



# Space Industry Act 2018

## 2018 CHAPTER 5

### *Powers in relation to land*

#### **41 Power to restrict use of land temporarily**

- (1) The Secretary of State may by order temporarily restrict or prohibit the use of a specified area of land or water as a place for the arrival and departure of aircraft or spacecraft if satisfied that it is appropriate to do—
  - (a) to secure that a specified launch or landing may be safely carried out at a specified spaceport, or
  - (b) to prevent a specified launch or landing at a specified spaceport from endangering persons or property.
- (2) An order under subsection (1) may not restrict or prohibit the use of an area of tidal waters that is beyond those of the territorial sea adjacent to the United Kingdom.
- (3) An order under subsection (1) must specify the period, or periods, during which the use of the specified area of land or water is restricted or prohibited.
- (4) Schedule 6 makes further provision in relation to orders under subsection (1).

In that Schedule—

  - (a) Part 1 applies to orders under this section that do not prohibit or restrict the use of water (“land orders”);
  - (b) Part 2 applies to orders under this section that are not land orders.
- (5) It is an offence to contravene a provision of an order under subsection (1).
- (6) An offence under subsection (5) committed on tidal waters outside the ordinary jurisdiction of a court of summary jurisdiction may be tried and punished by such a court as if it had been committed in the nearest part of the United Kingdom that is within the jurisdiction of such a court.
- (7) Subsection (6), as it applies in relation to Scotland, does not confer jurisdiction on any court of summary jurisdiction other than the sheriff court.
- (8) Proceedings for an offence under subsection (5) may be instituted—

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*Status: This is the original version (as it was originally enacted).*

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- (a) in England and Wales, only by or with the consent of the Secretary of State or the Director of Public Prosecutions;
  - (b) in Northern Ireland, only by or with the consent of the Secretary of State or the Director of Public Prosecutions for Northern Ireland.
- (9) In this section—
- “launch or landing” means a launch or landing of a spacecraft or carrier aircraft;
  - “specified” means specified in an order under subsection (1).