
STATUTORY INSTRUMENTS

2021 No. 792

The Space Industry Regulations 2021

PART 17

Miscellaneous

Duty on licensee to inform regulator of changes

282.—(1) A reference in this Part to a “relevant person” is to—

- (a) a person applying for a licence under the Act, or
- (b) a licensee.

(2) A relevant person must inform the regulator in writing as soon as possible of any material change in any of the information provided to the regulator by or on behalf of the relevant person, whether in or with the application for a licence or after the licence has been granted.

(3) Where the information referred to in paragraph (2) was provided by a person other than the relevant person, the obligation to inform the regulator of any material change in the information applies as soon as possible after the relevant person becomes aware—

- (a) that the information in question was provided to the regulator, and
- (b) of the change in the information.

Offence of failure to inform regulator of changes

283.—(1) It is an offence for a relevant person—

- (a) to fail to comply with regulation 282, or
- (b) in purported compliance with regulation 282, to make a statement or provide information they know to be false in a material particular, or recklessly to make such a statement or provide such information.

(2) It is a defence for a person charged with an offence under paragraph (1)(a) to show that they took all reasonable steps and exercised all due diligence to avoid committing the offence.

Penalty for failure to inform regulator of changes

284. A person who commits an offence under regulation 283 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.

Sending of notices and other documents

285.—(1) Any notice or other document required or authorised by these Regulations to be provided (in whatever terms) to any person may be provided by—

- (a) delivering it to that person in person,
- (b) leaving it at that person’s proper address, or
- (c) sending it by post or by electronic means to that person’s proper address.

(2) In the case of a body corporate, any such notice or document may be provided to a director of that body or to any other officer or employee of that body (“authorised person”) who is authorised to accept such notices or documents on its behalf.

(3) For the purposes of this regulation, “proper address” means—

- (a) in the case of a body corporate or its director or authorised person—
 - (i) the registered or principal office of that body, or
 - (ii) the email address of the secretary or clerk of that body, the director or the authorised person;
- (b) in any other case, a person’s last known address, which includes an email address.

(4) In this regulation references to an email address are to an email address which has not been withdrawn for the purposes of service.

Use of records and documentary evidence: prescribed persons

286.—(1) The following persons are prescribed persons for the purposes of section 66(1)—

- (a) the Secretary of State;
- (b) the regulator;
- (c) an inspector appointed by the regulator under regulation 237 to act on the regulator’s behalf for the purposes set out in section 26(2) (monitoring and enforcement).

(2) The following persons are prescribed persons for the purposes of section 66(3)—

- (a) the Secretary of State;
- (b) the regulator;
- (c) a range control licensee;
- (d) an operator;
- (e) a spaceport licensee;
- (f) a person employed by, or providing services to, a person referred to in sub-paragraph (c), (d) or (e).

Review

287.—(1) The Secretary of State must from time to time—

- (a) carry out a review of the regulatory provision contained in these Regulations, and
- (b) publish a report setting out the conclusions of the review.

(2) The first report must be published before the end of the period of five years beginning with the date on which these Regulations come into force.

(3) Subsequent reports must be published at intervals not exceeding five years.

(4) Section 30(4) of the Small Business, Enterprise and Employment Act 2015⁽¹⁾ requires that a report published under this regulation must, in particular—

- (a) set out the objectives intended to be achieved by the regulatory provision referred to in paragraph (1)(a),
- (b) assess the extent to which those objectives are achieved,
- (c) assess whether those objectives remain appropriate, and
- (d) if those objectives remain appropriate, assess the extent to which they could be achieved in another way which involves less onerous regulatory provision.

(5) In this regulation, “regulatory provision” has the same meaning as in sections 28 to 32 of the Small Business, Enterprise and Employment Act 2015 (see section 32 of that Act).

(1) 2015 c. 26. Section 30(3) was amended by section 19 of the Enterprise Act 2016 (c. 12), and paragraph 36 of Schedule 8 to the European Union (Withdrawal) Act 2018 (c. 16).