
STATUTORY INSTRUMENTS

2018 No. 230

The Public Regulated Service (Galileo) Regulations 2018

PART 2

Licensing

Competent authority

3.—(1) The compliance authority is designated as the competent authority for the purposes of managing and supervising the use of the public regulated service in accordance with the provisions of these Regulations and the PRS Decision.

(2) It is the duty of the compliance authority to monitor compliance with these Regulations in accordance with the requirements of the PRS Decision.

(3) The compliance authority may enforce these Regulations or authorise a person to enforce these Regulations on its behalf.

Prohibition of unlicensed activities

4.—(1) A person must not—

- (a) use the public regulated service or any PRS product,
- (b) develop or manufacture any PRS product,
- (c) own or distribute any PRS product,
- (d) export from the United Kingdom any PRS product,
- (e) transfer from the United Kingdom to another member State⁽¹⁾ any PRS product, or
- (f) handle classified PRS information,

except under the authority of a licence granted by the compliance authority under these Regulations or with the written consent of the compliance authority.

(2) In paragraph (1)(d) “export” means export in accordance with article 2(2) of 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⁽²⁾.

Grant of licence

5. The compliance authority may grant a licence to a person if the authority is satisfied that it is appropriate to do so having regard to the requirements of the PRS Decision, in particular Articles 3 to 5, 7 to 9, and 14 and the Annex.

(1) “member State” is defined in Part 2 of Schedule 1 to the European Communities Act 1972.

(2) OJ L 134, 29.5.2009, p1.

Conditions of licence

6.—(1) The compliance authority may grant a licence for such period and subject to such conditions as it thinks fit and must specify in the licence the activity authorised by it.

(2) A licence may in particular contain conditions—

- (a) requiring compliance with relevant common minimum standards covering the areas set out in the Annex,
- (b) requiring the licensee to act in such a way as to preserve national security,
- (c) requiring the licensee to protect classified PRS information in such manner as to ensure the information is kept securely and handled with the appropriate level of confidentiality,
- (d) in relation to the use of the public regulated service, a PRS product or classified PRS information,
- (e) in relation to the type of technology that may be used to develop or manufacture a PRS product,
- (f) 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,
- (g) requiring the licensee to provide the compliance authority with such information, and within such period of time, as the compliance authority thinks fit concerning the licensee's activity in relation to a PRS product or classified PRS information,
- (h) permitting the compliance authority to inspect and take copies of documents relating to the information required to be given to the authority,
- (i) imposing restrictions on the licensee's activity in relation to the public regulated service, a PRS product or classified PRS information,
- (j) relating to the transfer of a licence, and
- (k) providing for termination or revocation of the licence in specified circumstances.

(3) The licensee must comply with any licence condition.

(4) 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 compliance authority under the licence.