

Satellite: an introduction

by Joanne Wheeler MBE, Alden Legal Limited, and Stewart White, trading as Akhet Consulting

Status: **Maintained** | Jurisdiction: **European Union, International, United Kingdom**

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A practice note providing an introduction to satellite policy, law and regulation internationally, in the EU and in the UK.

Scope of this note

The world's first satellite, Sputnik 1, was launched by the former Soviet Union (now Russia) on 4 October 1957. On 6 April 1965, the US placed the first geostationary satellite, Intelsat 1, in orbit. From these early steps, we now have a significant number of (peaceful civilian) commercial uses of outer space, including:

- Broadcasting.
- Telecommunications (fixed, land and maritime mobile satellite services).
- Position, navigation and timing, including global positioning system (GPS).
- Earth observation.
- Meteorology.

The military also make extensive use of outer space. Today, initiatives such as government satellite communications (GOVSATCOM) show that space is increasingly used for the provision of both governmental and commercial satellite services for security purposes and governmental applications.

This practice note considers the international, European and UK frameworks which govern the use of satellites in space.

International framework

Satellites are, by their nature, extra-terrestrial and extra-territorial. Accordingly, their usage is governed by an extensive international legal framework, under the aegis of the United Nations (UN), made up of treaties, declarations, agreements and conventions governed by international law, which may be implemented into national law.

Apart from the obvious concerns about the "peaceful uses" of outer space, the legal framework governing the use of satellites is grounded in the allocation of orbital

positions for satellites, the related radio-frequency spectrum to enable communication to and from the satellites, and the related frequencies for terrestrial use of those communications. In relation to orbital positions, geostationary orbits (GSO) are in "fixed" positions approximately 36,000 kilometres above Earth, and medium and low Earth orbits (MEOs and LEOs) operate at lower altitudes.

To enable a "fair and equitable" use of the finite space closely surrounding Earth, co-ordination of these positions is based on the need for satellites not to interfere with each other physically. This is especially important with regard to the radio frequency spectrum (also finite, although some prefer to say "scarce") used by satellites to prevent "harmful interference" (a highly technical area) between the services using different spectrum.

United Nations

Following resolutions passed in 1961 and 1962 concerning the peaceful uses of outer space, and a subsequent declaration setting out the principles governing the activities of states in outer space, the UN concluded a number of treaties and agreements through its Committee on the Peaceful Uses of Outer Space (COPUOS), which was established in 1959. These include:

- The 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (Outer Space Treaty). This deals with the liabilities of states that launch objects into outer space, including liabilities for any consequential damage, whether occurring in space or on Earth.
- The 1972 Convention on International Liability for Damage Caused by Space Objects (Liability Convention). This establishes clear liability for various kinds of damage caused by space activity, expanding on the Outer Space Treaty.

- The 1974 Convention on Registration of Objects Launched into Outer Space (Registration Convention). This defines the duties of any “launching state” and effectively gives jurisdiction to that state which launches a space object from its territory or which procures that launch.

There are also agreements governing:

- Recovery of astronauts: 1968 Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space (Agreement on the Rescue and Return of Astronauts).
- Exploration of the Moon: 1979 Agreement Governing the Activities of States on the Moon and Other Celestial Bodies.
- The International Space Station: there is a 1998 intergovernmental agreement among the governments of Canada, the member states of the European Space Agency, Japan, the Russian Federation and the US concerning co-operation on the Civil International Space Station.

Not all member states of the UNCOPUOS have ratified, and therefore implemented into national law, these treaties and agreements, even though the treaties now form part of the corpus of international law governing outer space. For example, the UK has ratified only the following four of the five international treaties, thus accepting them as obligations binding on the UK as a matter of international law as between those other ratifying states:

- Outer Space Treaty.
- Liability Convention.
- Registration Convention.
- Agreement on the Rescue and Return of Astronauts.

There are also five declarations and legal principles as follows:

- Declaration of Legal Principles Governing the Activities of States in the Exploration and Uses of Outer Space 1963.
- Principles Governing the Use by States of Artificial Earth Satellites for International Direct Television Broadcasting 1982.
- Principles Relating to Remote Sensing of the Earth from Outer Space 1986.
- Principles Relevant to the Use of Nuclear Power Sources in Outer Space 1992.
- Declaration on International Co-operation in the Exploration and Use of Outer Space for the Benefit and in the Interest of All States, Taking into Particular Account the Needs of Developing Countries 1996.

International Telecommunication Union

The International Telecommunication Union (ITU), established in 1865 (as the International Telegraph Union), is the oldest treaty organisation in the world and is now part of the UN structure. Orbital positions, and related radio-frequency spectrum and satellite orbits, are managed at the international level by the ITU, which has responsibility for ensuring:

- Their rational, equitable and efficient use.
- The avoidance of harmful interference between radiocommunication systems and their respective uses of radio-frequency spectrum.

There are 193 member states, the most of any international, intergovernmental organisation, bound by various internationally binding legal instruments of the ITU: the Constitution, the Convention and the Administrative Regulations (including the Radio Regulations), which together form a treaty binding on the member states. The UK is a member state.

Revision of the ITU’s Constitution and Convention generally takes place at Plenipotentiary Conferences held every four years. The Administrative Regulations are revised at specially convened conferences, which in the case of the Radio Regulations is the World Radiocommunication Conference, which was last held in November 2019 and is next scheduled for 2023.

Increasingly, organisations within the private sector have a place in the ITU, whether as:

- Members of the various sectors of the ITU, which include:
 - radiocommunication (ITU-R), which manages international radio-frequency spectrum and satellite orbits;
 - standardisation (ITU-T), which manages issues around technical standards; and
 - development (ITU-D), which manages issues relevant to developing countries.
- “Recognised Operating Agencies”.
- Scientific or other relevant organisations.

ITU-R develops and manages space-related assignment or allotment plans and provides mechanisms for the development of new satellite services by allocating suitable orbital slots. The Radio Regulations, which are highly technical and are administered within ITU-R by the Radio Regulations Board, cover:

- The allocation of frequencies to different categories of radiocommunication services.

- The rights and obligations of member states in obtaining access to the spectrum and orbital resources.
- The co-ordination procedures, which are complex and can be somewhat political.
- The international recognition of these rights through the recording of frequency assignments and orbital positions in the Master International Frequency Register (MIFR).

ITU member states are the signatories to these international instruments. National administrations of member states are usually the communications regulator of each member state (some member states still have a ministry) and they have day-to-day responsibility as regards the ITU and the obligations of each member state. In the UK, the Office of Communications (Ofcom) is the national administration, by direction of the Secretary of State (Department for Digital, Culture, Media and Sport (DCMS)) under section 22 of the Communications Act 2003 (CA 2003). The International Frequency Allocation Table is maintained by Ofcom insofar as it has been transposed into the UK Frequency Allocation Table.

World Trade Organisation

The World Trade Organisation (WTO) General Agreement on Tariffs and Trade in relation to equipment, and the General Agreement on Trade in Services (GATS), are relevant to satellite-based services relating to liberalisation and the opening of markets for public telecommunications services and systems. The GATS Agreement on Basic Telecommunications Services contains a number of “specific commitments” and exemptions concerning basic telecommunications services, which include fixed satellite services and mobile satellite services and systems.

In the UK, Ofcom has responsibility for the UK’s compliance with relevant commitments and WTO agreements given by the UK.

UNIDROIT Space Assets Protocol

The Space Protocol to the Cape Town Convention on International Interests in Mobile Equipment was adopted on 7 March 2012. It is a private international law instrument. Article XXXIV of the Space Protocol specifically provides that it will not affect the rights and duties of states under the existing UN space law treaties and the legal instruments of the ITU. On entry into force, with ten ratifications or accessions, the Space Protocol will establish a separate international registry of security interests in space assets. So far, four states (Burkina Faso, Saudi Arabia, Zimbabwe and Germany) have signed the Space Protocol.

Before the Space Protocol enters into force, the Supervisory Authority must certify that the international registry for space assets is fully operational. The Supervisory Authority is responsible for the setting up of the international registry for the registration of “international interests” in each category of mobile equipment and assignment and acquisitions of international interest. It is not yet clear which entity will become the Supervisory Authority, although the ITU has expressed an interest.

European framework

Since the Treaty of Rome (1957), considerable work relevant to the communications sector has been carried out in the EU, particularly with regard to the single market. The EU has taken many policy and legislative steps in the field of communications to create a liberalised and competitive market in communications infrastructure and services through harmonised competition policy, licensing and spectrum management as well as through the creation of independent national regulatory authorities (NRAs), which are generally also the Administrations for ITU purposes, as noted above.

On 31 January 2020, the UK left the EU and the UK-EU withdrawal agreement entered into force. Following the end of the UK-EU transition period at 11.00 pm UK time on 31 December 2020, retained EU law was created, the remaining withdrawal agreement provisions came into operation, and the future relationship agreements (including the UK-EU trade and co-operation agreement) started to apply. For general information on the withdrawal agreement, future relationship agreements and the operation of UK law following the end of the transition period, see [UK legal change post-transition and UK-EU agreements toolkit](#) and Practical Law’s Brexit page.

European institutions

The main EU institutions have all played their part in establishing a competitive framework and regulatory regime for communications, including for satellite systems and services, namely:

- The European Commission (notably the Directorates General Connect, Competition and Growth, as well as the Digital Single Market, Radio Spectrum Committee and the Communications Committee).
- The EU Council (which includes a Competitiveness Council with an explicit space mandate, the Working Party on Telecommunications and Information Society, and the Working Party on Space).
- The European Parliament (in particular, the Committee on Industry, Research and Energy (ITRE) and the Court of Justice of the European Union).

Other significant organisations outside the EU include the European Conference of Postal and Telecommunications Administrations (CEPT) and the European Space Agency (ESA).

ESA is an international intergovernmental organisation, made up of member states including certain EU member states and non-EU member states. It aims to shape the development of Europe's space capability and ensures that investment in space continues to deliver benefits to citizens in Europe and the rest of the world.

In November 2012, the European Commission adopted a Communication on establishing relations between the EU and ESA (see [Legal update, Space policy: European Commission adopts Communication on establishing appropriate relations between EU and European Space Agency](#)). While ESA collaborates with the EU on certain space programmes (for example, Galileo and Copernicus), it also has its own distinct space programmes including telecommunications and integrated applications, launchers, Earth observation and human spaceflight.

The CEPT was formed in 1959 with the aim of harmonising and improving services between members (including non-EU member states). The EU has traditionally relied on the CEPT in the field of radio-frequency management and development of future planned usage, often as part of evolving work under the aegis of the ITU. However, the European Commission has taken a keener interest in these areas. The EU has the power to develop a European space policy and the European Parliament and Council have the power to adopt a programme to contribute to attaining its policy objectives (*Article 189(2), Treaty on the Functioning of the European Union (TFEU)*).

The EU has begun to play a greater role in space and it is likely that it may play a greater role in speaking on behalf of all member states at relevant international bodies like the ITU, UNCOPUOS (including the Legal Subcommittee) and the WTO. In April 2021, the European Parliament and the Council adopted Regulation Regulation 2021/696 establishing the EU Space Programme for the years 2021 to 2027 and the EU Agency for the Space Programme (EUSPA). Under this new Regulation, the EUSPA's responsibilities include the following:

- The operational management of European Geostationary Navigation Overlay Systems (EGNOS) and Galileo.
- Supporting the development of downstream and integrated applications based on Galileo, EGNOS and Copernicus.
- Co-ordinating user-related aspects of GOVSATCOM.

Legislative regime

The current EU regulatory regime is set out in the European Electronic Communications Code ((EU) 2018/1972) (EECC), which had to be implemented by member states and the UK (as the implementation date was during the transition period) by 21 December 2020, and which replaced the previous 2002 regime.

The Radio Spectrum Decision (2002/676/EC) is also of relevance to satellite regulation: it sets out the procedures for harmonising policy at a technical level and created the Radio Spectrum Committee to carry out the policy harmonisation. The Decision continues to apply in the UK as retained EU law.

EU member states are:

- Obligated to manage radio frequencies for electronic-communication services in their territory effectively (*Article 45, EECC*). Radio spectrum is still subject to individual rights of use granted by individual EU member states through the NRAs.
- Authorised to grant general, rather than specific, authorisations, subject to competition law principles (although specific authorisations, or individual rights of use, are permitted in certain circumstances) (*Article 46, EECC*).

The Body of European Regulators for Electronic Communications (BEREC) is established under Regulation (EU) 2018/1971, which came into force on 20 December 2018. BEREC acts as an independent advisory body, formulating guidelines on regulatory best practice to assist harmonisation between NRAs. It also provides opinions and recommendations to assist the European Commission (and, on request, the European Parliament and the Council) in applying the regulatory framework effectively and consistently. The UK is no longer a member of or subject to guidance issued by BEREC.

Management of radio spectrum

The European Commission has power to manage and allocate radio spectrum through the following bodies:

- The Communications Committee, established under Article 118 of the EECC.
- The Radio Spectrum Committee, established by the Radio Spectrum Decision.
- The Radio Spectrum Policy Group, established by the European Commission as a consultative group following the adoption of the Radio Spectrum Decision.

The European Commission also works on this in conjunction with BEREC.

Mobile satellite service regulation

A mobile satellite service (MSS) is a service provided by a satellite system that allows high-speed communication between satellites and handheld mobile terminals, using the radio spectrum, to provide services such as:

- High-speed internet access to mobile television, public protection and disaster relief.
- Satellite telephone systems that allow telephone calls to be made and received anywhere in the world.

A complementary ground component (CGC) is terrestrial infrastructure that supports an MSS system by enabling terrestrial networks to use spectrum also used by a MSS system without causing interference, so enabling spectrum to be exploited more efficiently and enhance its coverage (such as in urban areas) to deliver a wider range of services.

MSS legislative framework

In 2007, the European Commission adopted the Spectrum Decision (200798/EC) allocating the 2GHz "S-band" spectrum to MSSs, including those with a CGC, in all member states.

Subsequently, the European Parliament and Council adopted the MSS Decision (626/2008/EC) defining the EU selection and authorisation process for systems providing MSS in the S-band. Although the MSS Decision establishes a harmonised spectrum **allocation** process (that is, allocation takes place at EU level), the subsequent **authorisation** to use spectrum in national markets is the responsibility of individual member states. This was the first occasion on which the EU created a pan-European spectrum licensing procedure. Among other things, the MSS Decision set out "common conditions" by which selected operators must exercise their rights to operate MSS services, for example, obligations to use the assigned radio spectrum for MSS, to comply with milestones for launching services, to report to member states and so on.

Selection of MSS providers

In May 2009, the European Commission selected Inmarsat Ventures Limited and Solaris Mobile Limited (since acquired by EchoStar Mobile Limited) to provide MSSs over the 2GHz spectrum throughout the EU.

Authorisation

In October 2011, the European Commission adopted Decision 2011/667/EU to ensure co-ordination between EU member states in enforcing compliance with the "common conditions" of authorisation. For more information, see [Legal update, Decision to accelerate high-speed mobile satellite services](#).

In February 2016, following proposals by Inmarsat to use spectrum in the 2GHz band to provide broadband services to passengers on aircraft through a combination of satellite and ground-based communication links, Ofcom consulted on the authorisation conditions for this use of the CGC (see [Legal update, Ofcom consults on authorising terrestrial base stations for broadband on aircraft](#)). It published a statement in November 2017 (see [Legal update, Ofcom publishes technical conditions and fees for operation of base stations for aircraft broadband](#)).

Inmarsat has since been granted authorisations from the NRAs across various EU jurisdictions to use the 2GHz spectrum and to use CGCs for its European Aviation Network (EAN), which is intended to provide broadband-like services to airline passengers.

Litigation

Viasat and Eutelsat, who are competitors to Inmarsat, claimed that:

- Inmarsat had not been compliant with the requirements set out in the MSS Decision.
- The NRAs erred in granting Inmarsat authorisations to use the 2GHz spectrum and the CGCs for the operation of the EAN.

Viasat launched court actions in jurisdictions across the EU, including in the Competition Appeal Tribunal in the UK, and in the European General Court. Eutelsat launched a court action in France and intervened in Viasat's European General Court case.

Following references by the Belgian courts (Brussels Court of Appeal and the Brussels Court of First Instance) and the French Court of Appeal to the ECJ, the ECJ ruled as follows:

- Where an operator, which is selected and authorised to use the 2GHz spectrum under the MSS Decision, has failed to provide MSSs by means of a mobile satellite system by the deadline set in the MSS Decision, the NRAs of the EU member states are not entitled to refuse to grant the authorisations necessary for the provision of CGCs of mobile satellite systems on the ground that that operator has failed to honour the commitment given its application (*Viasat UK and another v IBPT (Case C-100/19) EU:C:2020:174* and *Eutelsat SA v ARCEP and another (Case C-515/19) EU:C:2021:273*).
- A mobile satellite system does not have to be principally based (in terms of capacity of transmitted data) on the satellite component of that system. CGCs of mobile satellite systems may be installed to cover the entire territory of the EU, on the basis that that satellite component cannot ensure communications at any point of that territory with the "required quality", subject to the following:

- there is no distortion of competition;
 - that satellite component has real and specific usefulness, in that the component must be necessary for the functioning of the mobile satellite system; and
 - where there is independent operation of the CGCs, in the case of failure of the satellite component, the operation must not exceed 18 months (*Eutelsat*).
- The concept of “mobile earth station” under the MSS Decision must be interpreted as not requiring that, to fall within that concept, that station is capable of communicating, without the use of separate equipment, with both a CGC and a satellite (*Eutelsat*).

On 10 March 2021, the European General Court handed down a judgment dismissing Viasat’s application that the European Commission was required to take action to revoke the S-band allocation as Inmarsat’s use of the 2GHz band spectrum for EAN fell outside the permitted use under the MSS Decision (*ViaSat, Inc v Commission (Case T-245/17) EU:T:2021:128*). For more on this case, see [Legal update, MSS satellite operator could not be refused CGC authorization \(ECJ\)](#).

Following the CAT’s rejection of the Viasat’s appeal, the UK Court of Appeal followed the ECJ’s approach in *Viasat UK* in May 2020 and also dismissed Viasat’s appeal (see [Legal update, Viasat mobile satellite service appeal dismissed \(Court of Appeal\)](#)).

Brexit and UK-EU copyright clearance

Since the end of the transition period, UK-based satellite broadcasters that formerly relied on the country-of-origin copyright clearance rule under the Satellite and Cable Directive (93/83/EEC) when broadcasting into the EEA may need to clear copyright in each member state to which they broadcast.

However, satellite services may be able to fall within the country-of-origin rules if a service is provided by an uplink in a EU country. If there is more than one uplink, jurisdiction falls to the EU country where the first uplink was established. If the uplink is in the UK, the jurisdiction falls to the EU country which operates the relevant satellite capacity. In most cases, this is likely to be either Luxembourg or France, where the majority of EU broadcasting satellites are operated. These countries have different notification systems and providers should contact the relevant national regulator to ascertain local regulatory requirements.

On the other hand, the UK government has said that it will continue to apply the country-of-origin principle in the UK in respect of broadcasts transmitted into the UK, that is, UK copyright clearance is not required

where clearance has already been obtained in the originating state, whether a member of the EEA or not, except where the broadcast originates in a country with lower levels of copyright protection (see [IPO guidance: Copyright clearance for satellite broadcasting from 1 January 2021 \(30 January 2020\)](#)).

National framework: UK

International space treaties

The UK government flows down its obligations under the UN space treaties to non-governmental actors through the UK Outer Space Act 1986 (OSA) and the regulatory framework under it.

The OSA requires all those seeking to launch, or procure the launch of, a space object, operate a space object or undertake any activity in outer space to obtain a licence (sections 1 and 3(1), OSA). The OSA licensing regime also applies to:

- Entities in certain of the UK’s overseas territories (the Cayman Islands, Gibraltar and Bermuda). It can be extended to others through lengthy processes to obtain a requisite Order in Council.
- The Channel Islands.
- The Isle of Man.

Licensing and supervisory powers are conferred on the Secretary of State (BEIS), who currently carries out these powers through the UK Space Agency (UKSA). The UKSA was established in April 2010, bringing all UK civil space activities under one single management. The UKSA began operation as a full executive agency on 1 April 2011.

Members of the UKSA also represent the UK government and the interests of the space industry at ESA.

Space Industry Act 2018

The Space Industry Act 2018 (SIA) was created to provide a regulatory framework for spaceflight activities carried out from the UK to enable two new domestic markets: a small satellite launch market and a sub-orbital flight market.

The SIA received Royal Assent in 2018, following from which the UK government ran public consultations on the draft secondary legislation and accompanying documents for the implementation of SIA in 2020 and 2021.

On 24 May 2021, the draft secondary legislation was laid before Parliament. The UK government intends to start granting licences under the SIA in 2021.

Once the secondary legislation implementing the SIA enters into force, the SIA will regulate the following activities which are carried out from the UK by UK and foreign entities:

- Spaceport operations.
- Launch service operations.
- Provision of range control services.
- Procurement of a UK launch (space or sub-orbital) and return.
- Satellite operations from the UK.
- Return of a space object landing in the UK or UK territorial waters.

The OSA will continue to regulate the following space activities that are carried out overseas by UK entities:

- Procurement of an overseas launch of a space object by a UK entity.
- Satellite operations from an overseas facility by a UK entity.

Transition of licensing powers from UK Space Agency to Civil Aviation Authority

The Civil Aviation Authority (CAA) will be the regulator responsible for undertaking all SIA regulatory functions. This power will be conferred on the CAA under the draft secondary legislation.

Additionally, the OSA regulatory functions will also move from the UKSA to the CAA once the Contracting Out (Functions in Relation to Space) Order 2021 enters into force. This decision has been made by the UK government to follow a policy of separating safety regulation from sector promotion to ensure regulation is impartial, following the Piper Alpha disaster.

National Space Council and National Space Strategy

The National Space Council was established in 2020 as one of the Cabinet Committees to “consider issues concerning prosperity, diplomacy and national security in, through and from Space, as part of co-ordinating overall UK government policy”.

The UK government is also working towards publishing the UK’s first comprehensive National Space Strategy in 2021. To this end, the House of Commons Science and Technology Committee published a call for evidence to the inquiry until 23 June 2021 ([Parliament UK: Call for evidence: UK space strategy and UK satellite infrastructure](#)). The inquiry invited written submissions on topics including:

- What are the prospects for the UK’s global position as a space nation, individually and through international partnerships?
- The current strengths and weaknesses of the UK space sector.
- Suggested aims and focus of a new UK space strategy.

The committee also sought views on what needs to be done to ensure the UK has appropriate, resilient, and future-proofed space and satellite infrastructure for applications, including broadband and other communications.

The committee noted that a co-ordinated approach to supporting the space sector must also take into account Brexit and the UK’s recovery from the impact of COVID-19.

UK management of radio-frequency spectrum and satellite orbital positions

Ofcom is the UK administration to the ITU. Ofcom has statutory duties imposed by the CA 2003 and the Wireless Telegraphy Act 2006 (WT Act) to regulate the provision of electronic communications networks and services and the use of the electromagnetic spectrum.

These duties include:

- Furthering the interests of consumers in relevant markets (section 3(1)(b), CA 2003).
- Promoting competition in relevant markets (*sections 3(1)(b) and 4(3), CA 2003; section 3(2)(d), WT Act*).
- The requirement to secure the optimal use for wireless telegraphy of the electromagnetic spectrum, and the efficient management of that spectrum (*section 3(2)(a), CA 2003; section 3(2)(a), WT Act*).

In performing its duties, Ofcom must:

- Ensure that its regulatory activities are:
 - transparent;
 - accountable;
 - proportionate;
 - consistent; and
 - targeted only at cases in which action is needed.

(*Section 3(3)(a), CA 2003.*)

- Have regard to the desirability of encouraging investment and innovation in relevant markets (*sections 3(4)(d), CA 2003; section 3(2)(c), WT Act*).

Ofcom’s spectrum-management functions derive from section 1 of the WT Act, which also includes the giving of advice and services and the maintenance of records with respect to the use of the electromagnetic spectrum

for wireless telegraphy at places within and outside the UK. In March 2019, Ofcom published [Procedures for the Management of Satellite Filings](#), which sets out UK procedures to ensure compliance with the Radio Regulations (ITU: [Radio Regulations](#)).

Ofcom, as the UK Administration, handles co-ordination of satellite orbital positions and relevant spectrum usage for those positions to determine whether there may be “harmful interference” to any UK systems.

Ofcom’s CA 2003 international functions include the following:

- Section 5 confers on the Secretary of State power to direct Ofcom for the purpose of securing compliance with international obligations, as well as for other specified purposes, such as “in the interests of national security”.
- Section 22 imposes a duty on Ofcom to represent the UK on international and other bodies in relation to communications matters as required by the Secretary of State.

For the purposes of representing the UK government as the ITU member state, DCMS leads the government’s delegation at, for example, Plenipotentiary Conferences. Ofcom is involved in the detailed preparation for these conferences.

The Secretary of State (DCMS) directed Ofcom to represent the UK government in the CEPT Assembly and in some CEPT working groups as well as various ITU Working Groups as the UK Administration. Ofcom also represents the UK on the Council of the European Communications Office.

Ofcom participates in government work that sets the UK policy in relation to use of spectrum, as is embodied in the UK Frequency Allocation Table. UK preparations for ITU World and Regional Radio Conferences take place within the International Frequency Planning Group’s subgroup of the UK Spectrum Strategy Committee (UKSSC).

Ofcom also liaises with the Ministry of Defence with regard to the management of spectrum designated for military use.

Since 1 April 2019, Ofcom has charged satellite operators for managing their satellite filings with the ITU (section 28A, CA 2003). It has introduced the following charges:

- An upfront application fee for new filing (and modification) requests.
- An annual management charge.
- An application fee for notification requests.

Commercial agreements

The legal, regulatory and contractual aspects for the satellite sector are specialised, although general principles of commercial and competition law apply. Insurance is also an important issue and therefore aspects of insurance requirements are reflected in the relevant commercial contracts, such as contracts to procure satellites and satellite-launch contracts. For checklists on what to include in satellite procurement contracts and satellite launch services contracts, see [Checklists](#), [Satellite procurement contract](#) and [Satellite launch services contract](#).

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