

**Changes to legislation:** Space Industry Act 2018 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### SCHEDULE 1

Section 13

#### PARTICULAR CONDITIONS THAT MAY BE INCLUDED IN LICENCES

- 1 Conditions as to compliance with—
- (a) safety requirements regarding the design and operation of spacecraft, carrier aircraft and payloads;
  - (b) requirements regarding the assembling, integration and fuelling of spacecraft or carrier aircraft, mating of spacecraft or carrier aircraft to their payloads and fuelling of payloads;
  - (c) requirements for handling strategies relating to the security and integrity of payloads;
  - (d) requirements relating to range, tracking, surveillance, risk management, weather measurement and meteorological forecasting;
  - (e) requirements for the protection of persons whose health or safety could be put at risk by spaceflight activities carried out by the licensee, or at or from a spaceport operated by the licensee;
  - (f) requirements for the protection of sensitive or restricted information, technology or items;
  - (g) space debris mitigation guidelines.

#### Commencement Information

**I1** Sch. 1 para. 1 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 2 Conditions as to following advice given by a range control service provider.

#### Commencement Information

**I2** Sch. 1 para. 2 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 3 Conditions as to the craft or equipment, or the types of craft or equipment, used for or in connection with spaceflight activities (including training for spaceflight activities).

#### Commencement Information

**I3** Sch. 1 para. 3 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 4 Conditions as to trajectories and mission profiles.

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**Commencement Information**

**I4** Sch. 1 para. 4 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 5 Conditions requiring the licensee to provide the regulator, or a range control service provider, as soon as possible with—
- (a) information as to the date and location of any launch;
  - (b) the basic orbital parameters of any space object to be put into orbit, including nodal period, inclination, apogee and perigee;
  - (c) any other information that the regulator, or a range control service provider, may require concerning the nature, conduct, location and results of the licensee's activities.

**Commencement Information**

**I5** Sch. 1 para. 5 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 6 Conditions requiring the licensee to obtain advance approval from the regulator for any intended deviation from notified orbital parameters, and to inform the regulator or a range control service provider immediately of any unintended deviation.

**Commencement Information**

**I6** Sch. 1 para. 6 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 7 Conditions requiring the carrying out of assessments of the impact that noise and emissions from spaceflight activities authorised by the licence are expected to have on communities in the vicinity.

**Commencement Information**

**I7** Sch. 1 para. 7 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 8 Conditions imposing restrictions as to areas in relation to which, the times at which and the manner in which spaceflight activities are carried out.

**Commencement Information**

**I8** Sch. 1 para. 8 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 9 Conditions requiring the licensee to notify specified persons—
- (a) of any spaceflight activities that are due to be carried out which will or may involve a spacecraft, carrier aircraft or other object flying over, or falling into, a specified area of water;
  - (b) of any risk of damage to persons or property in the area whilst the activities are carried out.

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**Commencement Information**

**I9** Sch. 1 para. 9 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 10 Conditions requiring—
- (a) the launch of a spacecraft or carrier aircraft to be aborted or delayed, or
  - (b) unmanned spacecraft or other objects to be destroyed,
- in specified circumstances.

**Commencement Information**

**I10** Sch. 1 para. 10 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 11 Conditions governing the disposal of any payload in outer space on the termination of operations and requiring the licensee to notify the regulator as soon as practicable of its final disposal.

**Commencement Information**

**I11** Sch. 1 para. 11 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 12 Conditions designed to secure compliance with—
- (a) obligations of the United Kingdom under agreements entered into with other countries;
  - (b) any other international obligations of the United Kingdom.

**Commencement Information**

**I12** Sch. 1 para. 12 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 13 Conditions imposing restrictions or prohibitions on spacecraft or carrier aircraft landing outside the United Kingdom.

**Commencement Information**

**I13** Sch. 1 para. 13 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 14 Conditions requiring the licensee to conduct the licensee's activities in such a way as—
- (a) to prevent the contamination of outer space or adverse changes in the environment of the earth,
  - (b) to avoid interference with the activities of others in the peaceful exploration and use of outer space,
  - (c) to preserve the national security of the United Kingdom, and
  - (d) not to prejudice the foreign policy of Her Majesty's government in the United Kingdom.

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**Commencement Information**

**I14** Sch. 1 para. 14 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 15 Conditions requiring spaceflight activities to be carried out at—
- (a) a spaceport that the licensee or another person is authorised to operate by a spaceport licence,
  - (b) an aerodrome licensed under an Air Navigation Order,
  - (c) an aerodrome occupied for the purposes of the armed forces of the Crown, or
  - (d) an aerodrome authorised by a certificate under [Commission Regulation \(EU\) No 139/2014](#) of 12 February 2014 laying down requirements and administrative procedures related to aerodromes pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council.

**Commencement Information**

**I15** Sch. 1 para. 15 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 16 Conditions (in the case of a spaceport licence) prohibiting spaceflight activities, or spaceflight activities of a specified description, from being carried out without the prior approval of the regulator.

**Commencement Information**

**I16** Sch. 1 para. 16 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 17 Conditions requiring a mission management facility to be located in the United Kingdom if the spaceflight activities controlled from the facility involve spacecraft or carrier aircraft launched from a site in the United Kingdom.

**Commencement Information**

**I17** Sch. 1 para. 17 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 18 Conditions permitting inspection by the regulator (or a person acting on the regulator's behalf) of—
- (a) a spaceport, mission management facility or other site used or operated by the licensee, and
  - (b) any facilities, equipment, spacecraft, carrier aircraft or other vehicles on it.

**Commencement Information**

**I18** Sch. 1 para. 18 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 19 Conditions permitting testing by the regulator (or a person acting on the regulator's behalf) of—
- (a) the equipment at a spaceport or mission management facility, or
  - (b) any other equipment used by the licensee.

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**Commencement Information**

**I19** Sch. 1 para. 19 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 20 Conditions permitting the regulator (or a person acting on the regulator's behalf) to inspect and take copies of documents relating to the information required to be given to the regulator.

**Commencement Information**

**I20** Sch. 1 para. 20 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 21 Conditions permitting the regulator to attend the launch of any spacecraft or carrier aircraft.

**Commencement Information**

**I21** Sch. 1 para. 21 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 22 Conditions permitting the regulator to attend specified meetings.

**Commencement Information**

**I22** Sch. 1 para. 22 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 23 Conditions designed to avoid actual or perceived conflicts of interest or undue influence with regard to safety-critical decisions and procedures (including conditions relating to the ownership or control of spaceports, mission management facilities, spacecraft, carrier aircraft, payloads and equipment).

**Commencement Information**

**I23** Sch. 1 para. 23 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 24 Conditions relating to the security of—
- (a) spaceports or mission management facilities, or particular areas of them;
  - (b) facilities, equipment, spacecraft, carrier aircraft, other vehicles, payloads, cargo, supplies or other things at spaceports or mission management facilities.

**Commencement Information**

**I24** Sch. 1 para. 24 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 25 Conditions relating to the use, processing, communication and distribution of data obtained in the course of spaceflight activities.

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**Commencement Information**

**I25** Sch. 1 para. 25 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 26 Conditions requiring specified persons taking part in spaceflight activities to be informed that the activities carry an inherent risk of danger and have not been certified as safe by the regulator.

**Commencement Information**

**I26** Sch. 1 para. 26 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 27 Conditions corresponding to or supplementing—
- (a) the prohibition in section 17 on individuals taking part in spaceflight activities unless they have consented to accept the risks involved;
  - (b) requirements as to training, qualifications and medical fitness prescribed under section 18.

**Commencement Information**

**I27** Sch. 1 para. 27 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 28 Conditions requiring licensees—
- (a) to keep risk assessments under review,
  - (b) to revise them as necessary, and
  - (c) to take appropriate steps where risk assessments are revised.

**Commencement Information**

**I28** Sch. 1 para. 28 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 29 Conditions imposing restrictions or requirements as to persons involved in spaceflight activities.

**Commencement Information**

**I29** Sch. 1 para. 29 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 30 Conditions as to the qualifications of persons involved in spaceflight activities.

**Commencement Information**

**I30** Sch. 1 para. 30 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 31 Conditions as to the responsibilities of persons involved in spaceflight activities.

**Commencement Information**

**I31** Sch. 1 para. 31 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

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32 Conditions requiring co-operation with any accident investigations.

**Commencement Information**

**I32** Sch. 1 para. 32 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

33 Conditions imposing restrictions or requirements as to the carriage for reward of people or cargo in spacecraft or carrier aircraft.

**Commencement Information**

**I33** Sch. 1 para. 33 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

34 Conditions prohibiting or restricting the display or emission, on or from spacecraft or carrier aircraft, of advertising material or other communications in such a way that the material or communications are visible or audible from the ground.

**Commencement Information**

**I34** Sch. 1 para. 34 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

35 Conditions requiring insurance or indemnities, including—  
(a) conditions requiring liability to third parties to be insured for no less than a specified amount;  
(b) conditions as to compliance with requirements imposed by regulations under section 38(1).

**Commencement Information**

**I35** Sch. 1 para. 35 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

36 Conditions requiring waivers or indemnities to be provided, including conditions requiring—  
(a) the holder of a spaceflight licence, and  
(b) any person with whom the holder of the licence makes contractual arrangements in connection with the carrying out of activities authorised by the licence (other than an individual taking part in spaceflight activities in a role or capacity prescribed under section 17(1)),  
to enter into reciprocal waivers of liability in respect of any injury or damage resulting from the carrying out of those activities.

**Commencement Information**

**I36** Sch. 1 para. 36 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

37 Conditions requiring payment to the regulator (whether on the grant of a licence, subsequently or both) of charges determined under a scheme made under Schedule 11.

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**I37** Sch. 1 para. 37 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 38 Conditions requiring the licensee to provide the Secretary of State with information about the prices charged, or to be charged, by the licensee for services provided in connection with activities authorised by the licence.

**Commencement Information**

**I38** Sch. 1 para. 38 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

- 39 Conditions providing for the review or termination of the licence on the happening of specified events.

**Commencement Information**

**I39** Sch. 1 para. 39 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 108 (with reg. 3)

SCHEDULE 2

Section 18

TRAINING REGULATIONS: FURTHER PROVISION

- 1 (1) Training regulations may make provision requiring an individual's competence—
- (a) to take part in, or otherwise to be engaged in connection with, prescribed activities in a prescribed role or capacity, or
  - (b) to work at a prescribed place, or to work at a prescribed place in a prescribed role or capacity,
- to be assessed by a person approved by, or on behalf of, the regulator.
- (2) Training regulations may prescribe what a person may or must do in order to fulfil any prescribed criteria with respect to training and qualifications or medical fitness.

**Commencement Information**

**I40** Sch. 2 para. 1 in force at 26.11.2018 by S.I. 2018/1224, reg. 2(bbb)

- 2 (1) Training regulations may make provision requiring training to be provided only by a person approved by, or on behalf of, the regulator.
- (2) Training regulations may make provision—
- (a) requiring training to cover prescribed matters;
  - (b) requiring the content of training to be approved by, or on behalf of, the regulator.
- (3) Training regulations may make provision about—
- (a) training facilities;
  - (b) craft or vehicles to be used for the purposes of training;
  - (c) the use of training devices.



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- (4) Training regulations may make provision about inspection of approved training providers and approved assessors.

**Commencement Information**

**I41** Sch. 2 para. 2 in force at 26.11.2018 by S.I. 2018/1224, reg. 2(bbb)

- 3 Training regulations may make provision about keeping records of training undertaken or provided.

**Commencement Information**

**I42** Sch. 2 para. 3 in force at 26.11.2018 by S.I. 2018/1224, reg. 2(bbb)

- 4 Training regulations may—
- (a) make provision about how applications for any authorisation, approval or other document required by the regulations are to be made, considered and determined (including provision about the examinations and tests to be undergone);
  - (b) make provision for any such document to be granted subject to conditions or limitation of time;
  - (c) make provision about the suspension, revocation, recognition, renewal or variation of any such document (including provision about the examinations and tests to be undergone);
  - (d) make provision about the form, custody, protection, cancellation, suspension, endorsement and surrender of any such document.

**Commencement Information**

**I43** Sch. 2 para. 4 in force at 26.11.2018 by S.I. 2018/1224, reg. 2(bbb)

SCHEDULE 3

Section 19

SAFETY REGULATIONS: FURTHER PROVISION

- 1 (1) Safety regulations may make provision for prohibiting craft from being used in spaceflight activities—
- (a) unless prescribed conditions are complied with, or
  - (b) at all.
- (2) Safety regulations may make provision for the detention of spacecraft.
- (3) Safety regulations may make provision as to—
- (a) the conditions under which space objects and carrier aircraft may be launched and operated;
  - (b) the conditions under which spaceflight activities may be carried out;
  - (c) the conditions under which spacecraft and carrier aircraft may fly from one part of the United Kingdom to another.

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- (4) Safety regulations may make provision—
- (a) for minimising or preventing interference with the use, or the effectiveness, of apparatus used in connection with the navigation of spacecraft or carrier aircraft;
  - (b) for prohibiting the use of any apparatus in connection with the navigation of spacecraft or carrier aircraft;
  - (c) for regulating the use of apparatus used in connection with the navigation of spacecraft or carrier aircraft.
- (5) Safety regulations may make provision for prohibiting or regulating the display of signs or lights liable to endanger spacecraft.

**Commencement Information**

**I44** Sch. 3 para. 1 in force at 26.11.2018 by S.I. 2018/1224, reg. 2(ccc)

- 2
- (1) Safety regulations may make provision for prohibiting the carriage of passengers in spacecraft or carrier aircraft—
- (a) unless prescribed conditions are complied with, or
  - (b) at all.
- (2) Safety regulations may make provision for prohibiting the carrying on of prescribed activities on board spacecraft or carrier aircraft—
- (a) unless prescribed conditions are complied with, or
  - (b) at all.
- (3) Safety regulations may make provision for safeguarding the health of people carried in spacecraft or carrier aircraft.

**Commencement Information**

**I45** Sch. 3 para. 2 in force at 26.11.2018 by S.I. 2018/1224, reg. 2(ccc)

- 3
- (1) Safety regulations may impose prohibitions, restrictions or conditions in relation to the carriage of goods, materials and other items by spacecraft, including (in particular) prohibitions, restrictions or conditions in relation to the carriage of—
- (a) radioactive material, or
  - (b) other materials or items that may be hazardous to persons or the environment.
- (2) Safety regulations may make provision about payloads carried by spacecraft.

**Commencement Information**

**I46** Sch. 3 para. 3 in force at 26.11.2018 by S.I. 2018/1224, reg. 2(ccc)

- 4
- (1) Safety regulations may make provision prohibiting an individual from carrying out a prescribed role, or acting in a prescribed capacity, at a spaceport or mission management facility unless the individual fulfils prescribed criteria.
- (2) Safety regulations may make provision for the licensing of individuals employed at spaceports in the inspection or supervision of spacecraft or carrier aircraft.

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**Commencement Information**

**I47** Sch. 3 para. 4 in force at 26.11.2018 by S.I. 2018/1224, reg. 2(ccc)

- 5 Safety regulations may make provision under which—
- (a) members of the public may be denied access, at particular times, to spaceports or to particular areas within or in the vicinity of spaceports, or
  - (b) members of the public may be allowed such access only if they have signified their consent (in accordance with provision made by the regulations) to accept the risks involved.

**Commencement Information**

**I48** Sch. 3 para. 5 in force at 26.11.2018 by S.I. 2018/1224, reg. 2(ccc)

- 6 (1) Safety regulations may—
- (a) provide for any of sections 92 to 94 of the Railways and Transport Safety Act 2003 (aviation: alcohol and drugs) to apply (to the extent that they otherwise would not) in relation to spaceflight activities;
  - (b) provide for any of those provisions of that Act to apply with prescribed modifications;
  - (c) make provision corresponding to that made by any of those provisions of that Act.
- (2) The power in sub-paragraph (1)(b) does not include power—
- (a) to modify the mode of trial for an offence, or
  - (b) to specify greater penalties for it.
- (3) The power in sub-paragraph (1)(c) does not include power—
- (a) to make different provision with regard to the mode of trial for a new offence, or
  - (b) to specify greater penalties for a new offence,
- as compared with the provision or penalties that apply to the existing offence to which the new offence corresponds.

**Commencement Information**

**I49** Sch. 3 para. 6 in force at 26.11.2018 by S.I. 2018/1224, reg. 2(ccc)

- 7 Safety regulations may make provision—
- (a) as to the manner and conditions of the issue, validation, renewal, extension, variation or revocation of any certificate or other document or the undergoing of any examination or test required by the regulations;
  - (b) as to the form, custody, production, cancellation, suspension, endorsement and surrender of any such document.

**Commencement Information**

**I50** Sch. 3 para. 7 in force at 26.11.2018 by S.I. 2018/1224, reg. 2(ccc)

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## SCHEDULE 4

Section 22

### OFFENCES AGAINST THE SAFETY OF SPACECRAFT ETC

#### *Hijacking of spacecraft*

- 1 A person on board a UK-launched spacecraft in flight who unlawfully, by the use of force or by threats of any kind, seizes the spacecraft or exercises control of it commits the offence of hijacking a spacecraft.

#### **Commencement Information**

**I51** Sch. 4 para. 1 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 109 (with reg. 3)

#### *Destroying, damaging or endangering safety of spacecraft*

- 2 (1) It is an offence for a person unlawfully and intentionally—
- (a) to destroy a UK-launched spacecraft,
  - (b) to damage a UK-launched spacecraft in a way that renders it incapable of flight or is likely to endanger its safety in flight,
  - (c) to commit on board a UK-launched spacecraft in flight an act of violence that is likely to endanger the safety of the spacecraft or of a carrier aircraft by which it is being carried, or
  - (d) to commit on board a UK-launched carrier aircraft in flight an act of violence that is likely to endanger the safety of a spacecraft carried by it.
- (2) It is also an offence for a person unlawfully and intentionally—
- (a) to place on a UK-launched spacecraft, or to cause to be placed on such a spacecraft, a device or substance that is likely—
    - (i) to destroy the spacecraft or a carrier aircraft by which it is being carried, or
    - (ii) to damage the spacecraft or carrier aircraft in a way that renders it incapable of flight or is likely to endanger its safety in flight, or
  - (b) to place on a UK-launched carrier aircraft, or to cause to be placed on such an aircraft, a device or substance that is likely—
    - (i) to destroy a spacecraft carried by it, or
    - (ii) to damage such a spacecraft in a way that renders it incapable of flight or is likely to endanger its safety in flight.
- (3) Sub-paragraphs (1)(a) and (b) and (2) apply where the UK-launched spacecraft or (in the case of sub-paragraph (2)(b)) the UK-launched carrier aircraft—
- (a) is being prepared for launch,
  - (b) is in flight, or
  - (c) has completed a flight within the previous 24 hours.
- (4) Sub-paragraph (2) does not limit the circumstances in which the commission of an act—
- (a) may constitute an offence under sub-paragraph (1), or

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- (b) may constitute attempting or conspiring to commit, or aiding, abetting, counselling or procuring, or being art and part in, the commission of such an offence.
- (5) In this paragraph “unlawfully”—
- (a) in relation to the commission of an act in the United Kingdom, means so as (apart from this Act) to constitute an offence under the law of the part of the United Kingdom in which the act is committed;
  - (b) in relation to the commission of an act outside the United Kingdom, means so that the commission of the act would (apart from this Act) have been an offence under the law in force in the place where the spacecraft in question was launched, or (as the case may be) was to be launched, if it had been committed in that place.

**Commencement Information**

**I52** Sch. 4 para. 2 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 109 (with reg. 3)

*Other acts endangering or likely to endanger safety of spacecraft*

- 3 (1) It is an offence for a person unlawfully and intentionally—
- (a) to destroy or damage property to which sub-paragraph (2) applies, or
  - (b) to interfere with the operation of such property,
- if the destruction, damage or interference is likely to endanger the safety of a UK-launched spacecraft in flight.
- (2) This sub-paragraph applies to property used for or in connection with operating a spacecraft, including—
- (a) any carrier aircraft so used,
  - (b) any land, building or ship so used, and
  - (c) any apparatus or equipment so used, whether it is on board a spacecraft or elsewhere.
- (3) It is also an offence for a person intentionally to communicate information that is false, misleading or deceptive in a material particular, if the communication of the information endangers, or is likely to endanger, the safety of a UK-launched spacecraft in flight.
- (4) It is a defence for a person charged with an offence under sub-paragraph (3) to prove—
- (a) that he or she believed, and had reasonable grounds for believing, that the information was true, or
  - (b) that, when the person communicated the information, he or she was lawfully employed to perform duties that consisted of or included the communication of information and that he or she communicated the information in good faith in the performance of those duties.
- (5) In this paragraph “unlawfully” has the same meaning as in paragraph 2.

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**Commencement Information**

**I53** Sch. 4 para. 3 in force at 29.7.2021 by S.I. 2021/817, reg. 2, **Sch. para. 109** (with reg. 3)

*Endangering safety at spaceports*

- 4 (1) It is an offence for a person, by means of a device, substance or weapon, intentionally to commit at a spaceport an act of violence that—
- (a) causes or is likely to cause death or serious personal injury, and
  - (b) endangers or is likely to endanger the safe operation of the spaceport or the safety of persons at the spaceport.
- (2) It is also an offence for a person, by means of a device, substance or weapon, unlawfully and intentionally—
- (a) to destroy or seriously to damage—
    - (i) property used for the provision of facilities at a spaceport (including any apparatus or equipment so used), or
    - (ii) a spacecraft or carrier aircraft at a spaceport, other than a craft that is being prepared for launch or has completed a flight within the previous 24 hours, or
  - (b) to disrupt the services of a spaceport,
 

in such a way as to endanger or be likely to endanger the safe operation of the spaceport or the safety of persons at the spaceport.
- (3) Sub-paragraphs (1) and (2) apply—
- (a) whether the act in question is committed in the United Kingdom or elsewhere, and
  - (b) whatever the nationality of the person committing the act.
- (4) In this paragraph “unlawfully” has the same meaning as in paragraph 2.

**Commencement Information**

**I54** Sch. 4 para. 4 in force at 29.7.2021 by S.I. 2021/817, reg. 2, **Sch. para. 109** (with reg. 3)

*Offences in relation to certain dangerous articles*

- 5 (1) It is an offence for a person to have with him or her an article to which sub-paragraph (2) applies—
- (a) on board a UK-launched spacecraft in flight, or
  - (b) at a space site in the United Kingdom.
- (2) The articles to which this sub-paragraph applies are—
- (a) a firearm, or an article that has the appearance of being a firearm, whether capable of being discharged or not;
  - (b) an explosive, an article manufactured or adapted (whether in the form of a bomb, grenade or otherwise) so as to have the appearance of being an explosive, whether it is capable of producing a practical effect by explosion or not, or any article marked or labelled so as to indicate that it is or contains an explosive;

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- (c) an article (not falling within paragraph (a) or (b)) made or adapted for use for causing injury to or incapacitating a person or for destroying or damaging property, or intended by the person having it with him or her for such use, whether by that person or another.
- (3) In this Act “space site” means—
- (a) a spaceport;
  - (b) a mission management facility;
  - (c) a site used in connection with the provision of range control services.
- (4) It is a defence for a person charged with an offence under this paragraph to prove that he or she had lawful authority or a reasonable excuse for having the article in question with him or her.
- (5) For the purposes of this paragraph, a person in a spacecraft is treated as having an article with him or her if—
- (a) the article (or an article in which it is contained) is on board the spacecraft, and
  - (b) the person, or someone acting in association with the person, has caused it to be brought there to be carried on a flight in the spacecraft.
- (6) For the purposes of this paragraph, a person at a spaceport is treated as having an article with him or her if—
- (a) the article (or an article in which it is contained) is at the spaceport, and
  - (b) the person, or someone acting in association with the person, has caused it to be brought there to be carried on a flight from that spaceport on which the person is also to be carried.
- (7) Sub-paragraph (5) or (6)—
- (a) applies even if the circumstances are such that the person would not otherwise be regarded as having the article with him or her in the spacecraft or spaceport;
  - (b) does not limit the circumstances in which a person would otherwise be regarded as having an article with him or her.

**Commencement Information**

**I55** Sch. 4 para. 5 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 109 (with reg. 3)

*Powers exercisable on suspicion of intended offence under this Schedule*

- 6 (1) A constable who has reasonable cause to suspect that a person is intending to commit an offence under paragraph 1, 2, 3 or 4 in relation to a spacecraft may—
- (a) prevent the person from embarking on the spacecraft or (as the case may be) the carrier aircraft by which it is to be carried;
  - (b) remove the person from that craft (if it has not yet been launched);
  - (c) arrest the person without warrant and detain him or her for so long as necessary to prevent the person from being on a flight in that craft.
- (2) It is an offence for a person intentionally to obstruct a constable acting in the exercise of a power conferred by sub-paragraph (1).

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- (3) Sub-paragraph (1) does not affect the operation in relation to an offence under this Act—
- (a) in England and Wales, of sections 24 and 24A of the Police and Criminal Evidence Act 1984 (which confer powers to arrest without warrant) or section 3 of the Criminal Law Act 1967 (use of force in making arrest etc);
  - (b) in Scotland, of section 1 or 45 of the Criminal Justice (Scotland) Act 2016 (2016 asp 1);
  - (c) in Northern Ireland, of Articles 26 and 26A of the Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12)) or section 3 of the Criminal Law Act (Northern Ireland) 1967.

**Commencement Information**

**I56** Sch. 4 para. 6 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 109 (with reg. 3)

*Prosecution of offences*

- 7 Proceedings for an offence under paragraph 1, 2, 3 or 4 may be instituted—
- (a) in England and Wales, only by or with the consent of the Attorney General;
  - (b) in Northern Ireland, only by or with the consent of the Director of Public Prosecutions for Northern Ireland.

**Commencement Information**

**I57** Sch. 4 para. 7 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 109 (with reg. 3)

*Interpretation*

- 8 (1) In this Schedule—
- “act of violence” means—
- (a) an act done in the United Kingdom that constitutes the offence of murder, attempted murder, manslaughter, culpable homicide or assault or an offence under section 18, 20, 21, 22, 23, 24, 28 or 29 of the Offences against the Person Act 1861 or under section 2 of the Explosive Substances Act 1883;
  - (b) an act done outside the United Kingdom that, if done in the United Kingdom, would constitute an offence mentioned in paragraph (a);
- “article” includes any substance, whether in solid or liquid form or in the form of a gas or vapour;
- “constable” includes any person who has the powers and privileges of a constable;
- “explosive” means any article manufactured for the purpose of producing a practical effect by explosion, or intended for that purpose by a person having the article with him or her;
- “firearm” includes an airgun or air pistol;
- “property” includes any article of any description;



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“UK-launched spacecraft” or “UK-launched carrier aircraft” means a spacecraft or carrier aircraft that has been launched, or (as the case may be) is to be launched, in the United Kingdom.

- (2) For the purposes of this Schedule, the period during which a spacecraft or carrier aircraft is in flight is treated as including—
- (a) in the case of a manned spacecraft or a carrier aircraft, any period from the moment when all its external doors or hatches are closed following embarkation until the moment when any external door or hatch is opened for disembarkation;
  - (b) in the case of an unmanned spacecraft, any period from the moment of ignition of any of its engines in preparation for launch until the first moment after landing when none of its engines is still running;
  - (c) in the case of a forced landing, any period until the competent authorities take over responsibility for the spacecraft or carrier aircraft and for any persons and property on board.

References to a spacecraft or carrier aircraft having completed a flight are to be read accordingly.

**Commencement Information**

**I58** Sch. 4 para. 8 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 109 (with reg. 3)

SCHEDULE 5

Section 23

SECURITY REGULATIONS: FURTHER PROVISION

- 1 (1) Security regulations may make provision for the purpose of ensuring security in relation to—
- (a) space sites or prescribed areas of space sites;
  - (b) facilities, equipment, spacecraft, carrier aircraft, other vehicles, payloads, cargo, supplies or other things at space sites.
- (2) Security regulations may provide for—
- (a) national security vetting of persons permitted to enter areas of space sites to which access is restricted;
  - (b) screening (whether by searches or otherwise) of persons seeking to enter such areas;
  - (c) control of vehicular access to space sites or prescribed areas of space sites;
  - (d) screening (whether by inspection or otherwise) of vehicles, payloads, cargo, supplies or other things for the purpose of deciding whether they may be allowed to enter space sites or prescribed areas of space sites.
- (3) Security regulations may confer power on the regulator to prevent rights of way being exercised within a space site, for limited periods, at the request of the operator of the site.
- (4) Security regulations may make provision about the training and qualifications of persons responsible for implementing security measures at space sites.

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- (5) Security regulations may—
- (a) make provision requiring or prohibiting the use of systems for the destruction, in particular circumstances (automatically or otherwise), of spacecraft or space objects in flight or orbit;
  - (b) make provision for the physical security of explosives or other dangerous materials used in connection with such systems;
  - (c) make provision for the electronic security of such systems.

**Commencement Information**

**I59** Sch. 5 para. 1 in force at 26.11.2018 by S.I. 2018/1224, reg. 2(ddd)

- 2 (1) Security regulations may—
- (a) provide for any of the listed provisions to apply (to the extent that they otherwise would not) in relation to space sites, spaceflight activities, spacecraft and carrier aircraft;
  - (b) provide for any of the listed provisions to apply with prescribed modifications;
  - (c) make provision corresponding to that made by any of the listed provisions.
- (2) The listed provisions are—
- (a) Part 2 of the Aviation Security Act 1982 (protection of aircraft, aerodromes and air navigation installations against acts of violence) except for sections 20A, 21, 21F, 21G, 21J and 22A;
  - (b) Part 2A of that Act (security planning for aerodromes);
  - (c) Part 3 of that Act (policing of aerodromes) except for section 28.

**Commencement Information**

**I60** Sch. 5 para. 2 in force at 26.11.2018 by S.I. 2018/1224, reg. 2(ddd)

- 3 (1) Security regulations may make provision, in relation to space sites, spacecraft and carrier aircraft, corresponding to the provision that may be made in relation to aerodromes and aircraft by—
- (a) regulations under section 21F of the Aviation Security Act 1982 (air cargo agents);
  - (b) regulations under section 21G of that Act (duty to report certain occurrences).
- (2) Subsection (3) (consultation) of section 21F of the Aviation Security Act 1982 applies to regulations made by virtue of sub-paragraph (1)(a) as it applies to regulations under that section.
- (3) Subsection (2) (consultation) of section 21G of that Act applies to regulations made by virtue of sub-paragraph (1)(b) as it applies to regulations under that section.

**Commencement Information**

**I61** Sch. 5 para. 3 in force at 26.11.2018 by S.I. 2018/1224, reg. 2(ddd)

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- 4 (1) A power under this Schedule to apply with modifications a provision that creates an offence does not include power—
- (a) to modify the mode of trial for the offence, or
  - (b) to specify greater penalties for it.
- (2) A power under this Schedule to make provision corresponding to a provision that creates an offence does not include power—
- (a) to make different provision with regard to the mode of trial for a new offence, or
  - (b) to specify greater penalties for a new offence,
- as compared with the provision or penalties that apply to the existing offence to which the new offence corresponds.

**Commencement Information**

**I62** Sch. 5 para. 4 in force at 26.11.2018 by S.I. 2018/1224, reg. 2(ddd)

SCHEDULE 6

Sections 39, 41 and 43

ORDERS UNDER SECTIONS 39 AND 41

**PART 1**

ORDERS UNDER SECTION 39 AND LAND ORDERS

*Procedure where it is proposed to make, or apply  
for, an order under section 39 or a land order*

- 1 (1) Before making an order under section 39 or a land order, the Secretary of State must—
- (a) publish a notice in one or more newspapers circulating in the locality in which the land is situated;
  - (b) serve a notice on every owner, lessee and occupier of any of the land;
  - (c) serve a notice on every local authority within whose area any of the land is situated.
- (2) In this Part “owner” has the meaning given in section 56 of the Civil Aviation Act 1982.
- (3) A notice published or served under sub-paragraph (1) must—
- (a) state that the Secretary of State proposes to make the order;
  - (b) state the effect of the proposed order;
  - (c) specify the day by which, and the manner in which, any objections to the proposed order may be made.
- (4) The day specified under sub-paragraph (3)(c) must not fall before the end of the period of 28 days beginning with the day on which the notice is published or served.

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- (5) This paragraph does not apply if the Secretary of State proposes to make an order following an application from the holder of a range control licence or a spaceport licence (“the licensee”).

**Commencement Information**

**I63** Sch. 6 para. 1 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 110 (with reg. 3)

- 2 (1) Before making an application for an order under section 39 or for a land order, the licensee must—
- (a) publish a notice in one or more newspapers circulating in the locality in which the land is situated;
  - (b) serve a notice on every owner, lessee and occupier of any of the land;
  - (c) serve a notice on every local authority within whose area any of the land is situated.
- (2) A notice published or served under sub-paragraph (1) must—
- (a) state that the licensee proposes to apply for an order;
  - (b) state the effect of the order that is to be applied for;
  - (c) specify the day by which, and the manner in which, any objections to the proposed order may be made.
- (3) The day specified under sub-paragraph (2)(c) must not fall before the end of the period of 42 days beginning with the day on which the notice is published or served.

**Commencement Information**

**I64** Sch. 6 para. 2 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 110 (with reg. 3)

*Objections to a proposed order*

- 3 (1) This paragraph applies if a person served with a notice under paragraph 1 or 2 makes an objection, which has not been withdrawn, in accordance with the notice.
- (2) Before making the relevant order, the Secretary of State must either—
- (a) cause a public local inquiry to be held, or
  - (b) give the person who made the objection the opportunity to appear before and be heard by a person appointed by the Secretary of State for that purpose.
- (3) The Secretary of State may make the relevant order if he or she thinks it appropriate to do so after considering—
- (a) the objection, and
  - (b) the report of the person holding the inquiry or the person appointed under sub-paragraph (2)(b) (as the case may be).

**Commencement Information**

**I65** Sch. 6 para. 3 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 110 (with reg. 3)

- 4 If—

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- (a) no person served with a notice under paragraph 1 or 2 makes an objection in accordance with the notice, or
  - (b) any such objections are withdrawn,
- the Secretary of State may make the relevant order.

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**Commencement Information**

**I66** Sch. 6 para. 4 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 110 (with reg. 3)

- 5 Despite paragraphs 3 and 4, the Secretary of State—
- (a) may require a person to provide that person's objections to a proposed order in writing;
  - (b) may disregard a person's objections for the purposes of paragraphs 3 and 4 if satisfied that the objections relate exclusively to matters that can be dealt with by the tribunal by whom compensation is to be assessed.

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**Commencement Information**

**I67** Sch. 6 para. 5 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 110 (with reg. 3)

*Procedure after making an order*

- 6 (1) Immediately after the making of an order under section 39 or a land order, the relevant person must—
- (a) publish a notice in one or more newspapers circulating in the locality in which the land is situated, and
  - (b) serve a notice—
    - (i) on every owner, lessee and occupier of any of the land,
    - (ii) on every local authority within whose area any of the land is situated, and
    - (iii) on any person (not within sub-paragraph (i) or (ii)) who duly objected to the making of the order and has not withdrawn that objection.
- (2) A notice under sub-paragraph (1) must—
- (a) state that the relevant order has been made;
  - (b) specify a place where a copy of the order may be inspected at reasonable hours.
- (3) In sub-paragraph (1) “the relevant person”—
- (a) in relation to an order under section 39, means the person in whose favour the order is made;
  - (b) in relation to a land order, means the operator of the spaceport specified in the order.

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**Commencement Information**

**I68** Sch. 6 para. 6 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 110 (with reg. 3)

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## PART 2

### ORDERS UNDER SECTION 41 THAT ARE NOT LAND ORDERS

*Procedure where it is proposed to make an order under section 41 that is not a land order*

- 7 (1) Before making an order under section 41 that is not a land order, the Secretary of State must publish a notice in whatever way the Secretary of State considers is best calculated to bring the proposed order to the notice of those persons who will be affected by it.
- (2) A notice under sub-paragraph (1) must—
- (a) state that the Secretary of State proposes to make the order;
  - (b) state the effect of the proposed order.

#### Commencement Information

**I69** Sch. 6 para. 7 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 110 (with reg. 3)

*Procedure after making an order*

- 8 (1) Immediately after the making of an order under section 41 that is not a land order, the Secretary of State must—
- (a) publish a notice in one or more newspapers circulating in the locality to which the order relates;
  - (b) serve a copy of that notice on any person who, in the opinion of the Secretary of State, is likely to be affected by the order.
- (2) A notice under sub-paragraph (1) must—
- (a) state that the order has been made;
  - (b) specify a place where a copy of the order may be inspected at reasonable hours.

#### Commencement Information

**I70** Sch. 6 para. 8 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 110 (with reg. 3)

## SCHEDULE 7

Section 43

### POWERS IN RELATION TO LAND: QUASHING OF ORDERS

*Application to quash an order*

- 1 (1) A person who is aggrieved by the making of an order under section 39 or 41 may apply to the appropriate court for the order, or any of its provisions, to be quashed.
- (2) An application under this paragraph may be made on the ground—
- (a) that the order, or any provision of it, is not within the powers of the Secretary of State, or

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- (b) that any requirement of this Act has not been complied with in relation to the order.

**Commencement Information**

**I71** Sch. 7 para. 1 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 111 (with reg. 3)

*Time limit*

- 2 An application under paragraph 1 must be made within the period of six weeks beginning with the day on which the notice that the order has been made is published under paragraph 6(1)(a) or paragraph 8(1)(a) (as the case may be) of Schedule 6.

**Commencement Information**

**I72** Sch. 7 para. 2 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 111 (with reg. 3)

*Determination of application*

- 3 (1) When an application is made, the appropriate court—
- (a) may by interim order suspend the operation of the order in question, or of any of its provisions, until the proceedings are finally determined;
  - (b) may, if satisfied as required by sub-paragraph (2), quash the order or any of its provisions.
- (2) The appropriate court is satisfied as required by this sub-paragraph if it is satisfied—
- (a) that the order is, or any of its provisions are, outside the powers of the Secretary of State, or
  - (b) that the interests of the applicant have been substantially prejudiced by any requirement of this Act not having been complied with.
- (3) The appropriate court may exercise its powers under sub-paragraph (1) either generally or insofar as the order (or any of its provisions) affects the applicant.

**Commencement Information**

**I73** Sch. 7 para. 3 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 111 (with reg. 3)

*“The appropriate court”*

- 4 In this Schedule “the appropriate court”—
- (a) in relation to England and Wales and Northern Ireland, means the High Court;
  - (b) in relation to Scotland, means the Court of Session.

**Commencement Information**

**I74** Sch. 7 para. 4 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 111 (with reg. 3)

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## SCHEDULE 8

Section 44

## POWERS IN RELATION TO LAND: COMPENSATION

## PART 1

## COMPENSATION IN CONNECTION WITH DIMINUTION IN VALUE OF INTEREST IN LAND

*Compensation for diminution in the value of interest in land*

- 1 A person who has an interest in land the value of which is diminished in consequence of the coming into operation of an order under section 39 is entitled to recover compensation for the diminution from the person in whose favour the order was made.

**Commencement Information**

**I75** Sch. 8 para. 1 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 112 (with reg. 3)

- 2 A person who has an interest in land to which an order under section 41 relates is entitled, if the value of the interest is diminished by the coming into operation of the order, to recover compensation for the diminution from the operator of the spaceport specified in the order.

**Commencement Information**

**I76** Sch. 8 para. 2 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 112 (with reg. 3)

*Assessing compensation*

- 3 For the purposes of assessing compensation under paragraph 1 or 2, the land compensation provisions (so far as applicable) have effect as they have effect for the purpose of assessing compensation for the compulsory acquisition of land, subject to any necessary modifications.

**Commencement Information**

**I77** Sch. 8 para. 3 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 112 (with reg. 3)

*Interest subject to mortgage or heritable security*

- 4 (1) Where an interest in land is subject to a mortgage or, in Scotland, to a heritable security—
- (a) any compensation payable under paragraph 1 or 2 is to be assessed as if the interest were not subject to the mortgage or heritable security;
  - (b) a claim for any such compensation may be made by the mortgagee of the interest or, in Scotland, by any creditor in the heritable security;



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- (c) a mortgagee or, in Scotland, a creditor in the heritable security is not entitled to claim compensation under paragraph 1 or 2 in respect of the person's interest as such;
  - (d) the compensation payable in respect of the interest subject to the mortgage or heritable security may be paid to whichever of the claimants the Secretary of State thinks proper, and is to be applied by that claimant in whatever way is—
    - (i) agreed by the parties interested, or
    - (ii) in default of agreement, determined by arbitration.
- (2) Sub-paragraph (1)(b) does not prevent the person entitled to the interest from making a claim for compensation.

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**Commencement Information**

**I78** Sch. 8 para. 4 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 112 (with reg. 3)

**PART 2**

COMPENSATION IN CONNECTION WITH DAMAGE TO  
LAND OR INTERFERENCE WITH USE ETC OF LAND

*Damage to land*

- 5 Where land is damaged in the exercise of a power conferred by an order under section 39, the person in whose favour the order was made must pay just compensation to the persons interested in the land.

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**Commencement Information**

**I79** Sch. 8 para. 5 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 112 (with reg. 3)

- 6 Where land is damaged—
- (a) in the exercise of a power conferred under section 42, or
  - (b) in carrying out a survey for the purposes for which such a power is conferred,
- the person in whose favour the order under section 39 was made must pay just compensation to the persons interested in the land.

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**Commencement Information**

**I80** Sch. 8 para. 6 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 112 (with reg. 3)

*Disturbance in enjoyment of right in or over land etc*

- 7 A person who sustains damage that—
- (a) is due to the person being disturbed in the use of land or water as the result of the coming into operation of an order under section 41, and
  - (b) does not consist of a diminution in the value of an interest in the land,

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is entitled to recover compensation for the damage from the operator of the spaceport specified in the order.

**Commencement Information**

**181** Sch. 8 para. 7 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 112 (with reg. 3)

**PART 3**

GENERAL

*Disputes*

- 8 Where any dispute arises—
- (a) as to whether compensation is payable under this Schedule,
  - (b) as to the amount of compensation payable, or
  - (c) as to the persons to whom compensation is payable,
- the dispute is to be referred to and determined by the appropriate tribunal.

**Commencement Information**

**182** Sch. 8 para. 8 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 112 (with reg. 3)

*Statutory undertakers*

- 9 A statutory undertaker is not entitled to recover compensation under this Schedule in a case in which compensation is recoverable by the undertaker under Schedule 9.

**Commencement Information**

**183** Sch. 8 para. 9 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 112 (with reg. 3)

*Interpretation*

- 10 In this Schedule—
- “the appropriate tribunal”—
- (a) in relation to England and Wales, means the Upper Tribunal;
  - (b) in relation to Scotland, means the Lands Tribunal for Scotland;
  - (c) in relation in Northern Ireland, means the Lands Tribunal for Northern Ireland;
- “the land compensation provisions”—
- (a) in the case of land in England and Wales, means section 5 of the Land Compensation Act 1961;
  - (b) in the case of land in Scotland, means section 12 of the Land Compensation (Scotland) Act 1963;
  - (c) in the case of land in Northern Ireland, means the Land Compensation (Northern Ireland) Order 1982 (despite paragraph 4 of Schedule 1

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to that Order, which confines the operation of the Order to matters that were within the legislative competence of the Parliament of the Northern Ireland);

“mortgage” includes an equitable charge and any other encumbrance, and also includes a sub-mortgage;

“mortgagee” is to be read accordingly;

“heritable security” means a heritable security within the meaning of the Conveyancing (Scotland) Act 1924, but inclusive of a security constituted by ex facie absolute disposition.

#### Commencement Information

**I84** Sch. 8 para. 10 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 112 (with reg. 3)

## SCHEDULE 9

Section 46

### POWERS IN RELATION TO LAND: SPECIAL PROVISIONS RELATING TO STATUTORY UNDERTAKERS

#### PART 1

#### COMPENSATION

##### *Application of this Part*

- 1 (1) Subject to sub-paragraph (2), this Part has effect with regard to the compensation to be paid to a statutory undertaker in respect of a right created under an order made under section 39 or 41 (“the relevant order”) over, in or in relation to land held by the statutory undertaker for the purposes of carrying on its undertaking.
- (2) Compensation is not payable under this Schedule unless the Secretary of State, in response to a representation made to him or her before the expiration of the time within which objections may be made to the relevant order, certifies that the land is in respect of its nature or situation of a kind that is comparable less with the generality of land than with land held for the purposes of the carrying on of statutory undertakings.

#### Commencement Information

**I85** Sch. 9 para. 1 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 113 (with reg. 3)

##### *Assessment of compensation*

- 2 (1) The amount of the compensation, if not agreed, is to be assessed by the appropriate tribunal.
- (2) “The appropriate tribunal”—
- in relation to England and Wales, means the Upper Tribunal;
  - in relation to Scotland, means the Lands Tribunal for Scotland.

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### Commencement Information

**186** Sch. 9 para. 2 in force at 29.7.2021 by S.I. 2021/817, reg. 2, **Sch. para. 113** (with reg. 3)

#### *Amount of compensation*

- 3 (1) The amount of the compensation is—
- (a) in the case of land in England and Wales, an amount calculated in accordance with subsections (2) to (5), (7) and (8) of section 280 the Town and Country Planning Act 1990 (“the 1990 Act”);
  - (b) in the case of land in Scotland, an amount calculated in accordance with subsections (2) to (5), (7) and (8) of section 233 of the Town and Country Planning (Scotland) Act 1997 (“the 1997 Act”).
- (2) The provisions of section 280 of the 1990 Act specified in sub-paragraph (1)(a) have effect for the purposes of this paragraph as if—
- (a) in paragraph (c) of subsection (2), the words “is under section 279(2) or (3) and” were omitted;
  - (b) after that paragraph there were inserted—
    - “(d) in respect of the imposition of a requirement to demolish a building or other structure either wholly or partly, any expense reasonably incurred by the person carrying on the undertaking in complying with the requirement, reduced by the value to that person of any materials from the demolished building or structure, or from the demolished part of the building or structure, as the case may be;”;
  - (c) in the definition of “proceeding giving rise to compensation” in subsection (8)—
    - (i) in paragraph (a), the words “except in relation to compensation under section 279(4)” were omitted;
    - (ii) in that paragraph, the reference to the imposition of a requirement included a reference to anything that may be done as a result of an order made under section 39 or 41;
    - (iii) paragraph (b) were omitted.
- (3) The provisions of section 233 of the 1997 Act specified in sub-paragraph (1)(b) have effect for the purposes of this paragraph as if—
- (a) in paragraph (c) of subsection (2), the words “is under section 232(2) or (3) and” were omitted;
  - (b) after that paragraph there were inserted—
    - “(d) in respect of the imposition of a requirement to demolish a building or other structure either wholly or partly, any expense reasonably incurred by the person carrying on the undertaking in complying with the requirement, reduced by the value to that person of any materials from the demolished building or structure, or from the demolished part of the building or structure, as the case may be;”;
  - (c) in the definition of “proceeding giving rise to compensation” in subsection (8)—

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- (i) in paragraph (a), the words “except in relation to compensation under section 232(4)” were omitted;
- (ii) in that paragraph, the reference to the imposition of a requirement included a reference to anything that may be done as a result of an order made under section 39 or 41;
- (iii) paragraph (b) were omitted.

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**Commencement Information**

**187** Sch. 9 para. 3 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 113 (with reg. 3)

## PART 2

### ADJUSTMENT OF THE FUNCTIONS OF STATUTORY UNDERTAKERS

#### *Modification of powers and duties of statutory undertakers*

- 4 (1) The Secretary of State may make an order under this paragraph if satisfied, on the representation of a person carrying on a statutory undertaking, that it is expedient to do so in order to facilitate an adjustment of the carrying on of the undertaking necessitated by the making or proposed making of an order under section 39 or 41.
- (2) An order under this paragraph may extend or modify the powers and duties of a statutory undertaker.
- (3) An order under this paragraph may make provision—
- (a) giving a statutory undertaker powers to acquire (whether compulsorily or by agreement) specified land or to erect or construct specified buildings or works;
  - (b) applying, in relation to the acquisition of specified land or the construction of specified works, enactments relating to the acquisition of land or the construction of works.

“Specified” means specified in the order.

- (4) An order under this paragraph may contain incidental and supplementary provision.
- (5) Sub-paragraphs (3) and (4) do not limit sub-paragraph (2).

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**Commencement Information**

**188** Sch. 9 para. 4 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 113 (with reg. 3)

#### *Relief of statutory undertakers from obligations*

- 5 (1) Where this paragraph applies, the Secretary of State may by order direct that a statutory undertaker is relieved from the fulfilment of an obligation either—
- (a) absolutely, or
  - (b) to the extent specified in the order.

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- (2) This paragraph applies where, on the representation of a person carrying on a statutory undertaking, the Secretary of State is satisfied that, as a result of the making of an order under section 39 or 41, it is impracticable for the person to fulfil an obligation incurred in connection with the carrying on of the undertaking.

**Commencement Information**

**189** Sch. 9 para. 5 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 113 (with reg. 3)

*Procedure before making an order under paragraph 4 or 5*

- 6 (1) As soon as possible after making a representation under paragraph 4 or 5, the statutory undertaker must—
- (a) publish a notice in the manner directed, and
  - (b) if directed to do so, serve a notice on such persons or classes of persons as directed.
- (2) A notice under sub-paragraph (1) must—
- (a) be in the form directed;
  - (b) give such particulars about the representation as directed;
  - (c) specify the day by which, and the manner in which, objections to the making of the order on the representation may be made.
- (3) In this paragraph “directed” means directed by the Secretary of State.

**Commencement Information**

**190** Sch. 9 para. 6 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 113 (with reg. 3)

*Objections to order under paragraph 4*

- 7 (1) Where no objection is made under paragraph 6, or all objections are withdrawn, the Secretary of State may make the relevant order.
- (2) If an objection is made under paragraph 6 and not withdrawn—
- (a) in the case of land in England and Wales, subsections (3) to (11) of section 278 of the 1990 Act (objections to orders under sections 275 and 277 of that Act) have effect —
    - (i) in relation to an order under paragraph 4, as if it were an order under section 275 of that Act;
    - (ii) in relation to an order under paragraph 5, as if it were an order under section 277 of that Act;
  - (b) in the case of land in Scotland, subsections (3) to (10) of section 231 of the 1997 Act (objections to orders under sections 228 and 230 of that Act) have effect—
    - (i) in relation to an order under paragraph 4, as if it were an order under section 228 of that Act;
    - (ii) in relation to an order under paragraph or 5, as if it were an order under section 230 of that Act;

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- (c) subject to those provisions, the Secretary of State may make the relevant order.

**Commencement Information**

**I91** Sch. 9 para. 7 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 113 (with reg. 3)

*Special parliamentary procedure*

- 8 (1) An order under paragraph 4 is subject to special parliamentary procedure.
- (2) An order under paragraph 5 is subject to special parliamentary procedure if—
- (a) an objection is made under paragraph 6 to the making of the order, and
  - (b) the objection is not withdrawn before the order is made.

**Commencement Information**

**I92** Sch. 9 para. 8 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 113 (with reg. 3)

*Power of entry for purposes of survey*

- 9 (1) Where the Secretary of State makes, or is considering the making of, an order under paragraph 4, the Secretary of State may authorise a person to enter any of the relevant land—
- (a) to carry out any survey that the Secretary of State requires to be carried out for the purpose of determining whether the order should be made, or
  - (b) to carry out any survey that the statutory undertaker requires to be carried out for the purpose of any steps to be taken in consequence of the order.
- (2) An authorisation under sub-paragraph (1) must be in writing.
- (3) A person authorised under sub-paragraph (1)—
- (a) may enter the relevant land at any reasonable time for the purpose of carrying out the survey;
  - (b) must, if asked, produce evidence of the person's authority to enter the land.
- (4) A person authorised under sub-paragraph (1) may demand admission as of right to any land that is occupied only if eight days' notice of the intended entry has been served on the occupier.
- (5) A person who obstructs a person authorised under sub-paragraph (1) in the exercise of a power under this paragraph commits an offence.
- (6) Proceedings for an offence under this paragraph may be instituted in England and Wales only by or with the consent of the Secretary of State or the Director of Public Prosecutions.

**Commencement Information**

**I93** Sch. 9 para. 9 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 113 (with reg. 3)

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*Compensation for damage to land*

- 10 (1) Where land is damaged—
- (a) in the exercise of a power conferred under paragraph 9, or
  - (b) in carrying out a survey for the purposes for which such a power is conferred,
- the relevant person must pay just compensation to the persons interested in the land.
- (2) In this paragraph “the relevant person” means—
- (a) where land is damaged in the exercise of a power conferred to enable the carrying out of any survey required by a statutory undertaker, or in carrying out such a survey, the statutory undertaker;
  - (b) otherwise, the Secretary of State.
- (3) Where any dispute arises—
- (a) as to whether compensation is payable under this paragraph,
  - (b) as to the amount of compensation payable, or
  - (c) as to the persons to whom compensation is payable,
- the dispute is to be referred to and determined by the appropriate tribunal (see paragraph 2(2)).

**Commencement Information**

**194** Sch. 9 para. 10 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 113 (with reg. 3)

SCHEDULE 10

Section 60

APPEALS IN CONNECTION WITH SPACEFLIGHT ACTIVITIES

**PART 1**

APPEAL PANELS

*Appeal panels*

- 1 (1) Regulations must make provision for the establishment of one or more panels to consider appeals.
- (2) In this Schedule—
- (a) “appeal” (except in Part 2) means an appeal under paragraph 2, 3 or 4;
  - (b) “panel” means a panel established under the regulations.
- (3) Regulations under sub-paragraph (1) may in particular make provision—
- (a) about the composition of a panel (including the appointment of one of the members of the panel as its Chair);
  - (b) about the terms of a person's appointment as a member of a panel;
  - (c) for the payment of remuneration, allowances or expenses to members of a panel;
  - (d) subject to the provisions of this Schedule, about the powers of a panel;



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- (e) about the quorum of a panel;
- (f) about the procedure to be followed by a panel in making its decisions;
- (g) about the appointment of staff to assist a panel.

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**Commencement Information**

**I95** Sch. 10 para. 1 in force at 26.11.2018 by S.I. 2018/1224, reg. 2(ee)(i)

## PART 2

### RIGHTS OF APPEAL

#### *Appeals: refusal to grant licence*

- 2 (1) An appeal lies to a panel against—
- (a) a decision of the regulator to refuse an application for a licence under this Act;
  - (b) a decision of the Secretary of State to refuse an application for a licence under section 4 of the Outer Space Act 1986.
- (2) An appeal under this paragraph may be brought only by the applicant.

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**Commencement Information**

**I96** Sch. 10 para. 2 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 114 (with reg. 3)

#### *Appeals: decisions in connection with licences*

- 3 (1) An appeal lies to a panel against a decision of the regulator or the Secretary of State—
- (a) to grant a licence subject to conditions;
  - (b) to refuse to renew a licence;
  - (c) to refuse to consent to the transfer of a licence;
  - (d) to vary, or refuse to vary, a licence;
  - (e) to suspend a licence;
  - (f) to revoke a licence.
- (2) An appeal under this paragraph may be brought—
- (a) in the case of decision specified in sub-paragraph (1)(c), only by the holder of the licence or the person to whom the holder intended to transfer the licence;
  - (b) otherwise, only by the holder of the licence.
- (3) In this paragraph “licence” means a licence under this Act or under the Outer Space Act 1986.

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**Commencement Information**

**I97** Sch. 10 para. 3 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 114 (with reg. 3)

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*Appeals: other decisions*

- 4 (1) An appeal lies to a panel against—
- (a) any other decisions of the regulator under this Act, or under regulations made under this Act, that are prescribed;
  - (b) any other decisions of the Secretary of State under the Outer Space Act 1986 that are prescribed.
- (2) An appeal against any such decision may be brought only by a prescribed person.

**Commencement Information**

- I98** Sch. 10 para. 4 in force at 26.11.2018 for specified purposes by S.I. 2018/1224, reg. 2(eee)(ii)  
**I99** Sch. 10 para. 4 in force at 29.7.2021 in so far as not already in force by S.I. 2021/817, reg. 2, Sch. para. 114 (with reg. 3)

**PART 3**

DETERMINATION OF APPEAL

*Permission to appeal*

- 5 (1) An appeal to a panel may be brought only with the panel's permission.
- (2) An application for permission to appeal under this Schedule may be made only by a person who, if permission is granted, will be entitled to bring the appeal.
- (3) An application for permission to appeal under this Schedule must be made within the prescribed period.

**Commencement Information**

- I100** Sch. 10 para. 5(1)(2) in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 114 (with reg. 3)  
**I101** Sch. 10 para. 5(3) in force at 26.11.2018 for specified purposes by S.I. 2018/1224, reg. 2(eee)(iii)  
**I102** Sch. 10 para. 5(3) in force at 29.7.2021 in so far as not already in force by S.I. 2021/817, reg. 2, Sch. para. 114 (with reg. 3)

*Circumstances in which panel may not accept an application*

- 6 (1) Where a person appeals to a panel and there is no appealable decision, the panel may not accept the appeal.
- (2) Where the panel does not accept an appeal, it must—
- (a) notify the person making the appeal and the person who made the decision, and
  - (b) take no further action on that appeal.
- (3) In this paragraph “appealable decision” means a decision from which an appeal lies to a panel under this Schedule.

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**Commencement Information**

**I103** Sch. 10 para. 6 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 114 (with reg. 3)

*Determination of application for permission to appeal*

- 7 (1) A panel may refuse permission to appeal under this Schedule only on the ground that—
- (a) the appeal is brought for reasons that are trivial or vexatious, or
  - (b) the appeal does not have a reasonable prospect of success.
- (2) A panel may grant permission to appeal under this Schedule subject to conditions.

**Commencement Information**

**I104** Sch. 10 para. 7 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 114 (with reg. 3)

*When appeals may be allowed*

- 8 A panel may allow an appeal only to the extent that it is satisfied that the decision appealed against was wrong on one or more of the following grounds—
- (a) that the decision was based on an error of fact;
  - (b) that the decision was wrong in law;
  - (c) that an error was made in the exercise of a discretion.

**Commencement Information**

**I105** Sch. 10 para. 8 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 114 (with reg. 3)

*Determination of appeal*

- 9 (1) Where it does not allow an appeal, a panel must confirm the decision appealed against.
- (2) Where it allows an appeal, a panel must do one or more of the following—
- (a) quash the decision appealed against;
  - (b) vary the decision appealed against;
  - (c) remit the matter that is the subject of the decision appealed against to the person who made the decision for reconsideration and determination in accordance with the relevant provisions and any directions given by the panel.
- (3) Where a panel allows only part of an appeal—
- (a) sub-paragraph (2) applies in relation to the part of the decision in respect of which the appeal is allowed, and
  - (b) sub-paragraph (1) applies to the rest of that decision.
- (4) A panel must not give a direction under this paragraph that requires a person to do anything that the person would not have power to do apart from this paragraph.

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- (5) A person to whom a direction is given under this paragraph must comply with it.
- (6) A direction given under this paragraph is enforceable—
- (a) in England and Wales and Northern Ireland, as if it were an order of the High Court, and
  - (b) in Scotland, as if it were an order of the Court of Session.
- (7) In this paragraph “the relevant provisions”—
- (a) where the decision appealed against was made under this Act, means the provisions of this Act;
  - (b) where the decision appealed against was made under regulations made under this Act, means those regulations;
  - (c) where the decision appealed against was made under the Outer Space Act 1986, means the provisions of that Act.

**Commencement Information**

**I106** Sch. 10 para. 9 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 114 (with reg. 3)

*Determination of appeal: further provision*

- 10 (1) Regulations may prescribe—
- (a) the form in which a determination of a panel is to be made;
  - (b) the time at which a determination of a panel takes effect;
  - (c) persons to whom copies of a determination of a panel are to be sent.
- (2) Regulations may make provision about publication of determinations of a panel.

**Commencement Information**

**I107** Sch. 10 para. 10 in force at 26.11.2018 by S.I. 2018/1224, reg. 2(eee)(iv)

*Determination of appeal: time limit*

- 11 A panel must determine an appeal within whatever period is prescribed (if any).

**Commencement Information**

**I108** Sch. 10 para. 11 in force at 26.11.2018 for specified purposes by S.I. 2018/1224, reg. 2(eee)(v)  
**I109** Sch. 10 para. 11 in force at 29.7.2021 in so far as not already in force by S.I. 2021/817, reg. 2, Sch. para. 114 (with reg. 3)

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## PART 4

### PROCEDURE

#### *Representations in relation to an application for permission to appeal*

- 12 (1) This paragraph applies where the relevant person wishes to make representations to a panel in relation to an application under paragraph 5 for permission to appeal against a decision.
- (2) The relevant person must make representations in writing within the prescribed period.
- (3) The period prescribed for the purposes of sub-paragraph (2) must be one that ends after the end of the period prescribed for the purposes of paragraph 5(3).
- (4) The relevant person must send a copy of the representations to the person who made the application for permission to appeal.
- (5) In this paragraph “the relevant person” means the person who made the decision which is the subject of the appeal.

#### **Commencement Information**

**I110** Sch. 10 para. 12(1) in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 114 (with reg. 3)

**I111** Sch. 10 para. 12(2)(3) in force at 26.11.2018 for specified purposes by S.I. 2018/1224, reg. 2(eee)(vi)

**I112** Sch. 10 para. 12(2)(3) in force at 29.7.2021 in so far as not already in force by S.I. 2021/817, reg. 2, Sch. para. 114 (with reg. 3)

#### *Intervention in an appeal*

- 13 (1) Where an application is made under paragraph 5 for permission to appeal to a panel against a decision, a person may make an application for permission to intervene in the appeal to the panel.
- (2) An application for permission to intervene may be made before the end of the prescribed period.
- (3) An application for permission to intervene may be made after the end of that period only with the leave of the panel.
- (4) The applicant must send a copy of the application—
- (a) to the appellant, and
  - (b) to the person who made the decision which is the subject of the appeal.

#### **Commencement Information**

**I113** Sch. 10 para. 13(1)(3)(4) in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 114 (with reg. 3)

**I114** Sch. 10 para. 13(2) in force at 26.11.2018 for specified purposes by S.I. 2018/1224, reg. 2(eee)(vii)

**I115** Sch. 10 para. 13(2) in force at 29.7.2021 in so far as not already in force by S.I. 2021/817, reg. 2, Sch. para. 114 (with reg. 3)

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*Determination of application for permission to intervene*

- 14 (1) A panel may grant permission to intervene in an appeal only if it is satisfied—
- (a) that the applicant has a sufficient interest in the decision which is the subject of the appeal, and
  - (b) that allowing the applicant to intervene is necessary or desirable for the proper resolution of the appeal.

**Commencement Information**

**II16** Sch. 10 para. 14 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 114 (with reg. 3)

*Procedure regulations*

- 15 (1) Regulations may make provision regulating the conduct and disposal of appeals.
- (2) Regulations may make provision supplementing the provisions of this Schedule in relation to any application or requirement for which this Schedule provides.
- (3) Regulations may in particular make provision—
- (a) about the manner in which a panel makes its decisions;
  - (b) about the form of an application for permission to appeal under this Schedule and the information to be provided with an application;
  - (c) about the conditions subject to which permission to appeal may be granted;
  - (d) requiring information to be verified by a statement of truth;
  - (e) about the time limits for taking any step in an appeal before a panel;
  - (f) about intervention in an appeal;
  - (g) about the matters to be taken into account (or disregarded) by a panel when considering an appeal;
  - (h) about the production of documents or information to a panel;
  - (i) about the holding of oral hearings;
  - (j) for dealing with matters without a hearing;
  - (k) about evidence (including the taking of evidence on oath and the administration of oaths);
  - (l) about the circumstances in which an appeal may be dismissed by a panel;
  - (m) about withdrawal—
    - (i) of an application for permission to appeal under this Schedule or, after permission has been granted, of an appeal,
    - (ii) of an application for permission to intervene or, after permission has been granted, of an intervention, or
    - (iii) of any other application in connection with an appeal;
  - (n) about the consequences of non-payment of a fee.
- (4) Regulations under this paragraph—
- (a) may make provision to enable a panel to require the reimbursement of any fee required to be paid by a party to an application or appeal under this Schedule by another party to that application or appeal, but
  - (b) may not confer on a panel any other power (whether by order or otherwise) to require a party to an application or appeal under this Schedule to make payments to another party to the application or appeal in respect of costs.

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(5) Sub-paragraphs (2), (3) and (4)(a) do not limit sub-paragraph (1).

#### Commencement Information

**I117** Sch. 10 para. 15 in force at 26.11.2018 by S.I. 2018/1224, reg. 2(ee)(viii)

### PART 5

#### FEES

##### *Fees*

- 16 (1) The Secretary of State may by regulations prescribe fees payable in respect of anything dealt with by a panel under this Schedule.
- (2) Regulations under this paragraph may, in particular, make provision about—
- (a) the scale or rates of fees;
  - (b) exemptions from or reductions in fees;
  - (c) remission of fees in whole or in part.
- (3) Any prescribed fee must be reasonable and proportionate to the costs to which it relates.
- (4) Fees payable under sub-paragraph (1) are recoverable summarily (or, in Scotland, recoverable) as a civil debt by the Secretary of State.

#### Commencement Information

**I118** Sch. 10 para. 16(1)-(3) in force at 26.11.2018 by S.I. 2018/1224, reg. 2(ee)(ix)

**I119** Sch. 10 para. 16(4) in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 114 (with reg. 3)

### SCHEDULE 11

Section 62

#### CHARGING SCHEMES

##### *Definitions*

- 1 In this Schedule—
- “charging scheme” means—
- (a) a scheme made by the CAA under paragraph 2;
  - (b) a scheme made by regulations under paragraph 3;
- “charging authority”, in relation to a charging scheme, means the person to whom the scheme provides for payments to be made.

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#### Commencement Information

**I120** Sch. 11 para. 1 in force at 26.11.2018 by S.I. 2018/1224, reg. 2(ff)(i)

#### *Charging by the CAA*

- 2 (1) The CAA may make a scheme providing for payment to it of charges in respect of the performance by the CAA of functions that are—
- (a) conferred on it by or under this Act, and
  - (b) specified in the scheme.
- (2) The CAA may vary or revoke a scheme made under this paragraph.
- (3) The CAA must publish—
- (a) any scheme made under this paragraph;
  - (b) any variation or revocation of such a scheme;
  - (c) the date on which any such scheme, variation or revocation takes effect.

A date published under paragraph (c) must be at least 14 days after the day on which it is published.

#### Commencement Information

**I121** Sch. 11 para. 2(1) in force at 26.11.2018 by S.I. 2018/1224, reg. 2(ff)(ii)

**I122** Sch. 11 para. 2(2)(3) in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 115 (with reg. 3)

#### *Charging by persons other than the CAA*

- 3 (1) Regulations may make a scheme providing for payment to the Secretary of State, or to an appointed person other than the CAA, of charges in respect of the performance by the Secretary of State or the appointed person of functions that are—
- (a) conferred on the Secretary of State or the appointed person by or under this Act, and
  - (b) specified in the scheme.
- (2) If an appointed person other than the CAA makes a proposal to the Secretary of State for a scheme under this paragraph, the Secretary of State must consider whether to make such a scheme (either in the terms proposed or with modifications).
- (3) A scheme made by regulations under this paragraph may make provision as to the retention or remission of amounts received by an appointed person under the scheme.

#### Commencement Information

**I123** Sch. 11 para. 3(1)(3) in force at 26.11.2018 by S.I. 2018/1224, reg. 2(ff)(iii)

**I124** Sch. 11 para. 3(2) in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 115 (with reg. 3)

#### *Content of charging schemes*

- 4 (1) A charging scheme may—



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- (a) specify the amount of a charge or a scale of charges by reference to which the amount is to be ascertained, or
  - (b) provide that a charge is to be of an amount determined by the scheme or by the charging authority under the scheme.
- (2) A charging scheme may provide that the charge for the performance of a particular function must not exceed an amount specified in the scheme.
- (3) A charging scheme may specify factors to which the charging authority may or must have regard when ascertaining or determining the amount of a particular charge.
- (4) A charging scheme may, in relation to each charge specified in it, specify—
  - (a) the manner in which the charge is to be paid;
  - (b) the time at which the charge is to be paid;
  - (c) the person by whom the charge is to be paid.
- (5) A charging scheme may specify different charges for different cases.

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**Commencement Information**

**I125** Sch. 11 para. 4 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 115 (with reg. 3)

*Consultation*

- 5 (1) Before making a scheme under paragraph 2, the CAA—
  - (a) must consult the persons who, in the CAA's opinion, are likely to be affected by the scheme or any of those persons that it thinks fit, and
  - (b) must then consult the Secretary of State.
- (2) Before making a proposal for a scheme under paragraph 3, an appointed person must consult the persons who, in the appointed person's opinion, are likely to be affected by the scheme or any of those persons that it thinks fit.
- (3) Before making regulations under paragraph 3, the Secretary of State must consult—
  - (a) the persons who, in the Secretary of State's opinion, are likely to be affected by the scheme or any of those persons that the Secretary of State thinks fit, and
  - (b) the charging authority (if it is not the Secretary of State).
- (4) But sub-paragraph (3) does not apply if the regulations give effect without modification to a proposal made by an appointed person.

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**Commencement Information**

**I126** Sch. 11 para. 5(1)-(3) in force at 26.11.2018 by S.I. 2018/1224, reg. 2(ff)(iv)

**I127** Sch. 11 para. 5(4) in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 115 (with reg. 3)

*Effect of licence conditions*

- 6 The inclusion in a licence under this Act of a condition as to payment of charges determined under a charging scheme does not prevent the charging authority from recovering such charges as a debt due to the charging authority.

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**Commencement Information**

**I128** Sch. 11 para. 6 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 115 (with reg. 3)

*Duty to charge*

- 7 (1) Where provision is made in a charging scheme for a charge to be paid in connection with the performance of a function by a charging authority, it is the duty of the charging authority to charge accordingly.
- (2) But the charging authority may waive a charge (in whole or in part) if it thinks fit to do so in a particular case.
- (3) This paragraph does not affect a charging authority's power to enter into an agreement for the payment to it of charges in respect of the performance of functions in respect of which a charging scheme does not provide for the making of a charge.

**Commencement Information**

**I129** Sch. 11 para. 7 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 115 (with reg. 3)

SCHEDULE 12

Section 67

MINOR AND CONSEQUENTIAL AMENDMENTS

*Land Registration Act (Northern Ireland) 1970 (c. 18)*

- 1 In Schedule 11 to the Land Registration Act (Northern Ireland) 1970 (matters requiring to be registered in the Statutory Charges Register), after paragraph 52 insert—
- “53 Any order or direction, affecting land in Northern Ireland, to which section 45 of the Space Industry Act 2018 applies.”

**Commencement Information**

**I130** Sch. 12 para. 1 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 116 (with reg. 3)

*Magistrates' Courts Act 1980 (c. 43)*

- 2 In section 1 of the Magistrates' Courts Act 1980 (issue of summons to accused or warrant for his arrest), at the end of subsection (4D) insert—
- “(k) an offence under paragraph 1 of Schedule 4 to the Space Industry Act 2018 (hijacking of spacecraft) or paragraph 2 or 4 of that Schedule (destroying or damaging spacecraft or endangering safety of spacecraft or safety at spaceports).”

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**Commencement Information**

**I131** Sch. 12 para. 2 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 117 (with reg. 3) (as amended by S.I. 2021/874, regs. 1(2), 2(4))

*Civil Aviation Act 1982 (c. 16)*

- 3 In section 11 of the Civil Aviation Act 1982 (charges), after subsection (8) insert—
- “(9) Charges shall not be determined in pursuance of this section in respect of any function conferred on the CAA by regulations under section 16 of the Space Industry Act 2018.”

**Commencement Information**

**I132** Sch. 12 para. 3 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 117 (with reg. 3) (as amended by S.I. 2021/874, regs. 1(2), 2(4))

*Aviation Security Act 1982 (c. 36)*

- 4 (1) Section 38 of the Aviation Security Act 1982 (interpretation etc) is amended as follows.
- (2) After subsection (1) insert—
- “(1A) Subject to subsection (1D), a reference in this Act to an aircraft includes a reference to a medium-range rocket.
- (1B) In subsection (1A) “rocket” means a projectile of mainly cylindrical or similar shape that can be propelled from or above the earth by combustion of its fuel (or fuel and oxidant).
- (1C) For the purposes of subsection (1A) a rocket is a “medium-range” rocket if—
- (a) the total impulse of its motor or combination of motors exceeds 160 Newton-seconds, but
- (b) it is not capable of operating above the stratosphere.
- (1D) The Secretary of State may by order—
- (a) provide that subsection (1A) does not apply to any specified provisions of this Act;
- (b) provide for any provision of this Act, as it has effect by virtue of subsection (1A), to apply with specified modifications.”
- (3) In subsection (5), after “subsection (1)” insert “ or (1D) ”.

**Commencement Information**

**I133** Sch. 12 para. 4 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 117 (with reg. 3) (as amended by S.I. 2021/874, regs. 1(2), 2(4))

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*Criminal Justice Act 1982 (c. 48)*

- 5 In Schedule 1 to the Criminal Justice Act 1982 (offences excluded from section 32), at the end of Part 2 insert—

*“SPACE INDUSTRY ACT 2018 (c. 5)*

Paragraph 1 of Schedule 4 (hijacking of spacecraft).  
 Paragraphs 2 and 3 of that Schedule (other offences relating to spacecraft).  
 Paragraph 4 of that Schedule (endangering safety at spacecraft).”

**Commencement Information**

**I134** Sch. 12 para. 5 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 117 (with reg. 3) (as amended by S.I. 2021/874, regs. 1(2), 2(4))

*Police and Criminal Evidence Act 1984 (c. 60)*

- 6 In section 65A of the Police and Criminal Evidence Act 1984 (“qualifying offence”), at the end of subsection (2) insert—

“(t) an offence under paragraph 1 of Schedule 4 to the Space Industry Act 2018.”

**Commencement Information**

**I135** Sch. 12 para. 6 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 117 (with reg. 3) (as amended by S.I. 2021/874, regs. 1(2), 2(4))

*Airports Act 1986 (c. 31)*

- 7 In section 82 of the Airports Act 1986 (general interpretation), after subsection (1B) insert—

“(1C) Subject to subsection (1F), a reference in this Act to an aircraft includes a reference to a medium-range rocket.

(1D) In subsection (1C) “rocket” means a projectile of mainly cylindrical or similar shape that can be propelled from or above the earth by combustion of its fuel (or fuel and oxidant).

(1E) For the purposes of subsection (1C) a rocket is a “medium-range” rocket if—

- (a) the total impulse of its motor or combination of motors exceeds 160 Newton-seconds, but
- (b) it is not capable of operating above the stratosphere.

(1F) The Secretary of State may by order—

- (a) provide that subsection (1C) does not apply to any specified provisions of this Act;
- (b) provide for any provision of this Act, as it has effect by virtue of subsection (1C), to apply with specified modifications.”

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#### Commencement Information

**I136** Sch. 12 para. 7 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 117 (with reg. 3) (as amended by S.I. 2021/874, regs. 1(2), 2(4))

#### *Outer Space Act 1986 (c. 38)*

- 8 (1) Section 3 of the Outer Space Act 1986 (prohibition of unlicensed activities) is amended as follows.
- (2) In subsection (3), for “except other persons or activities from the requirement of a licence” substitute “make provision for other activities or persons to be exempted from the requirement of a licence, either by the order itself or by the Secretary of State,”.
- (3) After that subsection insert—
- “(3ZA) An exemption granted by virtue of subsection (3) may be granted for a limited period.”
- (4) In subsection (3A), before paragraph (a) insert—
- “(za) make provision about the procedure for granting an exemption (including provision for applications);
- (zb) make provision about the terms of an exemption or the conditions to which an exemption is subject;
- (zc) make provision about the revocation or renewal of an exemption;
- (zd) make provision for the enforcement of terms or conditions;”.
- (5) In subsection (4), for the words after “which shall” substitute “not be made unless a draft of the instrument has been laid before each House of Parliament and approved by a resolution of each House.”

#### Commencement Information

**I137** Sch. 12 para. 8 in force at 26.11.2018 by S.I. 2018/1224, reg. 2(ggg)(i)

PROSPECTIVE

9 In section 4 of that Act (grant of licence) omit subsection (3)(d).

10 After that section insert—

#### “4A Charges

- (1) The Secretary of State may by regulations make a scheme for determining the charges that are payable to the Secretary of State in respect of the performance of such of his functions under this Act as are specified in the scheme.
- (2) A scheme under this section may, as respects any of those functions—

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- (a) specify the amount of the charge or a scale of charges by reference to which that amount is to be determined or provide that the charges are to be of such amount, not exceeding that specified in the scheme, as may be decided by the Secretary of State, having regard to the expense incurred by the Secretary of State and to such other factors (if any) as may be so specified;
  - (b) specify different charges for different cases;
  - (c) specify the description of person who is liable to pay the charge;
  - (d) specify the time at which the charge is to be paid.
- (3) A scheme under this section may specify the manner in which any charge is to be paid.
- (4) Before making a scheme under this section, the Secretary of State must consult the persons who, in his opinion, are likely to be affected by the scheme or any of those persons that he thinks fit.
- (5) Where provision is made for a charge to be paid in connection with the performance of a function by the Secretary of State, it is the duty of the Secretary of State to charge accordingly.

But the Secretary of State may waive the whole or part of the charge if the Secretary of State thinks fit to do so in a particular case.

- (6) Subsection (5) does not affect the Secretary of State's power to enter into an agreement for the payment to him of charges in respect of the performance of functions in respect of which a scheme under this section does not provide for the payment of a charge.
- (7) The inclusion in a licence of a condition as to the payment of charges determined under a scheme under this section does not prevent the Secretary of State from recovering such charges as a debt due to the Secretary of State.”

**Commencement Information**

**I138** Sch. 12 para. 10 in force at 26.11.2018 by S.I. 2018/1224, reg. 2(ggg)(ii)

- 11 (1) In section 5 of that Act (terms of licence), subsection (2) (licence conditions) is amended as follows.
- (2) After paragraph (c) insert—
- “(ca) requiring the licensee to pay to the Secretary of State (whether on the grant of a licence, subsequently or both) any charges determined under a scheme under section 4A;”.
- (3) After paragraph (d) insert—
- “(da) designed to secure compliance with—
- (i) obligations of the United Kingdom under agreements entered into with other countries, and
  - (ii) any other international obligations of the United Kingdom;”.
- (4) In paragraph (e)—
- (a) at the end of sub-paragraph (ii) insert “ and ”;

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(b) omit sub-paragraph (iii).

**Commencement Information**

**I139** Sch. 12 para. 11 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 117 (with reg. 3) (as amended by S.I. 2021/874, regs. 1(2), 2(4))

12 In section 6 of that Act (transfer etc of licence), in subsection (1) omit “and in such other cases as may be prescribed”.

**Commencement Information**

**I140** Sch. 12 para. 12 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 117 (with reg. 3) (as amended by S.I. 2021/874, regs. 1(2), 2(4))

13 After section 6 of that Act insert—

**“6A Appeals**

Schedule 10 to the Space Industry Act 2018 makes provision for appeals against decisions of the Secretary of State under this Act.”

**Commencement Information**

**I141** Sch. 12 para. 13 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 117 (with reg. 3) (as amended by S.I. 2021/874, regs. 1(2), 2(4))

14 (1) Section 7 of that Act (register of space objects) is amended as follows.  
(2) In subsection (2), after “space objects” insert “ (whether launched in the United Kingdom or elsewhere) ”.  
(3) For subsection (3) substitute—  
“(3) The Secretary of State shall ensure that the public can view the information in the register free of charge.”

**Commencement Information**

**I142** Sch. 12 para. 14 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 117 (with reg. 3) (as amended by S.I. 2021/874, regs. 1(2), 2(4))

*Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12))*  
15 In Article 53A of the Police and Criminal Evidence (Northern Ireland) Order 1989 (“qualifying offence” etc), at the end of paragraph (2) insert—  
“(t) an offence under paragraph 1 of Schedule 4 to the Space Industry Act 2018.”

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**Commencement Information**

**I143** Sch. 12 para. 15 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. paras. 116, 117 (with reg. 3) (as amended by S.I. 2021/874, regs. 1(2), 2(4))

*Aviation and Maritime Security Act 1990 (c. 31)*

16 After section 48 of the Aviation and Maritime Security Act 1990 insert—

**“48A Application of Act to medium-range rockets**

- (1) Subject to subsection (4), a reference in this Act to an aircraft includes a reference to a medium-range rocket.
- (2) In this section “rocket” means a projectile of mainly cylindrical or similar shape that can be propelled from or above the earth by combustion of its fuel (or fuel and oxidant).
- (3) For the purposes of this section a rocket is a “medium-range” rocket if—
  - (a) the total impulse of its motor or combination of motors exceeds 160 Newton-seconds, but
  - (b) it is not capable of operating above the stratosphere.
- (4) The Secretary of State may by order—
  - (a) provide that subsection (1) does not apply to any specified provisions of this Act;
  - (b) provide for any provision of this Act, as it has effect by virtue of subsection (1), to apply with specified modifications.
- (5) The power to make an order under subsection (4) is exercisable by statutory instrument.
- (6) Any statutory instrument containing an order under subsection (4) shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

**Commencement Information**

**I144** Sch. 12 para. 16 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 117 (with reg. 3) (as amended by S.I. 2021/874, regs. 1(2), 2(4))

*Airports (Northern Ireland) Order 1994 (S.I. 1994/426 (N.I. 1))*

17 In Article 2 of the Airports (Northern Ireland) Order 1994 (interpretation), after paragraph (3) insert—

- “(3A) Subject to paragraph (3D), a reference in this Order to an aircraft includes a reference to a medium-range rocket.
- (3B) In paragraph (3A) “rocket” means a projectile of mainly cylindrical or similar shape that can be propelled from or above the earth by combustion of its fuel (or fuel and oxidant).



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- (3C) For the purposes of paragraph (3A) a rocket is a “medium-range” rocket if—
- (a) the total impulse of its motor or combination of motors exceeds 160 Newton-seconds, but
  - (b) it is not capable of operating above the stratosphere.
- (3D) The Department may by order—
- (a) provide that paragraph (3A) does not apply to any specified provisions of this Order;
  - (b) provide for any provision of this Order, as it has effect by virtue of paragraph (3A), to apply with specified modifications.”

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**Commencement Information**

**1145** Sch. 12 para. 17 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. paras. 116, 117 (with reg. 3) (as amended by S.I. 2021/874, regs. 1(2), 2(4))

*Police Act 1997 (c. 50)*

- 18 (1) Schedule 8A to the Police Act 1997 (offences which must always be disclosed) is amended as follows.
- (2) In the heading before paragraph 20, after “Aviation” insert “ , spaceflight ”.
- (3) After paragraph 21 insert—
- “21A An offence under any of the following paragraphs of Schedule 4 to the Space Industry Act 2018—
- (a) paragraph 1 (hijacking of spacecraft);
  - (b) paragraph 2 (destroying, damaging or endangering safety of spacecraft);
  - (c) paragraph 3 (other acts endangering or likely to endanger safety of spacecraft); and
  - (d) paragraph 5 (offences in relation to certain dangerous articles).”
- (4) The reference in sub-paragraph (1) above to Schedule 8A is to the Schedule inserted by article 3 of the Police Act 1997 and the Protection of Vulnerable Groups (Scotland) Act 2007 Remedial (No. 2) Order 2015 (S.S.I. 2015/423).

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**Commencement Information**

**1146** Sch. 12 para. 18 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 117 (with reg. 3) (as amended by S.I. 2021/874, regs. 1(2), 2(4))

*Transport Act 2000 (c. 38)*

- 19 In section 70 of the Transport Act 2000 (general duty of CAA), in subsection (2), after paragraph (c) insert—
- “(ca) to take account of any guidance relating to spaceflight activities (within the meaning of the Space Industry Act 2018) given to the CAA by the Secretary of State;”.

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#### Commencement Information

**I147** Sch. 12 para. 19 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 117 (with reg. 3) (as amended by S.I. 2021/874, regs. 1(2), 2(4))

- 20 (1) Section 93 of that Act (control in time of hostilities etc) is amended as follows.
- (2) In subsection (2)—
- (a) in paragraph (a), after “the CAA” insert “ or a person (other than the CAA) appointed by regulations under section 16 of the Space Industry Act 2018 ”;
  - (b) in paragraph (b), after “air traffic services” insert “ or range control services ”;
  - (c) in paragraph (c), after “undertaking” insert “ or carries out spaceflight activities ”;
  - (d) in paragraph (d), after “an airport” insert “ or a spaceport ”.
- (3) In subsection (3)—
- (a) in paragraph (a), for “the CAA” substitute “ a person within subsection (2) (a) ”;
  - (b) in paragraph (b), after “air traffic services” insert “ or range control services ”.
- (4) In subsection (4)—
- (a) in paragraph (a), after “aircraft” insert “ or spacecraft ”;
  - (b) in paragraph (b), for “or flying schools” substitute “ , flying schools or spaceports ”;
  - (c) in that paragraph, for “or flying school” substitute “ , flying school or spaceport ”.
- (5) In subsection (9), for “the CAA” substitute “ a person within subsection (2)(a) ”.

#### Commencement Information

**I148** Sch. 12 para. 20 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 117 (with reg. 3) (as amended by S.I. 2021/874, regs. 1(2), 2(4))

- 21 (1) Section 94 of that Act (orders for possession of aerodromes etc) is amended as follows.
- (2) In subsection (2)(a) and (b), after “aerodrome” insert “ or spaceport ”.
- (3) In subsections (2)(b) and (3)(a), after “aircraft” insert “ or spacecraft ”.

#### Commencement Information

**I149** Sch. 12 para. 21 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 117 (with reg. 3) (as amended by S.I. 2021/874, regs. 1(2), 2(4))

- 22 (1) Section 95 of that Act (sections 93 and 94: interpretation) is amended as follows.
- (2) In subsection (1), after paragraph (c) insert—
- “(ca) range control services;”.

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- (3) In that subsection, after paragraph (d) insert—
- “(da) spacecraft;
  - (db) spaceflight activities;
  - (dc) spaceport;”.
- (4) In subsection (6)—
- (a) in paragraphs (a) and (b), after “aerodrome” insert “ or spaceport ”;
  - (b) in paragraph (c), after “aircraft” insert “ or spacecraft ”;
  - (c) in paragraph (d), after “air traffic services” insert “ or range control services ”.
- (5) After subsection (8) insert—
- “(9) The following expressions have the same meaning as in the Space Industry Act 2018—
- range control services (see section 6 of that Act);
  - spacecraft (see section 2(6) of that Act);
  - spaceflight activities (see section 1(4) to (6) of that Act);
  - spaceport (see section 3(2) and (3) of that Act).”

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**Commencement Information**

**I150** Sch. 12 para. 22 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 117 (with reg. 3) (as amended by S.I. 2021/874, regs. 1(2), 2(4))

*Sexual Offences 2003 (c. 42)*

- 23 In Schedule 5 to the Sexual Offences Act 2003 (other offences for purposes of Part 2), after paragraph 171B insert—
- “171C An offence under paragraph 1 of Schedule 4 to the Space Industry Act 2018 (hijacking of spacecraft).
  - 171D An offence under paragraph 2 of that Schedule (destroying, damaging or endangering the safety of spacecraft).
  - 171E An offence under paragraph 3 of that Schedule (other acts endangering or likely to endanger safety of spacecraft).
  - 171F An offence under paragraph 4 of that Schedule (endangering safety at spaceports).
  - 171G An offence under paragraph 5 of that Schedule (offences in relation to certain dangerous articles).”

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**Commencement Information**

**I151** Sch. 12 para. 23 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 117 (with reg. 3) (as amended by S.I. 2021/874, regs. 1(2), 2(4))

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*Criminal Justice Act 2003 (c. 44)*

- 24 In Schedule 4 to the Criminal Justice Act 2003 (qualifying offences for purposes of section 62), after paragraph 33 insert—

*“Hijacking of spacecraft*

- 33A** An offence under paragraph 1 of Schedule 4 to the Space Industry Act 2018.

*Destroying, damaging or endangering the safety of spacecraft*

- 33B** An offence under paragraph 2 of Schedule 4 to the Space Industry Act 2018.”

**Commencement Information**

**I152** Sch. 12 para. 24 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 117 (with reg. 3) (as amended by S.I. 2021/874, regs. 1(2), 2(4))

- 25 In Schedule 15 to that Act (specified offences for purposes of Chapter 5 of Part 12), after paragraph 63H insert—

“63I An offence under paragraph 1 of Schedule 4 to the Space Industry Act 2018 (hijacking of spacecraft).

63J An offence under paragraph 2 of that Schedule (destroying, damaging or endangering the safety of spacecraft).

63K An offence under paragraph 3 of that Schedule (other acts endangering or likely to endanger safety of spacecraft).

63L An offence under paragraph 4 of that Schedule (endangering safety at spaceports).

63M An offence under paragraph 5 of that Schedule (offences in relation to certain dangerous articles).”

**Commencement Information**

**I153** Sch. 12 para. 25 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 117 (with reg. 3) (as amended by S.I. 2021/874, regs. 1(2), 2(4))

*Criminal Justice (Northern Ireland) Order 2004 (S.I. 2004/1500 (N.I. 9))*

- 26 (1) Schedule 2 to the Criminal Justice (Northern Ireland) Order 2004 (qualifying offences for purposes of Article 21) is amended as follows.

(2) In the heading before paragraph 24, after “Aviation,” insert “Spaceflight, ”.

(3) After paragraph 25 insert—

*“Hijacking of spacecraft*

- 25A An offence under paragraph 1 of Schedule 4 to the Space Industry Act 2018.

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*Destroying, damaging or endangering safety of spacecraft*

25B An offence under paragraph 2 of Schedule 4 to the Space Industry Act 2018.”

**Commencement Information**

**I154** Sch. 12 para. 26 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. paras. 116, 117 (with reg. 3) (as amended by S.I. 2021/874, regs. 1(2), 2(4))

*Terrorism Act 2006 (c. 11)*

- 27 (1) Section 20 of the Terrorism Act 2006 (interpretation of Part 1) is amended as follows.
- (2) In subsection (2), at the end of the definition of “Convention offence” insert “ (and see subsection (2A)) ”.
- (3) After that subsection insert—
- “(2A) Offences under any of the following paragraphs of Schedule 4 to the Space Industry Act 2018 are to be treated for the purposes of this Part as if they were Convention offences—
- (a) paragraph 1 (hijacking of spacecraft);
  - (b) paragraph 2 (destroying, damaging or endangering safety of spacecraft);
  - (c) paragraph 3 (other acts endangering or likely to endanger safety of spacecraft);
  - (d) paragraph 4 (endangering safety at spaceports).”

**Commencement Information**

**I155** Sch. 12 para. 27 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 117 (with reg. 3) (as amended by S.I. 2021/874, regs. 1(2), 2(4))

*Armed Forces Act 2006 (c. 52)*

- 28 In Schedule 2 to the Armed Forces Act 2006 (“Schedule 2 offences”), in paragraph 12, at the end insert—
- “(az) an offence under any of paragraphs 1 to 5 of Schedule 4 to the Space Industry Act 2018 (hijacking, destroying, damaging or endangering safety of spacecraft etc).”

**Commencement Information**

**I156** Sch. 12 para. 28 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 117 (with reg. 3) (as amended by S.I. 2021/874, regs. 1(2), 2(4))

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*Counter-Terrorism Act 2008 (c. 28)*

- 29 [F1][F2] In Schedule 2 to the Counter-Terrorism Act 2008 (offences where terrorist connection to be considered), after the entry for offences under the Anti-Terrorism, Crime and Security Act 2001 insert—

“An offence under any of the following paragraphs of Schedule 4 to the Space Industry Act 2018—

- (a) paragraph 1 (hijacking of spacecraft),
- (b) paragraph 2 (destroying, damaging or endangering safety of spacecraft),
- (c) paragraph 3 (other acts endangering or likely to endanger safety of spacecraft),
- (d) paragraph 4 (endangering safety at spaceports),
- (e) paragraph 5 (offences in relation to certain dangerous articles).”]]

**Textual Amendments**

- F1** Sch. 12 para. 29 repealed to the extent that it is not yet in force when 2021 c. 11, s. 1 comes into force (that section being in force at 29.6.2021 except for specified purposes by virtue of 2021 c. 11, s. 50(2)(3)) by Counter Terrorism and Sentencing Act 2021 (c. 11), s. 50(2)(v), Sch. 13 para. 4
- F2** Sch. 12 para. 29 repealed (E.W.) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 29 (with ss. 413(4), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

**Modifications etc. (not altering text)**

- C1** Sch. 12 para. 29 modified (1.12.2020 immediately before the consolidation date (see 2020 c. 9, ss. 3, 5(2)(3) and 2020 c. 17, ss. 2, 416)) by Sentencing (Pre-consolidation Amendments) Act 2020 (c. 9), ss. 1, 5(2)(3); S.I. 2012/1236, reg. 2

**Commencement Information**

- I157** Sch. 12 para. 29 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 117 (with reg. 3) (as amended by S.I. 2021/874, regs. 1(2), 2(4))

*Criminal Justice (Northern Ireland) Order 2008 (S.I. 2008/1216 (N.I. 1))*

- 30 In Schedule 1 to the Criminal Justice (Northern Ireland) Order 2008 (serious offences), after paragraph 31A insert—

*“The Space Industry Act 2018 (c. 00)*

- 31B An offence under—
- paragraph 1 of Schedule 4 (hijacking of spacecraft),
  - paragraph 2 of that Schedule (destroying, damaging or endangering safety of spacecraft),
  - paragraph 3 of that Schedule (other acts endangering or likely to endanger safety of spacecraft), or
  - paragraph 4 of that Schedule (endangering safety at spaceports).”

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**Commencement Information**

**I158** Sch. 12 para. 30 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. paras. 116, 117 (with reg. 3) (as amended by S.I. 2021/874, regs. 1(2), 2(4))

31 In Schedule 2 to that Order (specified offences), in Part 1, after paragraph 31A insert—

*“The Space Industry Act 2018 (c. 00)*

31B An offence under—  
paragraph 1 of Schedule 4 (hijacking of spacecraft),  
paragraph 2 of that Schedule (destroying, damaging or endangering safety of spacecraft),  
paragraph 3 of that Schedule (other acts endangering or likely to endanger safety of spacecraft),  
paragraph 4 of that Schedule (endangering safety at spaceports), or  
paragraph 5 of that Schedule (offences in relation to certain dangerous articles).”

**Commencement Information**

**I159** Sch. 12 para. 31 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 117 (with reg. 3) (as amended by S.I. 2021/874, regs. 1(2), 2(4))

32 In section 89 of the Energy Act 2013 (provision of information or advice to relevant authorities), in subsection (8), after paragraph (h) insert—

“(i) a person appointed by regulations under section 16 of the Space Industry Act 2018.”

**Commencement Information**

**I160** Sch. 12 para. 32 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 117 (with reg. 3) (as amended by S.I. 2021/874, regs. 1(2), 2(4))

33 In Schedule 4 to the Modern Slavery Act 2015 (offences to which defence in section 45 does not apply), after paragraph 36 insert—

“**36A** An offence under any of the following provisions of Schedule 4 to the Space Industry Act 2018—  
paragraph 1 (hijacking of spacecraft)  
paragraph 2 (destroying, damaging or endangering safety of spacecraft)  
paragraph 3 (other acts endangering or likely to endanger safety of spacecraft)  
paragraph 4 (endangering safety at spaceports)

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paragraph 5 (offences in relation to certain dangerous articles).”

**Commencement Information**

**I161** [Sch. 12 para. 33](#) in force at 29.7.2021 by [S.I. 2021/817](#), [reg. 2](#), [Sch. para. 117](#) (with [reg. 3](#)) (as amended by [S.I. 2021/874](#), [regs. 1\(2\), 2\(4\)](#))



**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing S.I. 2021/817, Sch. by [S.I. 2021/874 reg. 2](#)