

**RSSSA Permanent Advisory Committee**  
**Notes of Meeting #01**  
**27 April 2023**

**Participants:**

Chair – Michelle Mendes (SatCan)  
Angelica Liao-Moroz, Executive Director (Global Affairs Canada)  
Maj Daniel Denis, Acting Deputy Director (Global Affairs Canada)  
Mathieu Benoit (National Resources Canada)  
Andrew Davidson (Agriculture and Agri-Food Canada)  
Joanne Gabrynowicz (Mississippi University, USA)  
Sarah Gallagher (Western University)  
Brian Gallant (Space Canada)  
Alex Kaptein (Airbus Defense & Space, Germany)  
Eric Laliberté (Canadian Space Agency)  
Wade Larson (Earth Daily)  
Gordon Rigby (Macdonald Dettwiler and Associates)  
Brian Statham (Department of National Defence)  
Wesley Wark (Centre for International Governance Innovation)

**Absence:**

Christine Tovee (Wyvern)

**Observers:**

Gordon Deecker (Global Affairs Canada)  
Thomas Gillon (Global Affairs Canada)

**Summary:**

This Permanent Advisory Committee Meeting marked the first in a planned series of meetings. This inaugural meeting was introductory in nature and an opportunity to hear initial perspectives of committee members, which will help guide future discussions.

**Agenda – 27 April 2023:**

1. Welcome
2. Regrets / New Business / Approval of Agenda
3. Roundtable Introductions
4. Administration
5. Key Topic – Recommendations of 2022 Independent Report
6. Potential Future Topics
7. New Business
8. Roundtable
9. Adjournment

## 1. Welcome

Remarks by Chair:

- Welcomed all members. This new committee extends the work of the *RSSSA Ad-Hoc Advisory Committee*, with the objective of providing outside guidance to GAC's Space Regulatory Section.
- All meetings to be conducted by video in order to facilitate work and exchanges.

Remarks by Executive Director:

- Thanked Chair Mendes for accepting role and all members for serving on new committee – follows on three Independent Reviews and positive experiences of Ad-Hoc Committee. Will support continual improvements to regulatory administration of remote sensing industry.
- Ad-Hoc Committee paved way for a number of developments, including: three Client Procedure Circulars; better appreciation of perspectives from both sides (licensor and licensee) during the application review; an open discussion of views on elements in the Act and Regulations.

## 2. Regrets/ New Business /Approval of Agenda

- Regrets from Christine Tovee who could not attend.
- No new business raised.
- Agenda approved by Committee.

## 3. Roundtable Introductions

Committee members highlighted their most important priorities as related to the Act:

- a. Continue development of the CPC RSSSA Guides.
- b. Access remote sensing data quicker and easier.
- c. Distribute information to those who need it; ensure accuracy and veracity.
- d. Open science and related open data, as it relates the remote sensing space data.
- e. Sustainability of low earth orbit in era of mega constellations and its impact on the night sky.
- f. Level the playing field internationally – different regulations of different countries.
- g. Increase ability to benefit from open data – commercial capability, citizen applications.
- h. Canadian industry needs level playing field with international competitors (e.g. US model).
- i. Industry is making large investments. Data that is ubiquitous is heavily regulated in Canada.
- j. Today's technology has outstripped framework of Act – need to modernize.
- k. Challenges of looking at business opportunities, with current data restrictions.
- l. Need to maintain national security while balancing industry needs, minimizing interruptions.

## 4. Administration

- 10:00 EST meetings work well for members in the Pacific and in Europe time zones.
- Chatham House rule. That said, acceptance by Committee to publish names of members and participants (guests and observers).
- GAC's Space Regulatory Section serves as Secretariat in support of these meetings.
- Alternates, representing absent members, will have speaking privileges.
- Guest speakers are invited to speak.

## 5. Key Topic – Recommendations of 2022 Independent Report

GAC provided an update on activities further to the Independent Report, citing two quotes from the report's conclusion:

*“The RSSSA provides an effective set of tools for government regulators to exercise any required control over remote sensing space systems operated by Canadians worldwide and foreign operators in Canada.” (Section 11.1)*

*“GAC has done excellent work administering the RSSSA. This is true despite the complications and contradictions that GAC faces in implementing legislation that is increasingly outdated and arguably irrelevant in the emerging global marketplace of ubiquitous, lightly-regulated space remote sensing.” (Section 11.2)*

Of the report's 11 recommendations: 5 relate to the space sector in Canada; 6 relate to the RSSS Act, Regulations and the regulatory section. Actions summarized by GAC below.

### *Recommendation 1 – Review the Policy Goals of the RSSSA and adjust Regulatory Practice*

- The establishment of this permanent advisory committee is a beneficial first step; experts to help shape any interdepartmental process.

### *Recommendation 2 – Continue ongoing work to improve the RSSSA's licensing process*

- Recent actions include: development and publication of Client Procedural Circular Application Guide (update in process) and a forthcoming RSSSA Framework Guide.

### *Recommendation 3 – Establish a permanent RSSSA Advisory Committee*

- This recommendation has been met.

### *Recommendation 6 – Amend the Regulations*

- Ad-Hoc Committee suggested focusing on Class Exemptions and other amendments, which have been reviewed internally – i.e. defining a system as sensitive or non-sensitive. To be included in next update to Application Guide.

### *Recommendation 10 – Amend or Replace the Act*

- This recommendation has been reviewed internally. The 2022 Independent Report states the *Act* works well. The flexibility of the wording in the *Act* and *Regulations* continues to play a crucial role in the adaptability of the regulatory process.
- The Government is reviewing the regulation of the space sector. Challenging to pursue this recommendation unilaterally from a whole-of-government approach on space regulation.

### *Recommendation 4 – Further improvements to the Administration of the RSSSA by GAC*

- The 2022 report recommends securing appropriate resources to manage the significant workload increase. GAC is pursuing staffing actions to fill current and anticipated licensing officer vacancies. Not mentioned at meeting, but underway: creation of a new managerial position that replaces the previous deputy director and will focus exclusively on regulatory matters. This will help build stability and expertise for the section.

Feedback from Committee Members:

- Amending or replacing the *Act* is a long-term recommendation. The remote sensing space industry needs something now. May require an interim solution.
- Commercial and government discussions are important.
- The notion of sensitive versus non-sensitive applications needs to be further discussed
- Important to understand the implications of a sensitivity table. Sensitivity is not defined in government law and therefore needs to be defined.

## **6. Potential Future Topics**

The Committee was asked to examine Annex A of the April Meeting Agenda. GAC listed a series of potential topics for consideration. The Committee wishes to pursue the following (not in priority order):

- Where the *Act* fits within both international and Canadian legislation. Coordination of terminologies, definitions and restrictions/thresholds with regulatory counterparts.
- Sensitivity table for remote sensing data and equipment.
- Determining a threshold for open data (resolution, latency) within the Open Data (could touch on sensitive & non-sensitive)
- Regulation of SmallSats in general and their deorbit plan, particularly as related to Canada's international obligations

## **7. New Business**

No new business presented.

## **8. Roundtable**

Not initiated due to time restrictions.

## **9. Adjournment**

Agreement to convene prior to summer leave; next meeting in June. GAC to provide potential dates.

The meeting was adjourned.