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DRAFT STATUTORY INSTRUMENTS

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**2021 No.**

**The Space Industry Regulations 2021**

**PART 3**

Grant of a licence – general

**CHAPTER 2**

Operator licences: exemptions

**Operator licences: exemptions**

**15.**—(1) If the conditions set out in paragraphs (2) and (3) are satisfied, the requirement to hold an operator licence to carry out spaceflight activities does not apply in relation to the launch or return to earth of a carrier aircraft which is being used to transport a space object, launch vehicle or the component parts of either from one place to another.

(2) The condition in this paragraph is satisfied if the flight following the launch does not include the launch of a space object or launch vehicle.

(3) The condition in this paragraph is satisfied if—

(a) the operator of the carrier aircraft has an air operator certificate to carry out commercial air transport operations, including the transport of the items referred to in paragraph (1)—

(i) granted by a state which is a signatory to the Chicago Convention, and

(ii) accepted by the CAA, or

(b) the operator possesses any necessary approvals, authorisations or permissions for the flight—

(i) required by the State of the Operator, and

(ii) accepted by the CAA.

(4) Section 36 does not apply to any person to the extent that that person is carrying out the activities described in paragraph (1).

(5) For the purposes of this regulation—

“air operator certificate”, “commercial air transport operation” and “State of the Operator” have the meanings given in Chapter 1 of Annex 6 to the Chicago Convention;

“Chicago Convention” means the Convention on International Civil Aviation and its Annexes, signed in Chicago on 7th December 1944<sup>(1)</sup>, as amended.

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<sup>(1)</sup> Treaty Series No. 8 (1953); Cmd 8742. The Chicago Convention is published at [https://www.icao.int/safety/airnavigation/NationalityMarks/annexes\\_booklet\\_en.pdf](https://www.icao.int/safety/airnavigation/NationalityMarks/annexes_booklet_en.pdf). A hard copy can be obtained from the Department for Transport, Great Minster House, 33 Horseferry Road, London, SW1P 4DR.