
STATUTORY INSTRUMENTS

2021 No. 792

The Space Industry Regulations 2021

PART 15

Civil sanctions (stop notices)

Stop notices

265.—(1) A reference in this Part to a “stop notice” is to a notice prohibiting a person from carrying on an activity specified in the notice (the “activity”) until the person has taken the steps specified in the notice.

(2) The regulator may serve a stop notice on any person (the “relevant person”) in accordance with this Part.

(3) A stop notice may only be served in a case falling within paragraph (4) or (5).

(4) A case falling within this paragraph is a case where—

- (a) the relevant person is carrying on the activity,
- (b) the regulator reasonably believes that the activity as carried on by the relevant person is causing, or presents a significant risk of causing, serious harm to any of the matters referred to in paragraph (6), and
- (c) the regulator reasonably believes that the activity as carried on by the relevant person involves or is likely to involve the commission by that person of an offence under the Act or under any regulations made under the Act (referred to in this Part as the “relevant offence”).

(5) A case falling within this paragraph is a case where the regulator reasonably believes that—

- (a) the relevant person is likely to carry on the activity,
- (b) the activity as likely to be carried on by the relevant person will cause, or will present a significant risk of causing, serious harm to any of the matters referred to in paragraph (6), and
- (c) the activity as likely to be carried on by the relevant person will involve, or will be likely to involve, the commission by that person of an offence under the Act or under any regulations made under the Act.

(6) The matters referred to in paragraphs (4)(b) and (5)(b) are—

- (a) public safety;
- (b) persons carried in spacecraft⁽¹⁾ or carrier aircraft⁽²⁾;
- (c) persons at work at spaceports, mission management facilities or sites used in connection with the provision of range control services;
- (d) the interests of persons in relation to the use of land, sea and airspace;

(1) See section 2(6) of the Space Industry Act 2018 for the definition of “spacecraft”.

(2) See section 2(6) of the Space Industry Act 2018 for the definition of “carrier aircraft”.

(e) the interests of persons with interests in property carried by spacecraft.

(7) The steps referred to in paragraph (1) must be steps to remove or reduce the harm or risk of harm referred to in paragraphs (4)(b) or (5)(b).

Contents of stop notice

266. A stop notice must include information as to—

- (a) the grounds for serving the notice,
- (b) rights of appeal, and
- (c) the consequences of non-compliance.

Completion certificate

267.—(1) Where, after service of the notice, the regulator is satisfied that the relevant person has taken the steps specified in the stop notice, the regulator must issue a certificate to that effect.

(2) A certificate under paragraph (1) is referred to in this Part as a “completion certificate”.

(3) The stop notice ceases to have effect on the issue of a completion certificate.

(4) The relevant person may at any time apply for a completion certificate.

(5) The regulator must make a decision as to whether to issue a completion certificate within 14 days of that application.

Compensation

268.—(1) The regulator must compensate the relevant person for loss suffered as a result of the service of the stop notice or the refusal to issue a completion certificate if that person has suffered loss as a result of the notice or refusal and the conditions in paragraph (2) apply.

(2) The conditions referred to in paragraph (1) are—

- (a) the relevant person makes a successful appeal against a decision to serve a stop notice or a decision not to issue a completion certificate;
- (b) the power to issue the stop notice was not exercised as a result of any neglect or default of the relevant person.

Offence of failing to comply with stop notice

269.—(1) Where a relevant person does not comply with a stop notice within the time limit specified in the notice, that person is guilty of an offence and liable—

- (a) on summary conviction in England and Wales, to a fine, or imprisonment for a term not exceeding 12 months, or both;
- (b) on summary conviction in Scotland, to a fine not exceeding £20,000, or imprisonment for a term not exceeding 12 months, or both;
- (c) on summary conviction in Northern Ireland, to a fine not exceeding £20,000, or imprisonment for a term not exceeding six months;
- (d) on conviction on indictment, to imprisonment for a term not exceeding two years, or a fine, or both.

(2) In relation to an offence committed before the commencement of paragraph 24(2) of Schedule 22 (general limit on magistrates’ court’s powers to imprison) to the Sentencing Act

2020(3), the reference in paragraph (1)(a) to imprisonment for a term not exceeding 12 months is to be read as a reference to imprisonment for a term not exceeding six months.