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STATUTORY INSTRUMENTS

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**2021 No. 792**

**The Space Industry Regulations 2021**

**PART 16**

Occurrence reporting

**CHAPTER 7**

Offences and penalties

**Providing false information**

**279.** Any person who, in purported compliance with regulation 271, makes a statement they know to be false in a material particular, or recklessly makes a statement that is false in a material particular, commits an offence.

**Failure to protect confidential information**

**280.—(1)** Any person who knowingly contravenes any of the prohibitions in regulation 277 commits an offence.

(2) Paragraph (1) does not apply where a person makes confidential information available to another person (“person A”) in the following circumstances—

- (a) in a case where person A is a party to, or otherwise entitled to appear at, judicial proceedings and the relevant court has ordered that confidential information must be made available to person A for the purposes of those proceedings;
- (b) in any other case, where the relevant court has ordered that confidential information must be made available to person A for other specified purposes.

(3) The relevant court must not make an order under paragraph (2) unless it is satisfied that the benefits of the disclosure of the confidential information concerned outweigh the adverse domestic and international consequences which the disclosure might have on the reporting of occurrences or any safety investigation to which the information relates or any future safety investigation.

(4) In this regulation—

“judicial proceedings” includes any proceedings before any court, tribunal or person having by law power to hear, receive and examine evidence on oath;

“relevant court” means—

- (a) in the case of judicial proceedings or an application for disclosure made in England, Wales or Northern Ireland, the High Court, and
- (b) in the case of judicial proceedings or an application for disclosure made in Scotland, the Court of Session.

**Penalties**

**281.** A person who is guilty of an offence under regulation 279 or 280 is liable—

- (a) on summary conviction in England and Wales, to a fine;
- (b) on summary conviction in Scotland or Northern Ireland, to a fine not exceeding the statutory maximum;
- (c) on conviction on indictment, to imprisonment for a term not exceeding two years, or a fine, or both.