

Outer Space and High-altitude Activities Amendment Bill

Government Bill

Explanatory note

General policy statement

Purpose of Bill

The purpose of the Bill is to manage national security and other risks to the national interest posed by ground-based space infrastructure (**GBSI**) through the enactment of a proportionate regulatory regime. The regime will manage those risks by deterring certain operators from operating GBSI in New Zealand and by enabling the detection and prevention of GBSI operations that may be inconsistent with the national interest.

Scope of legislation

The Bill amends the Outer Space and High-altitude Activities Act 2017 by imposing an authorisation regime on persons who operate GBSI to carry out a regulated activity.

The regulated activities are in the following areas:

- telemetry, tracking, and control (including capability that could degrade or disrupt satellite operations) of space objects:
- space surveillance and identification of space objects:
- satellite data reception:
- other activities of concern, if prescribed in regulations.

This Bill defines the term GBSI and introduces the core elements of the regime, including the requirement for authorisation, offences, and penalties. Regulations containing the detail of the authorisation requirements for persons operating GBSI will be developed later in 2025.

How Bill will achieve its purpose

The Bill makes a series of legislative amendments that create a new subpart within the principal Act dedicated to the regulation of GBSI. The key mechanisms include—

- **Authorisation requirement:** any person intending to operate GBSI for a regulated activity must obtain a GBSI activity authorisation from the Minister. The authorisation process requires applicants to declare that they have appropriate protective security arrangements and customer due diligence procedures in place:
- **Ministerial discretion:** the Minister may decline to grant an authorisation if the Minister is not satisfied that the proposed activity is in the national interest. The Minister may also impose conditions on authorisations, vary or revoke them, and consult intelligence and security agencies as part of the decision-making process:
- **Transitional arrangements:** to facilitate a smooth transition to the new regime, all persons operating GBSI to carry out a regulated activity will be deemed to hold a transitional authorisation from the date of commencement (29 July 2025) until 29 July 2026, or earlier if regulations relating to GBSI come into force earlier. During this period, enforcement powers apply, and the Minister may suspend or revoke transitional authorisations on national security grounds:
- **Regulatory flexibility:** the Bill enables the making of regulations to prescribe detailed requirements for authorisation, protective security and due diligence arrangements, reporting obligations, and public safety measures. It also allows regulations to amend the definitions of GBSI, operate, and regulated activity to help ensure the regime remains fit for purpose.

Compliance and enforcement

The Bill establishes a compliance and enforcement framework to support the integrity of the authorisation regime.

Authorisation holders are required to maintain protective security and partner due diligence arrangements and provide regular information updates to the Minister. Enforcement officers may be appointed with powers to inspect and assess due diligence and protective security arrangements. Key offences include operating GBSI without authorisation, providing false or misleading information to the Minister, and failing to comply with authorisation conditions or ministerial directions.

Where GBSI poses an unmanageable risk to national security or other national interests, the Minister may issue a disposal order requiring the operator to divest their interest in, or right to operate, the GBSI. If the operator fails to comply, an enforcement officer or constable may apply to the District Court for a forfeiture order vesting the GBSI in the Crown and ordering the officer or constable to dispose of the interest or right. The Minister will also hold a power to direct electricity retailers and internet service providers to stop providing services to GBSI that is subject to a disposal order.

These changes will help ensure that New Zealand's national interests, including national security, are protected

The establishment of a regulatory regime for GBSI is to help ensure that New Zealand's national interests, including national security, are safeguarded.

Additionally, the regime aims to support the continued growth and integrity of New Zealand's space sector by—

- protecting the reputation and operational environment of New Zealand-based space activities; and
- ensuring that the country remains a trusted and secure location for space infrastructure and operations.

Departmental disclosure statement

The Ministry of Business, Innovation, and Employment is required to prepare a disclosure statement to assist with the scrutiny of this Bill. The disclosure statement provides access to information about the policy development of the Bill and identifies any significant or unusual legislative features of the Bill.

A copy of the statement can be found at <http://legislation.govt.nz/disclosure.aspx?type=bill&subtype=government&year=2025&no=185>

Regulatory impact statement

The Ministry of Business, Innovation, and Employment produced a regulatory impact statement on 9 July 2025 to help inform the main policy decisions taken by the Government relating to the contents of this Bill.

A copy of this regulatory impact statement can be found at—

- [https://www.mbie.govt.nz/document-library?type\[79\]=79](https://www.mbie.govt.nz/document-library?type[79]=79)
- <https://www.regulation.govt.nz/our-work/regulatory-impact-statements/>

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 provides for the Bill to come into force on 29 July 2025.

Part 1

Amendments to Outer Space and High-altitude Activities Act 2017

Part 1 amends the Outer Space and High-altitude Activities Act 2017 (the **principal Act**).

Clause 4 amends section 3, which relates to the purposes of the principal Act. It adds a purpose of regulating certain activities connected with ground-based space infrastructure.

Clause 5 amends section 4, which relates to interpretation. One of the main changes is to insert a definition of ground-based space infrastructure (also referred to as **GBSI** in the Bill). GBSI is infrastructure or other equipment in New Zealand that is below high altitude and capable of being operated to carry out a regulated activity, but excludes emergency locator beacons and equipment typically used in personal, domestic, or household settings. Regulated activity is defined in *new section 49A*.

Clause 6 amends section 6, which describes how the principal Act applies to the Crown. The effect of the amendment is broadly to exclude the GBSI regulatory system created by the Bill from applying to the New Zealand Defence Force, the intelligence and security agencies, and people assisting or working with them.

Clause 7 inserts *new subpart 6A* into Part 2 of the principal Act.

New subpart 6A relates to GBSI and consists of *new sections 49A to 49E*.

New section 49A prohibits a person from operating GBSI to carry out a regulated activity unless the person has a GBSI activity authorisation for the operation of the GBSI for that activity. *Subsection (2)* defines regulated activity to cover a range of ways that infrastructure or other equipment interacts with satellites and other space objects. Various activities are then excluded from the definition of regulated activity, narrowing its scope. Some of the activities that are excluded are those carried out for the purposes of astronomy and activities carried out by the New Zealand Police and other emergency services.

New section 49B provides that a person may apply to the Minister responsible for administering the principal Act (the **Minister**) for a GBSI activity authorisation, and that the application must be made in accordance with prescribed requirements. The application must also include a declaration by the applicant confirming that they have in place appropriate protective security arrangements and (if they will be operating GBSI on others' behalf) appropriate partner due diligence arrangements, and that they meet any other prescribed requirements for the grant of an authorisation.

Subsection (1) of new section 49C requires that, before granting the authorisation, the Minister must be satisfied that the application has been made in the way prescribed by regulations and that it contains the required declaration. *Subsection (2)* provides that the Minister may decline to grant the authorisation if the Minister is not satisfied that granting it is in the national interest. *Subsections (3) to (5)* relate to the Minister's consideration of national interest matters. *Subsection (6)* confirms that the Minister may consider the national interest when deciding whether to vary, suspend, or revoke an authorisation, even if the Minister did not consider it at the time the authorisation was first granted.

New section 49D provides for conditions and obligations relating to a GBSI activity authorisation. They include an obligation for authorisation holders to maintain adequate protective security arrangements and due diligence arrangements, and requirements to provide the Minister with information on request and in regular reports.

New section 49E empowers the Minister to vary, suspend, or revoke a GBSI activity authorisation, including on national interest grounds.

Clause 8 makes a consequential change to the subpart heading above section 50.

Clause 9 amends section 50, which requires licence and permit applicants and holders under the principal Act to provide information to the Minister on request, so that it also applies to applicants for, and holders of, GBSI activity authorisations.

Clause 10 amends section 53, which provides that a transfer of a licence or permit, or a change of control over a licensee or permit holder, requires the Minister's approval. The effect of the amendments is that the section also applies in respect of GBSI activity authorisations. However, authorisations are treated differently in relation to the consideration of national security matters as part of the decision to approve the transfer or change. For licences and permits, the principal Act requires consultation with the Ministers responsible for New Zealand's intelligence and security agencies. For authorisations, the Minister is not required to consult those Ministers but may choose to consult the intelligence and security agencies directly.

Clause 11 amends section 54, which enables the Minister to impose further conditions on a transfer or change of control in relation to licences and permits under the principal Act. The amendment extends the section so that it also applies to GBSI activity authorisations.

Clause 12 amends section 57, under which enforcement officers may be appointed. One change is to clarify that a person appointed as an enforcement officer may be given either all or some of the functions, powers, and duties of enforcement officers under the principal Act. The other change is to require that a warrant appointing an enforcement officer must specify which functions, powers, and duties the officer has been given.

Clause 13 consequentially amends section 59, which sets out the functions of enforcement officers under the principal Act, to include references to GBSI activity authorisations.

Clause 14 amends section 60, which sets out the powers of enforcement officers, to include references to GBSI and GBSI activity authorisations. It also creates a new power for enforcement officers to assess, or require the assessment of, an authorisation holder's protective security arrangements or partner due diligence arrangements at the authorisation holder's expense, and a new power for enforcement officers to enter premises where GBSI is held and take reasonable steps to disable it.

Clause 15 amends section 62, which provides that constables may exercise the powers of enforcement officers, so that the section also applies in relation to conditions of GBSI activity authorisations.

Clause 16 makes a consequential amendment to the cross-heading above section 65.

Clause 17 inserts *new section 68A*, which provides that it is an offence for a person to operate GBSI to carry out a regulated activity without a GBSI activity authorisation if they know, or ought to know, that an authorisation is required.

Clause 18 amends section 69, which provides that it is an offence for a person applying for the grant or renewal of a licence or permit under the principal Act to provide information that they know, or ought to know, is materially false or misleading. The amendments extend the section's coverage so that it applies to information provided to the Minister for any purpose under the principal Act. This will cover, for example, information provided in support of an application for a GBSI activity authorisation and information provided to the Minister on request or as part of annual reporting.

Clause 19 amends section 70, which provides that it is an offence to fail to comply with a licence or permit condition without a reasonable excuse, so that the section also applies to conditions of GBSI activity authorisations.

Clause 20 inserts *new section 75A*, which makes it an offence for an electricity or internet provider to fail to comply, without reasonable excuse, with a direction by the Minister under *new section 83B* to stop supplying electricity or internet to GBSI while a disposal order is carried out.

Clause 21 inserts *new sections 83A to 83C* as *new subpart 3A* of Part 3.

New section 83A allows the Minister to give a disposal order to anyone with an interest in, or a right to operate, GBSI. This power is available if the Minister believes that the person's operation of the GBSI for a regulated activity poses a risk to New Zealand's national interest that cannot be adequately managed through education or advice, altering or removing the person's authorisation, or enforcement action. A disposal order requires the person to dispose of all or part of their interest or right. It may also specify the time frame for the disposal and the way in which the interest or right must be disposed of.

New section 83B applies if the Minister gives a disposal order. The Minister may also direct an electricity or internet provider to stop supplying electricity or internet to the GBSI while the disposal order is carried out. Before giving a direction, the Minister must be satisfied that the direction is necessary to prevent a national interest risk that cannot be adequately managed by other means under the principal Act.

New section 83C applies if someone fails to comply with a disposal order under *new section 83A*. It empowers the Minister to apply to the District Court for a forfeiture order vesting the interest or right that is the subject of the disposal order in the Crown. The forfeiture order may also require the Minister to dispose of the forfeited interest or right, with profits from any sale being passed on to the person whose interest or right was forfeited.

Clauses 22 and 23 amend section 87 and the cross-heading above section 87. That section sets out the ways in which orders given under the principal Act may be delivered. The amendments extend section 87 to apply to disposal orders and *new section 83B* directions as well.

Clause 24 amends section 88, which concerns the power to make regulations for various purposes related to the principal Act. The amendments enable regulations to be made that—

- prescribe the information to be provided when applying for a GBSI activity authorisation, the form and manner of making an application, and the procedure to be followed on receipt of an application:
- prescribe the requirements for protective security arrangements and partner due diligence arrangements, and other requirements for the grant of an authorisation:
- prescribe conditions for authorisations:
- prescribe the form of authorisations and the information that they must contain:
- prescribe requirements for authorisation holders to provide information to the Minister:
- amend the definition of ground-based space infrastructure by prescribing things that are, or that are not, within the meaning of that term:
- amend the definition of operate by prescribing acts that are, or that are not, within the meaning of that term:
- amend the definition of regulated activity by prescribing activities that are, or that are not, within the meaning of that term:
- impose fees and levies on authorisation holders:
- prescribe measures relating to public safety, the avoidance of interference with space and terrestrial communications, and similar matters in connection with the activities of authorisation holders:
- prescribe technical requirements for GBSI.

If regulations are made that amend the definition of ground-based space infrastructure, operate, or regulated activity, the Minister's reasons for recommending the making of the regulations must be published together with the regulations.

Clause 25 and the Schedule amend Schedule 1 of the principal Act to provide for transitional matters.

The Bill provides for a transition period between the commencement of the Bill and when the first regulations relating to GBSI come into force (with a backstop date of 29 July 2026 if regulations are not in force by then).

During the transition period, a person who operates GBSI to carry out a regulated activity is treated as having been granted a GBSI activity authorisation. As a result, the enforcement powers provided for under the principal Act (as amended by the Bill) will apply in respect of the activity from commencement and, during the transition period, the Minister will have the power to suspend or revoke the transitional authorisation for national security reasons in accordance with *new section 49E*.

From the end of the transition period, a person intending to use GBSI for a regulated activity needs to have first applied for and obtained a GBSI activity authorisation.

Part 2

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

Part 2 amends the Outer Space and High-altitude Activities (Licences and Permits) Regulations 2017 (the **principal regulations**).

Clause 27 revokes the definition of protective security arrangements in regulation 3 of the principal regulations. That definition, which covers activities under permits and licences, is replaced by a definition of protective security arrangements inserted into section 4 of the principal Act by *clause 5* that also covers activities under GBSI activity authorisations.

Hon Judith Collins

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Outer Space and High-altitude Activities Amendment Act **2025**.

2 Commencement

This Act comes into force on 29 July 2025.

5

Part 1
Amendments to Outer Space and High-altitude Activities Act 2017

3 Principal Act

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

4 Section 3 amended (Purpose)

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In section 3(e), after “high-altitude activities”, insert “and ground-based space infrastructure activities”.

5 Section 4 amended (Interpretation)

(1) In section 4, insert in their appropriate alphabetical order:

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 10

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

GBSI means ground-based space infrastructure 15

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— 20

(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: 25

(ii) emergency locator beacons

operate, subject to any regulations made under **section 88(1)(13B)**, means either of the following in relation to ground-based space infrastructure: 30

(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 35

(ii) is for the purpose of identifying, tracking, controlling, or otherwise communicating with a space object owned or operated by

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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:	5
(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.	10
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)	
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	20
(b) information security arrangements (for example, information assurance, cybersecurity activities, and protecting classified information); and	
(c) physical security arrangements (for example, making premises secure)	25
regulated activity has the meaning given to it in section 49A(2)	
(2) In section 4, definition of related equipment , replace “a launch vehicle, payload, high-altitude vehicle, or high-altitude payload” with “any launch vehicle, payload, high-altitude vehicle, high-altitude payload, or ground-based space infrastructure,”.	30
(3) In section 4, definition of technical data , paragraph (a)(ii), after “high-altitude payloads,”, insert “ground-based space infrastructure,”.	
6 Section 6 amended (Act binds the Crown)	
Replace section 6(2) with:	
(2) Except as otherwise expressly provided in this Act or any other Act, or in regulations made under this Act,—	35
(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 5
 - (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 10
 - (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. 15

7 New subpart 6A of Part 2 inserted

After section 49, insert:

Subpart 6A—Ground-based space infrastructure

- 49A Requirement for authorisation to operate GBSI** 20
- (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)**,— 25
- (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 30
 - (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: 35
 - (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:	5
(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,—	10
	(A) controlling a space object; or	
	(B) supporting or enhancing the operation of a space object.	15
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.	20
(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	25
(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	30
(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	35
(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. 5
- 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 10
- (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— 15
- (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— 20
- (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: 25
- (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 30
- (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. 35

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 5
 - (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 10
 - (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 15
 - (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)— 20
 - (i) confirming that the authorisation holder’s protective security arrangements continue to meet the requirements in **section 49B(3)(a)(i) to (iii)**; and 25
 - (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 30
 - (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 35
 - (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.
- 49E Minister may vary, revoke, or suspend GBSI activity authorisation** 5
- (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 10
- (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 15
- (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. 20
- 8 Subpart 7 heading in Part 2 amended** 25
- In Part 2, in the subpart 7 heading, replace “licences and permits” with “licences, permits, and authorisations”.
- 9 Section 50 amended (Request for information)**
- (1) In section 50(1), replace “licence or permit” with “licence, permit, or authorisation” in each place. 30
- (2) In section 50(2), replace “licence or permit” with “licence, permit, or authorisation” in each place.
- 10 Section 53 amended (Change of licensee or permit holder requires approval of Minister)**
- (1) In the heading to section 53, replace “licensee or permit holder” with “licensee, permit holder, or authorisation holder”. 35
- (2) In section 53(1), replace “licensee or permit holder” with “licensee, permit holder, or authorisation holder” in each place.

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- (3) In section 53(1)(a), replace “licence or permit” with “licence, permit, or authorisation”.
- (4) In section 53(2), replace “licensee or permit holder” with “licensee, permit holder, or authorisation holder”.
- (5) Replace section 53(3) with: 5
- (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. 10
- (6) In section 53(4),—
- (a) replace “licensee or permit holder” with “licensee, permit holder, or authorisation holder” in each place: 15
 - (b) replace “licence or permit” with “licence, permit, or authorisation” in each place.
- (7) Replace section 53(4)(a) with:
- (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 20
 - (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 25
 - (ii) the extent to which the risks can be mitigated by authorisation conditions; and
- (8) After section 53(4)(b)(vi), insert:
- (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 30
- (9) In section 53(5), replace “The Minister” with “In the case of a launch licence, payload permit, overseas launch licence, overseas payload permit, facility licence, or high-altitude licence, the Minister”. 35
- (10) In section 53(7)(a), replace “licensee or permit holder” with “licensee, permit holder, or authorisation holder”.

- 11 Section 54 amended (Minister may impose further conditions on transfer or change of control)**
- (1) In section 54(1), replace “or 48” with “48, or **49D**”.
 - (2) In section 54(2), replace “licence or permit” with “licence, permit, or authorisation”. 5
 - (3) In section 54(3),—
 - (a) replace “licence or permit” with “licence, permit, or authorisation” in each place:
 - (b) replace “the licence or the permit” with “the licence, the permit, or the authorisation”. 10
 - (4) In section 54(4)(a), replace “licence or permit” with “licence, permit, or authorisation”.
- 12 Section 57 amended (Appointment of enforcement officers)**
- (1) Before section 57(2)(a), insert:
 - (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: 15
 - (2) After section 57(3), insert:
 - (3A) The warrant must specify the functions, duties, and powers of the holder. 20
- 13 Section 59 amended (Functions of enforcement officers)**
- In section 59, replace “licences and permits” with “licences, permits, and authorisations” in each place.
- 14 Section 60 amended (Powers of enforcement officers)**
- (1) In section 60(1)(a), after “high-altitude payload,”, insert “ground-based space infrastructure,” in each place. 25
 - (2) In section 60(1)(b), after “high-altitude payload,”, insert “ground-based space infrastructure,”.
 - (3) In section 60(1)(c),—
 - (a) replace “licensee or permit holder” with “licensee, permit holder, or authorisation holder” in each place: 30
 - (b) replace “document” with “information or document” in each place:
 - (c) replace “a launch, payload, or high-altitude payload” with “any launch, payload, high-altitude payload, or ground-based space infrastructure”.
 - (4) In section 60(1)(d),—
 - (a) replace “licensee or permit holder” with “licensee, permit holder, or authorisation holder” in each place: 35

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- (b) replace “or high-altitude payload” with “high-altitude payload, or ground-based space infrastructure”.
- (5) In section 60(1)(e),—
- (a) replace “licensee or permit holder” with “licensee, permit holder, or authorisation holder” in each place: 5
- (b) replace “licence or permit” with “licence, permit, or authorisation”.
- (6) In section 60(1)(f),—
- (a) replace “licensee or permit holder” with “licensee, permit holder, or authorisation holder”:
- (b) after “high-altitude payload,”, insert “ground-based space infrastructure,”. 10
- (7) After section 60(1)(f), insert:
- (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: 15
- (h) enter any premises or place where GBSI or related equipment is held and take all reasonable steps to disable it.
- 15 Section 62 amended (Constable may exercise enforcement powers)**
- In section 62,—
- (a) replace “licences and permits” with “licences, permits, and authorisations”: 20
- (b) replace “section 60(1)(a) to (f)” with “section 60(1)(a) to **(h)**”.
- 16 Cross-heading above section 65 amended**
- In the cross-heading above section 65, replace “*licences and permits*” with “*licences, permits, and authorisations*”. 25
- 17 New section 68A inserted (Operating ground-based space infrastructure without GBSI activity authorisation)**
- After section 68, insert:
- 68A Operating ground-based space infrastructure without GBSI activity authorisation** 30
- (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,— 35

(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.	
18	Section 69 amended (False or misleading information in application for grant or renewal of licence or permit)	5
(1)	Replace the heading to section 69 with “ Providing false or misleading information to Minister ”.	
(2)	Replace section 69(1) with:	
(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	10
(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.	
19	Section 70 amended (Offence to fail to comply with condition of licence or permit)	15
(1)	In the heading to section 70, replace “ licence or permit ” with “ licence, permit, or authorisation ”.	
(2)	In section 70(2),—	
(a)	after “high-altitude licence”, insert “or GBSI activity authorisation”; and	20
(b)	after “that licence”, insert “or authorisation”.	
20	New section 75A inserted (Failing to comply with direction to stop providing electricity or internet services to GBSI)	
	After section 75, insert:	
75A	Failing to comply with direction to stop providing electricity or internet services to GBSI	25
(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,—	30
(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.	
21	New subpart 3A of Part 3 inserted	
	After section 83, insert:	

Subpart 3A—Disposal orders, directions, and forfeiture orders for
ground-based space infrastructure**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. 5
- (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: 10
 - (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— 15
- (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. 20
- (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. 25

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: 30
- (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— 35
- (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.
- 83C Forfeiture order** 5
- (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,— 10
- (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. 15
- (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: 20
- (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. 25
- (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. 30
- 22 Cross-heading above section 87 amended**
- In the cross-heading above section 87, after “*Notices*”, insert “, *disposal orders, and directions*”.
- 23 Section 87 amended (Giving of notices)** 35
- (1) In the heading to section 87, after “**notices**”, insert “, **disposal orders, and directions**”.

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- (2) In section 87(1), after “notice”, insert “, disposal order, or direction under **section 83B**”.
- (3) In section 87(2), after “notice”, insert “, disposal order, or direction under **section 83B**”.
- 24 Section 88 amended (Regulations) 5**
- (1) Replace the heading above section 88(1)(1) with:
- Licences, permits, and authorisations*
- (2) After section 88(1)(1), insert:
- (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: 10
- (1B) prescribing requirements for protective security arrangements and partner due diligence arrangements, and any other requirements for the grant of an authorisation: 15
- (3) In section 88(1)(2), replace “licence or permit” with “licence, permit, or authorisation”.
- (4) In section 88(1)(4), replace “licence or permit” with “licence, permit, or authorisation”. 20
- (5) In section 88(1)(5), replace “licences and permits” with “licences, permits, and authorisations”.
- (6) After section 88(1)(8), insert:
- (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,— 25
- (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: 30
- (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: 35
- (7) In section 88(1)(9), replace “licensee or permit holder” with “licensee, permit holder, or authorisation holder”.

- (8) In section 88(1)(10), replace “licences and permits” with “licences, permits, and authorisations” in each place.
- (9) Replace the heading above section 88(1)(11) with:
- Meaning of launch vehicle, payload, space object, high-altitude vehicle, high-altitude payload, ground-based space infrastructure, operate, and regulated activity*
- (10) After section 88(1)(13), insert:
- (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:
- (11) In section 88(1)(17), replace “licences and permits” with “licences, permits, and authorisations”.
- (12) In section 88(1)(18),—
- (a) replace “licensees and permit holders” with “licensees, permit holders, and authorisation holders”;
- (b) replace “licensees or permit holders” with “licensees, permit holders, or authorisation holders”.
- (13) In section 88(1)(19), replace “licence or permit” with “licence, permit, or authorisation”.
- (14) In section 88(1)(24), replace “licensees and permit holders” with “licensees, permit holders, and authorisation holders”.
- (15) In section 88(1)(25), replace “and payloads” with “payloads, and ground-based space infrastructure”.
- (16) In section 88(2),—
- (a) after “permit,”, insert “authorisation,”:

- (b) replace “or high-altitude payload,” with “high-altitude payload, ground-based space infrastructure, or regulated activity.”
- (17) In section 88(3), after “(13),”, insert “**(13A), (13B), (13C)**”.
- (18) After section 88(3), insert:
- (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— 5
- (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. 10
- (19) In section 88(4), after “(13),”, insert “**(13A), (13B), (13C)**”.

25 Schedule 1 amended

- (1) In Schedule 1, clause 1, replace “this schedule” with “this Part”.
- (2) In Schedule 1,— 15
- (a) insert the Part set out in the **Schedule** of this Act as the last Part; and
- (b) make all necessary consequential amendments.

Part 2

Amendment to Outer Space and High-altitude Activities (Licences and Permits) Regulations 2017 20

26 Principal regulations

This Part amends the Outer Space and High-altitude Activities (Licences and Permits) Regulations 2017.

27 Regulation 3 amended (Interpretation)

In regulation 3(1), revoke the definition of **protective security arrangements**. 25

Schedule
New Part 2 inserted into Schedule 1

s 25

Part 2	
Provisions relating to Outer Space and High-altitude Activities Amendment Act 2025	
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.
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.
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.

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