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DRAFT STATUTORY INSTRUMENTS

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**2021 No.**

The Space Industry Regulations 2021

PART 5

Grant of a spaceport licence

CHAPTER 3

Members of the public

**“Members of the public”: prescribed meaning under section 2(7) for the purpose of section 10(a) (grant of a spaceport licence)**

**39.** “Members of the public” for the purpose of the reference to “public safety” in section 10(a) does not include any person who is—

- (a) listed in regulation 40, and
- (b) voluntarily in close proximity to a source of danger at a spaceport.

**Persons who are not members of the public**

**40.**—(1) The persons referred to in regulation 39 are—

- (a) an appointee, employee or agent of a licensee;
  - (b) a member of the crew who has consented to accept the risks involved in the operator’s spaceflight activities in accordance with section 17 (informed consent);
  - (c) a spaceflight participant who has consented to accept the risks involved in the operator’s spaceflight activities in accordance with section 17;
  - (d) an individual not falling within sub-paragraphs (a) to (c) who is taking part in the operator’s spaceflight activities;
  - (e) an officer or partner of a licensee;
  - (f) an individual who is at a spaceport at the invitation of a licensee;
  - (g) an employee or an individual acting on behalf of the regulator or with the regulator’s authority;
  - (h) an employee or an individual acting on behalf of the government of another country in connection with spaceflight activities;
  - (i) an employee of the emergency services;
  - (j) an employee of SAIA;
  - (k) compliance authority personnel;
  - (l) an employee of a qualifying health and safety authority;
  - (m) a member of the armed forces of the Crown.
- (2) For the purposes of paragraph (1)—

“compliance authority personnel” includes the following individuals—

- (a) an individual appointed as an Inspector of Spaceflight Accidents under regulation 6(1) of the Spaceflight Activities (Investigation of Spaceflight Accidents) Regulations 2021<sup>(1)</sup>;
- (b) CAA inspectors and auditors;
- (c) inspectors of the Department for Environment, Food and Rural Affairs and its agencies;
- (d) an air traffic controller;
- (e) an employee of the National Crime Agency<sup>(2)</sup>;
- (f) an employee of an intelligence service;
- (g) a constable;

“officer” in paragraph (1)(e) has the meaning given in section 57(3);

“partner” in paragraph (1)(e) has the meaning given in section 58(6).

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(1) S.I. 2021/\*\*\*\*.

(2) The National Crime Agency was established by section 1 of the Crime and Courts Act 2013 (c. 22).