

GUIDANCE FOR APPLICANTS:

THE PUBLIC REGULATED SERVICE (GALILEO) REGULATIONS 2018

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Section 1

Introduction

This guidance describes the procedures to be followed in the application for a licence to operate, use, develop, manufacture, distribute, transfer or export Galileo Public Regulated Service (PRS) technology. The guidance should be read in conjunction with The Public Regulated Service (Galileo) Regulations 2018 and the PRS Decision No 1104/2011/EU of the European Parliament on the rules for access to the public regulated service.

Download a copy of [The Public Regulated Service \(Galileo\) Regulations 2018](#) and the Decision [1104/2011/EU of the European Parliament on the rules for access to the public regulated service](#) [the Decision]. Applicants are strongly advised to make themselves familiar with their provisions, before completing the application form.

As set out in the Decision the Galileo Public Regulated Service is a service solely designated for government-authorized users.

Of the various services offered by European satellite navigation systems, the PRS is both the most secure and the most sensitive and is therefore suitable for services where robustness and complete reliability must be ensured. It must ensure service continuity for its participants, even in the most serious crisis situations. The consequences of infringing the security rules when using this service are not restricted to the user concerned but could potentially extend to other users. Use and management of the PRS is therefore the joint responsibility of Member States in order to protect the security of the Union and their own security. Consequently, access to the PRS must be strictly limited to certain categories of user which are subject to continuous monitoring. The Public Regulated Service is restricted to government-authorized users.¹

This is version 1.0 of the guidance. The guidance will be reviewed periodically, and any new version will be numbered and dated.

¹ Extract from Decision No.1104/2011/EU prelims para 5.

In the United Kingdom (UK), the UK Space Agency acts for the Secretary of State who has been designated as the UK's Competent PRS Authority (CPA) under Article 5.1(a) of the Decision and regulation 3(1) of the Public Regulated Service (Galileo) Regulations 2018.

Applicants should consult the UK Space Agency (CPA) if they are in any doubt as to whether they need a licence. Contact details can be found within section 6 ('How to obtain a licence').

Applications are reviewed on a case-by-case basis, and the application validity is checked against compliance with the Decision, the Common Minimum Standards (CMS), the Security Policy Framework (SPF) and the Public Regulated Service (Galileo) Regulations 2018. Applicants are encouraged to contact the UK Space Agency as early as possible to discuss their application.

New applications should be submitted at least 50 working days in advance of any plans for PRS access. In certain exceptional circumstances it may be possible to process an application in a reduced timescale.

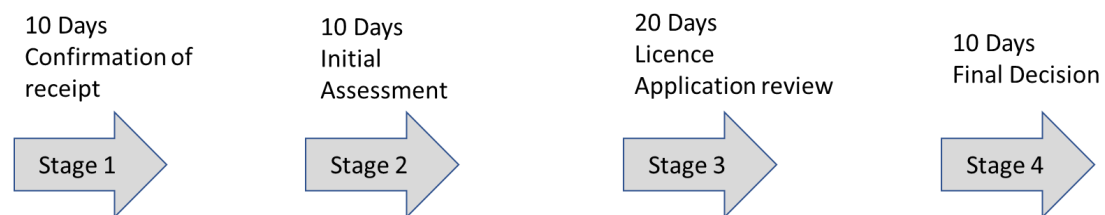


Diagram 1: PRS licence application timeline

Section 2

Acronyms and definitions

Acronyms

BEIS	Business Energy and Industrial Strategy
CAA	Crypto Approval Authority
CCI	COMSEC Controlled Item
CDA	Crypto Distribution Authority
CIS	Communication and Information System
CMS	Common Minimum Standards
CPA	Competent Public Regulated Service (PRS) Authority
DA	Distribution Authority
DSA	Designated Security Authority
EC	European Commission
EU	European Union
EUCI	European Union Classified Information
FSC	Facility Security Clearance
GNSS	Global Navigation Satellite System
GRON	Galileo Robust Operational Network
GSA	European Global Navigation Satellite System (GNSS) Agency
GSF	Galileo Security Facility
GSMC	Galileo Security Monitoring Centre
HMG	Her Majesty's Government
MS	Member State
NCSA	National Crypto Security Authority
NCSC	National Cyber Security Centre
NDA	National Distribution Authority
NSA	National Security Authority
NtK	Need-to-Know
OTAR	Over the Air Rekeying
PoC	Point of Contact
POC-P	Point of Contact - Platform
PRS	(Galileo) Public Regulated Service
PSC	Personal Security Clearance
SAB	Security Accreditation Board
SM	Security Module
SPF	Security Policy Framework
UC	User Community
UKSA	United Kingdom Space Agency

Definitions

Concept	Definition
UK Space Agency	In discharging its responsibilities on behalf of the UK's Competent PRS Authority, the UK Space Agency is supported by officials from other government bodies, such as BEIS, NCSC, NSA and other regulators. Officials from these organisations hold the necessary security clearances, and the appropriate Galileo PRS 'need to know' (NtK).
Export	Means export in accordance with Article (2) of Council Regulation (EC) No 428/2009.
GRON	GRON is the Galileo Robust Operational Network; this network provides an operational interface between the GSMC and the CPA.
Product	Means any tangible moveable item or data produced and supplied in digital form, including software.
POC-P	POC-P is the equipment that will provide the electronic interface between the Competent PRS Authorities and the GSMC. It is the interface that shall be used to exchange PRS keys and related classified information with the GSMC.
PRS user group	A set of PRS users who possess the same operational key.
PRS Security Module	An electronic device that performs the functions as described in CMS Annex II point 1.4.
PRS technology	The software, hardware and documentation required for the research, development, design, qualification, production or use of PRS equipment that requires or has required access to classified PRS information.
PRS User Segment	The PRS User Segment comprises PRS users and PRS receivers as well as the support and management infrastructure (both equipment and organisation) required for the use, manufacture and export/transfer of PRS items, all those activities being under the responsibility of the Competent PRS Authorities.

Transfer of PRS items

The transfer of PRS items between Member States shall be authorised by the Competent National Authorities in compliance with the measures taken in application of the Decision and the applicable provisions of Council Regulation (EC) No 428/2009.

Section 3

Applicable documents

The following applicable documents are those specifications, standards and criteria used to define access to the PRS by a UK applicant. During the application process EU classified information [EUCI] will be required. The EUCI cannot be provided during the application process until the conditions of [AD.12] the security rules for protecting EU classified information, and [AD.15] Her Majesty's Government Security Policy Framework have been met.

The Common Minimum Standards [CMS] are a controlled document and only apply to MS and third countries who voluntarily wish to be bound by its provisions (manufacturers and users of PRS equipment). Due to the sensitive content, including details that could prejudice third country negotiations, the European Commission has decided that the CMS will not be published in the Official Journal. Only those who have sought and received government authorisation to access the PRS, who will therefore be required to apply the standards, will be granted access to the parts of the text that will be relevant to them. To provide the prospective applicant with an insight into the content of the CMS, an unclassified precis of the CMS content covering the areas (i) general information, (ii) the development and manufacture of PRS receivers or security modules, and (iii) export conditions are described below:

The common minimum standards general information:

- (i) PRS user group organisation
- (ii) Definition and management of access rights for PRS users and user groups of PRS participants
- (iii) Distribution of PRS keys and related classified information between the GSMC and the competent PRS authorities and to the users
- (iv) Security management, including security incidents, and risk assessment for PRS receivers and associated classified technology and information
- (v) Reporting of detected potentially harmful electromagnetic interference affecting the PRS
- (vi) Operational concepts and procedures for PRS receivers.

The common minimum standards for the development and manufacture of PRS receivers or security modules cover the following areas:

- (i) PRS user segment authorisation
- (ii) Security of PRS receivers and PRS technology during research, development and manufacturing phases
- (iii) PRS receiver and PRS technology integration
- (iv) Protection profile for PRS receivers, security modules, and material using PRS technology.

The common minimum standards for export restrictions cover the following areas:

- (i) Authorised PRS participants
- (ii) Export of PRS-related material and technology.

[AD.1] Regulation (EU) No 1285/2013 of the European Parliament and of the Council of 11 December 2013 on the implementation and exploitation of European Satellite navigation systems and repealing Council Regulation (EC) No.876/2002 and Regulation (EC) No. 683/2008 of the European Parliament and of the Council (hereafter referred to as “the GNSS Regulation”).

[AD.2] Decision No 1104/2011/EU of the European Parliament and of the Council of 4 November 2011 on the rules for access to the public regulated service provided by the global navigation satellite system established under the Galileo program.

[AD.3] COMMISSION DELEGATED DECISION supplementing Decision No 1104/2011/EU of the European Parliament and of the Council as regards the common minimum standards to be complied with by the competent PRS authorities (referred to as “Common Minimum Standards” or “CMS”), C(2015) 6123.

[AD.4] Regulation (EU) No 912/2010 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 22 September 2010 setting up the European GNSS Agency, repealing Council Regulation (EC) No 1321/2004 on the establishment of structures for the management of the European satellite radio navigation programmes and amending Regulation (EC) No 683/2008 of the European Parliament and of the Council as last amended (referred to as “the GSA regulation”).

[AD.5] REGULATION (EU) No 512/2014 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 16 April 2014 amending Regulation (EU) No 912/2010 setting up the European GNSS Agency, repealing Council Regulation (EC) No 1321/2004 on the establishment of structures for the management of the European satellite radio

navigation programmes and amending Regulation (EC) No 683/2008 of the European Parliament and of the Council (referred to as the “new GSA regulation”).

[AD.6] Council Decision of 23 September 2013 No. 2013/488/EU on the security rules for protecting EU classified information (2013/488/EU).

[AD.7] Programme Security Instruction concerning European GNSS Programmes issued by GNSS Security Board Issue 4.1, dated 26.09.2014 (hereafter referred to as “the European GNSS PSI”).

[AD.8] Security Classification Guide of the GalileoSat Programme (formerly Annex I of the GalileoSat Programme Security Instruction), Draft 2.1, Dated 12 June 2008.

[AD.9] European GNSS COMSEC Security Instructions, (former Annex H to the European GNSS PSI), Issue 3 Version 0, Dated 05.07.2013.

[AD.10] COUNCIL DECISION 2014/496/CFSP of 22 July 2014 on aspects of the deployment, operation and use of the European Global Navigation Satellite System affecting the security of the European Union and repealing Joint Action 2004/552/CFSP (referred to as “Joint Action”).

[AD.11] COUNCIL REGULATION (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items.

[AD.12] COMMISSION DECISION 2015/444/ (EU, Euratom) of 13 March 2015 on the security rules for protecting EU classified information.

[AD.13] SABAP2M Guidelines for the SAB Authorisation of PRS Manufacturers GSA-SAB-14-05-16-06, V2.0.

[AD.14] The Public Regulated Service (Galileo) Regulations 2018.

[AD.15] Her Majesty’s Government [HMG] Security Policy Framework [SPF] April 2014.

Section 4

The Public Regulated Service (Galileo) Regulations 2018

The Public Regulated Service (Galileo) Regulations 2018 are the legal basis for the regulation of activities in relation to the use or manufacture of PRS technology in the UK. The Regulation defines that the use of the PRS, PRS products or PRS equipment developed or manufactured is prohibited without a licence issued by the UK Space Agency.

The Regulations confer licensing and other powers on the Secretary of State who carries these powers out through the UK Space Agency. The UK Space Agency is designated as the Competent Authority for the purposes of managing and supervising access to and use of the PRS. The legislation seeks to ensure compliance with the UK's obligations as set out under EU Decision 1104/2011/EU of the European Parliament on the rules for access to the PRS.

Section 5

What is a licence?

The UK Space Agency may grant a licence authorising a named person (or persons) if the authority is satisfied that it is appropriate to do so having regard to the requirements of the PRS Decision and Regulations, for a period subject to the conditions and activities as it thinks fit.

A licence may contain conditions:

- (i) requiring compliance with the relevant common minimum standards (CMS)
- (ii) requiring the licensee to act in such a way as to preserve national security, by adhering to the guidance provided in the Security Policy Framework. The Security Policy Framework describes the standards, best-practice guidelines and approaches that are required to protect UK government assets (people, information and infrastructure). It focuses on the outcomes that are required to achieve a proportionate and risk-managed approach to security that enables government business to function effectively, safely and securely
- (iii) requiring the licensee to protect classified PRS information in such a manner as to ensure the information is kept securely and handled with the appropriate level of confidentiality; in relation to the use of the PRS, a PRS product or classified PRS information
- (iv) permitting inspection by the Compliance Authority of the licensee's premises and inspection and testing by the authority of a PRS product in the possession of the licensee
- (v) requiring the licensee to provide the Compliance Authority with such information, and within such a period, as the Compliance Authority thinks fit concerning the licensee's activity in relation to a PRS product or classified PRS information
- (vi) permitting the Compliance Authority to inspect and take copies of documents relating to the PRS information required to be given to the authority
- (vii) imposing restrictions on the licensee's activity in relation to the public regulated service, a PRS product or classified PRS information; relating to the transfer of a licence; and providing for termination or revocation of the licence in specified circumstances.

The licensee must comply with all licence conditions.

Prohibition of unlicensed activities

A person must not—use the Public Regulated Service or any PRS product, develop or manufacture any PRS product, own or distribute any PRS product, export from the UK any PRS product, transfer from the UK to another member State any PRS product, or handle classified PRS information, except under the authority of a licence granted by the UK Space Agency under the Regulations or with the written consent of the UK Space Agency.

Section 6

How to obtain a Licence

Applications should be sent by post or email to:

UK CPA PRS Applications
Room C204
Polaris House
North Star Avenue
Swindon
SN2 1SZ

Email - UK-CPA-PRS-Applications@ukspaceagency.gov.uk

The initial information provided with the licence application will be assessed, and the UK Space Agency may need to seek further information or clarification of particular points from the applicant in the course of assessing the application. The UK Space Agency will visit the premises where the manufacture or use of PRS technology is undertaken to validate the information supplied in the licence application. At all stages of the licensing process, the UK Space Agency will keep applicants informed and explain the reasons for any decisions or additional requests for information.

There are four main stages to the licensing process. These are set out below.

Stage 1

Completed licence application form (UKSA/PRS/APP1) with supporting information is received by the Compliance Authority (the UK Space Agency). Confirmation of receipt of application will be supplied within 10 working days.

Stage 2

Initial assessment of the application is conducted by the Compliance Authority, to ensure that it complies with the requirements of the licencing regime. Once the initial assessment has been carried out, the applicant will be provided with the dates when the inspection of site(s) will take place. At least 10 working days' notice of inspection will be given.

Stage 3

Licence application review, duration 20 working days. The Compliance Authority will liaise, as appropriate, with other government departments and partners to complete the assessment of the application.

Stage 4

Final decision, duration 10 working days. The UK Space Agency ensures that all checks are complete and selects whether to issue the licence. The applicant is informed of the decision and the licence is prepared and issued if approved.

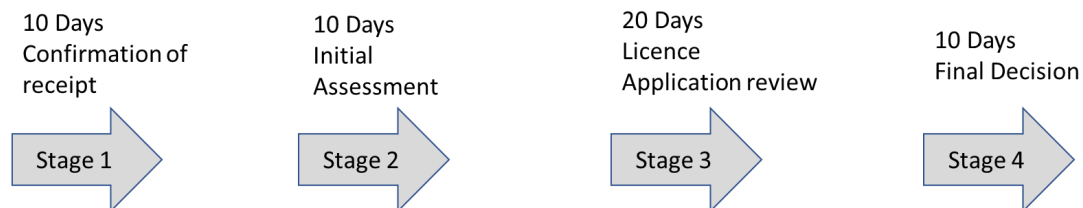


Diagram 2: PRS licence application timeline

Section 7

Different types of license

The licence issued by the UK Space Agency will incorporate various conditions associated with the PRS, which will be dependent upon the activities to be undertaken. The license is described as the permission granted by the competent authority to exercise a certain privilege that, without such authorisation, would constitute an illegal act, an infringement or an offence. Thus, the license gives a person or organisation permission to engage in specified PRS activities.

Examples of activities:

- User/operator
- Research and Development
- Manufacturing
- Monitoring
- Distribution
- Transfer
- Export.

Section 8

Persons who may be licensed

The Regulations extend to England and Wales, Scotland and Northern Ireland. Under the terms of the Public Regulated Service (Galileo) Regulations 2018, the licence is the instrument by which the Secretary of State authorises the use to a “person” in a clearly defined way. In legal terms “a person” may be an individual operating a business from their own premises, or two or more people acting together in partnership, a company or an incorporated association.

Application for licences under the legislation may be made either in hard copy or electronically (e.g. a pdf of the signed application form), using the appropriate application form, which can be found at Annex A. Other supporting material as requested on the application form or that the applicant sees fit to include should be submitted at the same time.

Public corporations and public bodies

There are many statutory bodies that may hold a licence (e.g. Local Government Authorities, public regulators, and transport authorities). The licence would be issued in the legal full name of the authority and issued to an officer of that corporation or body. Some public bodies may also govern public institutions. If such institutions have a separate legal identity, then they should be licensed in that identity. If not, they should be licensed under the appropriate body.

Registered companies

Under UK Company Law, business may incorporate to form a company, which limits their liability to that of the business itself and not its owners. There are two main forms of registered company, these being (i) Limited Company (Ltd) or (ii) Public Limited Company (Plc).

Registered companies must be registered at Companies House, where trading details are sent for filing and made available for public scrutiny. All companies must have a director and a company secretary.

For any registered company applying for a licence, the licence must be held in the full registered name of the company. All companies are issued with a certificate of incorporation, which includes a unique registration number; the UKSA requires this number and registered address on all company correspondence.

The Crown

The Crown includes Parliament, government ministers and its servants. Generally, core central government departments fall within the definition of the Crown.

Other government bodies including non-departmental public bodies, office holders, commissioners, and regulators may also be considered as the Crown if the statute bringing them into existence confers upon them Crown status.

Under the Public Regulated Service (Galileo) Regulations 2018, the use or manufacture of PRS technology is unlawful unless authorised by a licence granted by the UK Space Agency or with its written consent. Appropriate arrangements will be made where the Crown seeks to engage in any activity for which a licence is required. Enforcement procedures do not apply in respect of premises occupied by the Crown

General rule

It is important that any changes in the name or configuration of persons holding a licence are promptly notified to the UK Space Agency CPA.

Section 9

Actions applied on the infringement of the licence conditions

If there is an infringement of the licence conditions, then sanctions may be deployed. These sanctions are a deterrent and help ensure that the applicant maintains the expected standard of conduct. Underpinning this approach is the need to ensure that sanctions are both reasonable and proportionate to the harm caused by the behaviour it is addressing. These sanctions detailed within Parts 3 and 4 of the Regulations are clear and transparent as to whom they apply, what behaviour is subject to sanction, the approach and the process that the enforcement body undertakes in deciding which sanction to impose and how to impose any such sanction.

The enforcement officers consist of personnel from the UK Space Agency and other authorised officers. These officers take the appropriate measures to address an infringement of the licence conditions and relevant EU legislation. This allows for a stepped approach to enforcement, by imposing a sanction that appropriately matches the harm caused by the behaviour and, where appropriate, range from advice and guidance through to the eventual revocation of the licence.

The revocation, suspension or expiry of a licence does not affect the obligations of the licensee under the conditions of licence, including any obligations of confidence in relation to classified PRS information or other information obtained from the UK Space Agency under the licence.