



# Space Industry Act 2018

## 2018 CHAPTER 5

### *Safety*

#### **19 Safety regulations**

- (1) Regulations (referred to in this Act as “safety regulations”) may make provision for the purposes of—
  - (a) securing the safe operation of spaceports and mission management facilities;
  - (b) securing that spaceflight activities are carried out safely;
  - (c) securing that the range for spaceflight activities enables the activities to be carried out safely.
- (2) Schedule 3 gives examples of particular kinds of provision that may be made by safety regulations.

That Schedule does not limit subsection (1).
- (3) The regulator may issue guidance about how a person carrying out spaceflight activities, operating a spaceport or providing range control services may comply with requirements imposed by safety regulations.
- (4) In this Act “mission management facility” means a site (other than a spaceport) from which spaceflight activities are controlled or (as the case may be) are to be controlled.

#### **20 Investigation of accidents**

- (1) Regulations may provide for the investigation of accidents, whether occurring in the United Kingdom or elsewhere, arising out of or in the course of spaceflight activities (including activities to which the Outer Space Act 1986 applies).
- (2) Regulations under this section may—
  - (a) make provision corresponding to that which may be made by virtue of subsection (3) of section 75 of the Civil Aviation Act 1982 (investigation of accidents);

- (b) make provision entitling a person who incurs expenses in, or in connection with, carrying out an investigation under the regulations to recover those expenses from prescribed persons.

This subsection does not limit subsection (1).

- (3) In this section “accident” includes any fortuitous or unexpected event by which the safety of any spacecraft or person is threatened.
- (4) This section does not limit the powers of any authority under sections 245 to 247 and sections 252 to 254 of the Merchant Shipping Act 1995.

## **21 Assistance etc with performance of regulator’s safety functions**

- (1) The regulator may—
  - (a) require a qualifying health and safety authority to provide any specified advice or assistance, to the regulator or any other person, in connection with any functions relating to safety that are conferred on the regulator by or under this Act;
  - (b) authorise a qualifying health and safety authority to perform on behalf of the regulator any such functions that are specified.
- (2) In this section—
  - “qualifying health and safety authority” means—
    - (a) the Health and Safety Executive or (as appropriate) the Health and Safety Executive for Northern Ireland;
    - (b) the Office for Nuclear Regulation;
    - (c) a prescribed body or person whose functions consist of or include functions of a public nature relating to safety;
  - “specified” means specified in the requirement under subsection (1)(a) or the authorisation under subsection (1)(b).
- (3) A requirement imposed under subsection (1)(a) to provide advice or assistance in connection with any function may be expressed so as to operate as a continuing requirement on the qualifying health and safety authority to provide advice or assistance in connection with that function.
- (4) Where under subsection (1)(a) the regulator—
  - (a) requires a qualifying health and safety authority to provide advice or assistance for a person other than the regulator, but
  - (b) does not undertake to pay the authority the cost of doing so,
 the authority may refuse to do so until the other person pays to the authority any reasonable charges in respect of the advice or assistance that the authority determines.
- (5) A qualifying health and safety authority is entitled to recover from the regulator a sum equal to any expense reasonably incurred by the authority—
  - (a) in providing the regulator with advice or assistance in response to a requirement imposed under subsection (1)(a), or
  - (b) in performing a function that the authority is authorised to perform under subsection (1)(b).
- (6) Regulations may prescribe functions that the regulator may not authorise a qualifying health and safety authority to perform under subsection (1)(b).