

Szymon Siuda

Regulatory Intervention in Polish Space Activities: The Personal Scope of the Licensing Requirement under the Draft Act of 12 May 2025

Abstract

The aim of the research is to analyse the scope of regulating space activities provided for in the draft Act on Space Activities dated 12 May 2025. The author argues that the proposed regulatory framework will apply to entities engaged in space activities typical of the upstream segment of the space sector, in particular, activities related to the design, launch, and operation of space infrastructure and will not extend to entities operating in the downstream segment, whose activities rely on the use of data derived from outer space. In light of the fact that the available data do not permit the precise determination of the number of entrepreneurs who may be affected by these restrictions in each of the two segments, the author proposes supplementing the analysis with information derived from public procurement procedures conducted by the Polish Space Agency in 2024. In the author's view, the number of bids submitted in procurement proceedings relating to upstream and downstream segments suggests that a considerably larger number of entrepreneurs operate in the downstream segment compared to the upstream one. The findings presented in this article contribute to the ongoing legal discussion concerning the potential risks for small and medium-sized enterprises operating in the space sector by regulatory intervention, understood as state-imposed limitations on the freedom to conduct economic activity.

Keywords: regulatory intervention – public procurement – space sector

