



COVERSHEET

Minister	Hon Judith Collins, KC	Portfolio	Space
Title of Cabinet paper	Approval to amend Outer Space and High-altitude Activities (Licences and Permits) Regulations 2017	Date to be published	24 February 2026

List of documents that have been proactively released		
Date	Title	Author
February 2026	Approval to amend Outer Space and High-altitude Activities (Licences and Permits) Regulations 2017	Office of the Minister for Space
18 February 2026	Outer Space and High-altitude Activities (Licences and Permits) Regulations 2017: Proposed Amendments ECO-26-MIN-0013 Minute	Cabinet Office

Information redacted

YES

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Some information has been withheld for the reason of legal professional privilege.

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Office of the Minister for Space

Cabinet Economic Policy Committee

Approval to amend Outer Space and High-altitude Activities (Licences and Permits) Regulations 2017

Proposal

- 1 This paper seeks agreement to proposed amendments to the Outer Space and High-altitude Activities (Licences and Permits) Regulations 2017 to set application requirements for authorising ground-based space infrastructure (GBSI) under the new regime established by the Outer Space and High-altitude Activities Amendment Act 2025, and approval for Parliamentary Counsel Office to draft.

Relation to government priorities

- 2 This proposal supports the Government's objective to establish a world-leading regulatory environment for space, as set out in the New Zealand Space and Advanced Aviation Strategy. It aligns with national security objectives including acting early to prevent national security threats and build New Zealand's resilience.

Executive Summary

- 3 The Outer Space and High-altitude Activities Amendment Act 2025 established a new authorisation regime for ground-based space infrastructure (GBSI). This paper seeks Cabinet agreement to application and reporting requirements for GBSI that would be set out in regulations, and approval to instruct the Parliamentary Counsel Office to draft the necessary regulations, which will come into force on 29 July 2026.
- 4 The proposed policy approach is that regulations should:
 - 4.1 Minimise compliance costs while managing risks.
 - 4.2 Apply the same general requirements and applicant information to GBSI authorisations as for other licences and permits under the same Act.
 - 4.3 Introduce a schedule in the regulations that sets out specific information required for applications, this includes a description of the GBSI, information about the activities it will perform and if the activity is being carried out on behalf of or for the benefit of another person (a partner) – information about that person.
 - 4.4 Require partner information to be updated periodically, with the frequency specified in conditions on the authorisation.
- 5 The proposed policy approach for the regulations was consulted on with over 20 sector stakeholders, including current and potential operators, telecommunication companies, and related businesses. Six stakeholders provided substantive

submissions. Overall, submitters supported the proportionate approach set out in the proposals and highlighted the importance of clear guidance on key concepts.

- 6 I propose the making of regulations that implement the proposals that were consulted on with minor changes. One submitter noted that partner information may be subject to confidentiality agreements and highlighted the need for protocols to protect this information. To address this, Officials will develop protocols for managing confidential information supplied in the course of obtaining and maintaining an authorisation.

Background

- 7 The Outer Space and High-altitude Activities Amendment Act 2025 came into force on 29 July 2025. This legislative change expanded the scope of regulatory oversight under the Outer Space and High-altitude Activities Act 2017 to include ground-based space infrastructure (GBSI).
- 8 To ensure continuity of operations while regulatory settings are developed, existing GBSI operators are currently operating under transitional authorisations. These authorisations remain valid until 29 July 2026 or until the proposed regulations come into force, whichever occurs first. The transitional regime provides a temporary legal framework that enables oversight while allowing time for consultation and policy development of the regulations.
- 9 Targeted consultation on a discussion document that set out the proposed regulations was undertaken with key industry stakeholders. This consultation focused on understanding the impact of these changes on operators and ensuring the regime's regulations are fit for purpose.
- 10 Over 20 current and potential operators were contacted to provide feedback, with six responding substantively. Feedback received through this process was in support of the proposed regulations and included responses from New Zealand operators, interested overseas parties, telecommunication companies, and related businesses. Further information on the outcomes of the consultation is detailed in this paper.
- 11 The proposed regulatory framework for GBSI will be implemented through amendments to the Outer Space and High-altitude Activities (Licences and Permits) Regulations 2017. These amendments will establish the specific authorisation requirements for GBSI activities.

Analysis

Application Requirements

- 12 I propose applying the general requirements in regulations 5 and 6 of the Outer Space and High-altitude Activities (Licences and Permits) Regulations 2017 to GBSI authorisations. These require applications to be in writing and in English and to be lodged by post or by electronic means. Applications must contain the information prescribed in the regulations and include a statement that confirms that the contents of the application are true and accurate. They must also be signed and dated.

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- 13 I also propose extending to GBSI authorisations the obligation in regulation 14 to notify the Minister of any new information, or of any material changes to the information, that arise before the application is dealt with.
- 14 Schedule 2 of the OSHAA (Licences and Permits) Regulations 2017 sets out the applicant information that is required to be provided for any licence or permit. I propose that GBSI operators be required to provide the same information. This information is necessary to operationalise the regime and to identify national security risks and other risks to national interests.
- 15 One stakeholder submitted feedback on this proposed requirement, noting that if only the information in Schedule 2 was required, and not information about shareholders in a parent company, there was no concern with the proposal. Schedule 2 requires details about the shareholding of the applicant company, but not of its parent company where the applicant is a subsidiary. On this basis, stakeholders were comfortable with the proposed information requirements.
- 16 Consistently with the structure of the rest of the regulations, the remaining information that will be required to be provided will be included in a new schedule that is specific to GBSI. This information is necessary to assess risks to national security and other risks to national interest and to define the activities covered by the GBSI authorisation. I propose to require the following information: -
- 16.1 A description of the GBSI that includes:
- The location of the GBSI and,
 - the nature of the technology (e.g. radio, optical) and the equipment that is being used.
- 16.2 A description of the activities that will be performed by the GBSI.
- 17 The nature of the information referred in 16.2 above will depend upon on whether the operator is operating the ground station to carry out their own activities or whether they are operating the ground station on behalf of or for the benefit of another person.
- 17.1 Where the GBSI is being employed to support the operator's regulated activities, the information that will be required will be a description of those activities, including a description of the space object or objects with which it is communicating, identifying or surveilling and the activity or activities being carried out by that space object or objects (e.g. commercial remote sensing).
- 17.2 Where the GBSI is being operated in connection with a research collaboration, the information required will be partner identity information, a description of the purpose(s) of the collaboration and a description of the regulated activities that the operator is carrying out on behalf of the researcher and any person with whom the researcher collaborates.
- 17.3 Where the GBSI is being operated on behalf of another person or persons (for example the provision of commercial ground station services to partners), information required to be provided will include partner identity information,

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and a description of the regulated activities that are being carried out on behalf of that person, or persons.

- 18 It is proposed that the ‘partner identity information’ that will need to be provided will be, in the case of an individual, the name and nationality of the partner (for example a research collaborator or customer) and country in which the partner or partners are based. In the case of a body corporate, this would be its name, contact details, legal form, registered office address, unique identification number and the place of its incorporation. In the case of an entity that is neither an individual or a body corporate, this would be its name, contact details, legal form, address of registered office or principal place of business.
- 19 One stakeholder submitted that there is a need for clarity about the level of detail required in the description of the GBSI and the nature of the activities so far as they relate to partners. I consider the proposals above are clear about what is required, and officials will work with the Parliamentary Counsel Office to ensure the drafting of the regulations provides the necessary clarity.
- 20 On the activities of partners, the submitter suggested that the information required should only be the nature of the regulated activity that is being carried out (i.e. whether it is tracking the space object, providing telemetry or controlling the space object). In the context of the provision of ground station services, this is a reasonable approach given the information gathering power in section 50 of the Act which can be used if the initial information in the application suggests there could be national security or other concerns. Accordingly, the regulations will clarify that this is the level of information that needs to be provided.
- 21 Two stakeholder submissions noted the confidentiality of partner information, with one noting that they often had confidentiality agreements with their customers. The submission noted the need for protocols to protect the confidentiality of this information and to ensure it is used only for the purpose of the regulatory authorisations. I agree that this information is likely to be commercially sensitive and needs to be treated as confidential.
- 22 Officials acknowledge the confidentiality of partner information and will put in place protocols to protect the confidentiality of the information. These will be designed to ensure that confidential information, such as partner information, can only be used and disclosed to a public service agency for the purpose of, or in connection with, the management of national interest including national security, and, if the receiving agency is the New Zealand Security Intelligence Service or the Government Communications Security Bureau, for the performance of their functions under the Intelligence and Security Act 2017.

Reporting requirements

- 23 The Act requires an annual report confirming that the operator continues to have protective security arrangements that meet the requirements of the Act, that they have either partner due diligence arrangements that meet the statutory requirements in place or do not have (and do not intend to have) partners, and that the information contained in the application (or most recent update) is correct.

- 24 In the discussion document it was proposed that there should be requirements to update information, (perhaps quarterly in the case of partner information) and that these requirements should be included as authorisation conditions rather than being prescribed in regulations, which would allow the condition to be tailored to the operator and make it easier to change if the requirement proved to be unnecessarily onerous. One submitter suggested that a requirement for quarterly reporting was unnecessarily onerous for operators of ground stations services and suggested annual reporting would suffice. The same submitter also suggested that the frequency of reporting should be based on risk.
- 25 Officials agree that risk, as well as the frequency at which partners change, are relevant considerations in determining how regularly the information should be updated. I propose that the Minister determine the frequency of reporting as part of the decision on authorisation conditions rather than a fixed period being prescribed by regulations.
- 26 One submitter suggested that operators should only be required to update information if there has been a change, and that no report should be necessary when partner information remains unchanged. However, I consider it is necessary for a report to be made even where there are no changes because it is otherwise impossible for the regulator to identify cases where there is non-compliance. I do not consider a requirement to submit a nil return where there are no changes is unduly onerous

Other Submissions

- 27 One submitter suggested there was a need for changes to clarify the scope of the regulations. The submitter suggested that communications already regulated under the Radiocommunications Act 1989 should be excluded from the regulations. The same submitter suggested that data reception should be excluded from the Act.
- 28 The scope of the regime is governed by the definitions in the Act. While there are wide ranging regulation making powers that allow for clarification of the definitions, most GBSI uses radiocommunications and omitting it from the regime would be contrary to Parliament's intention. However, underlying the submission is the need to avoid duplication of information collected with the radiocommunications regime which is a theme that was present in other submissions. MBIE officials are working to consider how the two regulatory processes can be streamlined to reduce any unnecessary burden on operators.
- 29 Another theme that came through the submissions was the need for guidance on some of the key concepts in the Act such as the definition of 'operator'. MBIE has already provided some guidance on its website and will review this to assess whether anything further is required. It will also regularly update the website as its experience with operating the regime develops

Implementation

- 30 MBIE as the regulator will implement the GBSI regulatory regime. The regulations will come into force on 29 July 2026. MBIE will draw the attention of operators to the regulations as soon as they are made to allow operators time to submit applications,

and MBIE to process the applications so the authorisation can be approved or declined when the regime comes into force.

31 [Redacted] Legal professional privilege [Redacted]
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32 MBIE will continue to engage with stakeholders during implementation to ensure clarity on reporting obligations and to address any operational questions.

Financial Implications

33 Financial implications associated with implementing the GBSI regulatory regime were addressed in the Cabinet paper accompanying the Outer Space and High-altitude Activities Amendment Act 2025. MBIE will absorb initial implementation costs within its existing baseline, including regulatory development, stakeholder engagement, and guidance preparation.

Legislative Implications

34 The proposals outlined in this paper require amendments to secondary legislation. Specifically, the Outer Space and High-altitude Activities (Licences and Permits) Regulations 2017 will need to be amended to prescribe the application requirements for authorising ground-based space infrastructure (GBSI) under the Outer Space and High-altitude Activities Act 2017.

35 The Act provides the enabling power for these regulations, including authority for the Minister to impose conditions on authorisations to protect national security and national interests. No primary legislation changes are required.

36 The regulations will be drafted and submitted for Cabinet approval in April 2026 to ensure they are published before the transitional authorisation period ends on 29 July 2026.

Impact Analysis

Regulatory Impact Statement

37 The Ministry for Regulation has determined that this proposal is exempt from the requirement to provide a Regulatory Impact Statement on the grounds that it has no or only minor economic, social, or environmental impacts. A statement was produced for the primary legislation.

Climate Implications of Policy Assessment

38 The Climate Implications of Policy Assessment (CIPA) team has been consulted and confirms that the CIPA requirements do not apply to this policy proposal at this time.

The CIPA team will be consulted again when the proposal reaches a later stage, at which point a CIPA assessment will be prepared.

Human Rights

- 39 The proposal is consistent with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

Consultation

- 40 Relevant government agencies were consulted on this proposal, including the New Zealand Security Intelligence Service (NZSIS), the Government Communications Security Bureau (GCSB), the Ministry of Foreign Affairs and Trade (MFAT), Land Information New Zealand (LINZ), the Department of Prime Minister and Cabinet (DPMC) and relevant internal MBIE teams including Radio Spectrum Management.
- 41 MBIE undertook targeted stakeholder consultation in October and November 2025 to inform the development of regulations for ground-based space infrastructure (GBSI) following the enactment of the Outer Space and High-altitude Activities Amendment Act 2025.
- 42 Industry feedback emphasised the importance of regulatory clarity and efficiency, particularly in relation to interactions with other regimes. While no substantive concerns were raised about the proposed regulations themselves, several stakeholders highlighted the need for MBIE to ensure effective coordination with other regulatory systems to avoid duplication of processes and information requests and to maintain confidentiality of sensitive commercial information.

Communications

- 43 My office will release a statement once drafting has been agreed to in order to provide operators with the most time possible to prepare for applying.

Proactive Release

- 44 I propose to proactively release this paper, subject to redactions under the Official Information Act 1982, within 30 business days of Cabinet consideration.

Recommendations

The Minister for Space recommends that the Committee:

- 1 note that on 29 July 2025, the Outer Space High-altitude Activities Amendment Act 2025 came into force, inserting a new regulatory regime for ground-based space infrastructure in the Outer Space and High-altitude Activities Act 2017.
- 2 note that operators currently hold transitional authorisations until 29 July 2026 or an earlier date when new regulations come into force.

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- 3 agree to amend the Outer Space and High-altitude Activities (Licences and Permits) Regulations 2017 to apply the general requirements for applications that are set out in regulations 5, 6 and 14 to GBSI authorisations.
- 4 agree that the applicant identity information requirements in schedule 2 of the Outer Space and High-altitude Activities (Licences and Permits) Regulations 2017 be extended to GBSI authorisations.
- 5 agree to include a new GBSI specific schedule in the Outer Space and High-altitude Activities (Licences and Permits) Regulations 2017 that will require applicants to provide the following information:
 - 5.1 A description of the GBSI that includes the location of the GBSI and the nature of the technology (e.g. radio, optical) and the equipment being used and;
 - 5.2 A description of the activities to be performed by the GBSI, including:
 - 5.2.1 Where the GBSI supports the operator's own regulated activities, a description of the regulated activities including a description of the space object or objects with which the GBSI is communicating with, identifying or surveilling, and the activity or activities the space object or objects are carrying out (e.g. commercial remote sensing); and
 - 5.2.2 where the GBSI is operated on behalf of, or for the benefit of, another person in the case of research collaborations: a description of the regulated activities that are being carried out on behalf of that person, or persons and the purposes for which the services are being provided.
 - 5.2.3 where the GBSI is being operated on behalf of another person or persons (for example the provision of commercial ground station services to partners), information required to be provided will include partner identity information, a description of the regulated activities that are being carried out on behalf of that person, or persons.
- 6 agree that the partner identity information that will be required will be:
 - 6.1 in the case of an individual, the name and nationality of the partner, and the country in which the partner is based.
 - 6.2 in the case of a body corporate, name, contact details, legal form, registered office address, unique identification number, and place of incorporation.
 - 6.3 in the case of an entity that is neither an individual nor a body corporate, information required to be provided will include their name, contact details, legal form, and the address of its registered office or principal place of business.

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- 7 agree that requirements to update partner identity information will be imposed through authorisation conditions with the frequency of update reports being determined by the Minister having regard to the nature of the GBSI operations.
- 8 agree that operators will only have to provide a nil report if there have been no changes during the reporting period.
- 9 agree that confidential information, such as partner information, can only be used and disclosed to a public service agency for the purpose of, or in connection with, the management of national interest including national security, and, if the receiving agency is the New Zealand Security Intelligence Service or the Government Communications Security Bureau, for the performance of their functions under the Intelligence and Security Act 2017.
- 10 note that officials will develop protocols to protect commercially sensitive information (including partner information).
- 11 agree that the regulations will come into force by 29 July 2026 and operators will be provided appropriate time to comply with the prescribed requirements after the regulations are made in April.
- 12 authorise the Minister for Space to issue drafting instructions to the Parliamentary Counsel Office to amend the Outer Space and High-altitude Activities (Licences and Permits) Regulations 2017.
- 13 note that MBIE will issue guidance to support operators in complying with the new regime.
- 14 note that financial implications were addressed in the Cabinet paper accompanying the primary legislation, with costs managed within MBIE's baseline.

Hon Judith Collins, KC
Minister for Space