

16 September 2020

Dear Home Affairs and Critical Infrastructure Centre,

via online submission

RE: Positive Obligations and Government Assistance: reforms to critical infrastructure

[SouthernLaunch.Space Pty Ltd](#) (“Southern Launch”) is an Australian launch services company based in Adelaide, South Australia. Services of Southern Launch include launch facility provision, range and flight safety services and launch operation services.

Southern Launch will provide launch operation services from two facilities, both in South Australia:

- 1) the Koonibba Test Range for suborbital and testing operations
- 2) the Whalers Way Orbital Launch Complex is currently being developed to provide access to space for orbital missions.

The Whalers Way Orbital Launch Complex will have various instalments of ground infrastructure.

Southern Launch understands the proposed definition of a *space critical asset* is an asset which contributes to the production, operation, supply and enablement of activities that form the space value chain, and that *ground based* critical infrastructure covers access to space including launch facilities and launch services. While there has been some discussion on reporting obligations and positive security and cyber obligations, there is little consultation centring on the level of government assistance in seeing companies have the means to comply with such obligations. The consultation paper restricts assistance to cyber assistance, for instance.

Further, government assistance to entities must go beyond the enhancement of government-industry partnerships and beyond assistance purely in the event of cyber threats or attacks.

Regarding the space sector, it is not only made up university research centres and multinational companies. Such entities often form the backbone to the capital of the sector, but it is the start-ups and small to medium level enterprises which drive market-ready innovation and develop world-leading solutions to provide services to consumers and further resilience to the Australian Defence Force.

Such solutions are often high risk in a commercial sense and are usually taken on by new business models or new companies. This means that a degree of certainty is required by these smaller entities when considering the regulatory requirements and applicable legal obligations as it moves forward in its commercial activity. The current consultation paper does not offer any clarity on the level of positive obligations against the assistance from government in this context.

Southern Launch suggests the Department / CIC provide industry on how the proposed reforms will be applied to space entities in the start-up and small to medium level enterprise segments. Southern Launch further suggests the Department / CIC further engage with entities in these segments and with the [Space Industry Association of Australia](#) in order to understand and consider the potential effects the reforms will have on the space sector's ability to provide critical infrastructure in the first place.

If the obligations under the reforms deter, or prevent, start-ups and small to medium level enterprises from providing significant services to Australians and security solutions to the Australian Defence Force, the Commonwealth will directly hinder the development of Australia's exceptional capabilities within the space sector.

Please don't hesitate to contact Mr Scott Schneider of our office on the details below for further comment or consultation.

Southern Launch wishes to see Australia's critical infrastructure protect the country, and to see that the country protects the providers of that critical infrastructure.

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