
STATUTORY INSTRUMENTS

2021 No. 817

**The Space Industry Act 2018 (Commencement No. 2,
Transitional and Savings Provisions) Regulations 2021**

PART 1

Preliminary

Citation, extent and interpretation

1.—(1) These Regulations may be cited as the Space Industry Act 2018 (Commencement No. 2, Transitional and Savings Provisions) Regulations 2021.

(2) These Regulations extend to England and Wales, Scotland and Northern Ireland, subject as follows.

(3) In the Schedule, paragraphs 73, 82 to 85 and 113 do not extend to Northern Ireland.

(4) In the Schedule, paragraphs 86 to 87 and 116 extend to Northern Ireland only.

(5) In the Schedule, paragraph 117 has, for the purposes of the commencement of each amendment of an enactment made by Schedule 12 to the Act, the same extent as the enactment amended.

(6) In these Regulations—

“the Act” means the Space Industry Act 2018 and a reference to a section without more is a reference to a section of the Act;

“cabin crew” means individuals who take part in spaceflight activities⁽¹⁾ on board a launch vehicle to perform duties assigned by the spaceflight operator or the pilot in command of the launch vehicle, but who are not members of the flight crew;

“carrier aircraft” means an aircraft which is carrying a launch vehicle which is to separate from that aircraft before the aircraft lands;

“crew” means—

(a) members of the cabin crew, and

(b) members of the flight crew;

“experimental transport” means a vehicle that is not operating for the purposes of transporting people or goods for commercial gain, such as a spacecraft⁽²⁾ or aircraft specifically designed or modified for research, experimental or scientific purposes;

“flight crew” means individuals who take part in spaceflight activities on board a launch vehicle as a pilot or flight engineer of the launch vehicle;

“human occupant” means a member of the crew or a spaceflight participant;

(1) “spaceflight activities” is defined in section 1(6) of the Space Industry Act 2018.

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

“hypersonic” means a type of sub-orbital craft capable of operating above the stratosphere and capable of operating at the speed of at least Mach 5;

“launch operator licence” means an operator licence⁽³⁾ which authorises a person to carry out spaceflight activities that include launching a launch vehicle or launching a carrier aircraft and a launch vehicle;

“launch vehicle” means—

- (a) a craft to which section 1(5) applies and the component parts of that craft, or
 - (b) a space object⁽⁴⁾ which is a vehicle and the component parts of that vehicle,
- that is used for the purpose of the proposed spaceflight activities or the operator’s spaceflight activities, as applicable, but does not include a payload carried by the launch vehicle;

“operator’s spaceflight activities” means spaceflight activities which are authorised by an operator licence and which are any of—

- (a) launching a launch vehicle;
- (b) launching a carrier aircraft;
- (c) operating the launch vehicle or a carrier aircraft whose launch is authorised by the operator licence, in so far as necessary for one or more of the following assignments—
 - (i) to carry a spaceflight participant,
 - (ii) to carry a payload until its release or separation from the launch vehicle,
 - (iii) to carry out sub-orbital activities, or
 - (iv) to return to earth and complete its flight,
 including orbital activities only in so far as they are necessary to complete such an assignment;
- (d) operating a launch vehicle whose launch is not authorised by the operator licence, in order to cause that vehicle to land in the United Kingdom;

“orbital activities” means spaceflight activities using a launch vehicle which has reached a stable orbit;

“pilot in command” means the pilot who—

- (a) takes part in the operator’s spaceflight activities on board the launch vehicle, and
- (b) is designated by the spaceflight operator as being in command and charged with the safe conduct of its flight, without being under the direction of any other pilot;

“point to point transport” means a vehicle which takes off from a launch site (point A) and travels, wholly or in part using rocket-powered propulsion, to another site on earth or in orbit (point B) for the purposes of transporting people or goods for commercial gain but does not include experimental transport;

“proposed spaceflight activities” means any of the spaceflight activities mentioned in paragraphs (a) to (d) of the definition of “operator’s spaceflight activities” which would be authorised by the operator licence that the applicant is applying for, if granted;

“return operator licence” means an operator licence which is not a launch operator licence and which authorises a person to operate a launch vehicle, launched elsewhere than the United Kingdom, in order to cause that vehicle to land in the United Kingdom;

⁽³⁾ See section 3(2) of the Space Industry Act 2018 for the definition of “operator licence”.

⁽⁴⁾ Space object is defined in section 69(1) of the Space Industry Act 2018, by reference to the Outer Space Act 1986 (c. 38). The definition is given in section 13(1) of that Act. It “includes the component parts of a space object, its launch vehicle and the component parts of that”.

“spaceflight operator” means the holder of a launch operator licence or a return operator licence;

“spaceflight participant” means an individual, other than a member of the crew, who is to be carried on board a launch vehicle with the spaceflight operator’s permission;

“stable orbit” means an orbit where a launch vehicle—

- (a) has started to travel in an orbit of a minimum perigee of 130 kilometres taking account of any natural influences such as the forces of drag acting on that vehicle, and
- (b) is capable of continuing to travel in that orbit for at least one orbit of the earth.