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STATUTORY INSTRUMENTS

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**2021 No. 792**

**The Space Industry Regulations 2021**

**PART 3**

**Grant of a licence – general**

**CHAPTER 1**

**Eligibility criteria and prescribed roles for licensees**

**Eligibility criteria**

- 6.—(1)** A person to whom regulation **5(1)** applies will not be eligible if—
- (a) that person is an undischarged bankrupt—
    - (i) in England and Wales or Scotland, or
    - (ii) in Northern Ireland,
  - (b) a bankruptcy restrictions order or undertaking is in force in respect of that person under—
    - (i) the Bankruptcy (Scotland) Act 2016**(1)** or the Insolvency Act 1986**(2)**, or
    - (ii) the Insolvency (Northern Ireland) Order 1989**(3)**,
  - (c) a debt relief restrictions order or undertaking is in force in respect of that person under—
    - (i) the Insolvency Act 1986, or
    - (ii) the Insolvency (Northern Ireland) Order 1989,
  - (d) a moratorium period under a debt relief order applies in relation to that person under—
    - (i) the Insolvency Act 1986, or
    - (ii) the Insolvency (Northern Ireland) Order 1989,
  - (e) that person is—
    - (i) in Great Britain, subject to a disqualification order under section 1(1) of, or a disqualification undertaking under section 1A(1) of, the Company Director's Disqualification Act 1986**(4)**, or
    - (ii) in Northern Ireland, subject to a disqualification order under Article 3(1) of, or a disqualification undertaking under Article 4(1) of, the Company Director's Disqualification (Northern Ireland) Order 2002**(5)**, or

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**(1)** 2016 asp 21.

**(2)** 1986 c. 45.

**(3)** S.I. 1989/2405 (N.I. 19).

**(4)** 1986 c. 46; section 1 was amended by section 5(1) of the Insolvency Act 2000 (c. 39) and section 204(1) and (3) of the Enterprise Act 2002 (c. 40). Section 1A was inserted by section 6(1) and (2) of the Insolvency Act 2000 and amended by section 111 of, and paragraphs 1 and 3(1), (2) and (3) of Part 1 of Schedule 7 to, the Small Business, Enterprise and Employment Act 2015 (c. 26).

**(5)** S.I. 2002/3150 (N.I. 4). Article 3(1) was amended by Article 4(3) of S.I. 2005/1454 (N.I. 9).

- (f) that person has been convicted of any offence involving fraud or dishonesty, or any indictable offence, and for this purpose “offence” includes any act or omission which would have been an offence if it had taken place in the United Kingdom, unless—
  - (i) in Great Britain, that person’s conviction is spent within the meaning of the Rehabilitation of Offenders Act 1974<sup>(6)</sup>, or
  - (ii) in Northern Ireland, that person’s conviction is spent within the meaning of the Rehabilitation of Offenders (Northern Ireland) Order 1978<sup>(7)</sup>.
- (2) For the purpose of paragraph (1)(f), an offence is indictable if—
  - (a) in the case of an offence under the law of England and Wales, it is an indictable offence in England and Wales;
  - (b) in the case of an offence under the law of Scotland, it may be tried on indictment in Scotland;
  - (c) in the case of an offence under the law of Northern Ireland, it is an indictable offence in Northern Ireland.

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**Commencement Information**

**II** Reg. 6 in force at 29.7.2021, see [reg. 1\(1\)](#)

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<sup>(6)</sup> 1974 c. 53.

<sup>(7)</sup> S.I. 1978/1908 (N.I. 27).

**Changes to legislation:**

There are currently no known outstanding effects for the The Space Industry Regulations 2021, Section 6.