and meal costs of experts actively participating in intersessional work, and including the payment of research fees to those eligible participants.

8.3 Secretariat

The Deputy Chair will engage a Research Assistant(s) who will act, through the Deputy Chair, as the secretariat for a WRegSAT series. The secretariat will handle all administrative tasks, including scheduling, communication, and documentation, unless directed otherwise by the Deputy Chair, in consultation with the Chair.

Precedence

9. Relationship between these Terms of Reference, the Sponsorship Agreement and Sub-contracts with Participating Organisations

In the event of any apparent inconsistency between these Terms of Reference and the Sponsorship Agreement for a series, or the Sub-contracts with Participating Organisations, wherever possible these Terms of References should be interpreted narrowly and consistently with the latter, and if that is not possible, the latter shall prevail.

Amendment of these Terms of Reference

10. Amendment

This Terms of Reference may be amended, varied or modified in writing where agreed by a majority of the members of the Steering Committee of the ACSG, by agreement with current sponsors, and also with any prospective sponsors, with the extent of such consultations being relative to the extent of current negotiations with a prospective sponsor.

