



Space Industry Act 2018

2018 CHAPTER 5

Security

22 Offences against the safety of spacecraft etc

Schedule 4 (offences against the safety of spacecraft etc) has effect.

Commencement Information

II S. 22 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 41 (with reg. 3)

23 Security regulations

- (1) Regulations (referred to in this Act as “security regulations”) may make provision for the purpose of ensuring security in relation to—
- spaceflight activities;
 - range control services;
 - activities associated with spaceflight activities or range control services;
 - sites and facilities used for or in connection with activities and services within paragraph (a), (b) or (c) (including sites and facilities used for training purposes);
 - spacecraft and their payloads.

- (2) Schedule 5 gives examples of particular kinds of provision that may be made by security regulations.

That Schedule does not limit subsection (1).

- (3) The Secretary of State 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 security regulations.

Status: Point in time view as at 29/07/2021.

Changes to legislation: Space Industry Act 2018, Cross Heading: Security is up to date with all changes known to be in force on or before 25 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (4) The Secretary of State by order may suspend the application of any requirement or restriction under security regulations in relation to an aerodrome occupied for the purposes of armed forces of the Crown.
- (5) The Secretary of State may make an order under subsection (4) only if satisfied that—
 - (a) it is necessary to make the order because of the operational requirements of the armed forces of the Crown, and
 - (b) the period of suspension under the order is as short as those requirements allow it to be.
- (6) The Secretary of State must—
 - (a) give notice of an order under subsection (4) to the person in charge of the aerodrome in question, and
 - (b) do what is reasonable to bring it to the attention of other persons likely to be affected by it.
- (7) An order under subsection (4) may make supplemental, incidental or transitional provision.

Commencement Information

- I2** S. 23(1)-(3) in force at 26.11.2018 by S.I. 2018/1224, reg. 2(ii)
I3 S. 23(4)-(7) in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 42 (with reg. 3)

24 Spaceport byelaws

- (1) A person authorised by a spaceport licence to operate a spaceport (the “licensee”) may make byelaws regulating the use and operation of the spaceport, and the conduct of persons within it, for the purposes of ensuring security in relation to—
 - (a) the spaceport;
 - (b) spaceflight activities, and associated activities, carried out at the spaceport;
 - (c) spacecraft and payloads at the spaceport.
- (2) Byelaws under this section (“spaceport byelaws”) may make provision—
 - (a) for regulating vehicular traffic anywhere within the spaceport, except on roads within the spaceport to which the road traffic enactments apply, and in particular (with that exception) for imposing speed limits on vehicles within the spaceport and for restricting or regulating the parking of vehicles or their use for any purpose or in any manner specified in the byelaws;
 - (b) for prohibiting or restricting access to any part of the spaceport;
 - (c) for preserving order within the spaceport and preventing damage to property within it;
 - (d) for requiring any person, if so requested by a constable or a spaceport official, to leave the spaceport or any particular part of it, or to state his or her name and address and purpose for being within the spaceport.

This subsection does not limit subsection (1).

- (3) A spaceport official may not exercise a power under spaceport byelaws without producing written evidence of his or her authority if required to do so.
- (4) A constable may remove from a spaceport (or from any part of it)—

Status: Point in time view as at 29/07/2021.

Changes to legislation: Space Industry Act 2018, Cross Heading: Security is up to date with all changes known to be in force on or before 25 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) a person who fails or refuses to leave the spaceport (or part) after being requested to do so in accordance with a byelaw made by virtue of subsection (2)(d);
 - (b) any vehicle, animal or thing brought to or left within the spaceport (or part) in contravention of a spaceport byelaw;
 - (c) any vehicle, animal or thing likely to cause danger or obstruction.
- (5) Before a licensee makes spaceport byelaws that would apply in relation to any part of an airport in relation to which byelaws under section 63 of the Airports Act 1986 apply, the licensee must consult the person by whom the byelaws under that section were made (unless the licensee is that person).
- (6) Spaceport byelaws do not have effect until they are confirmed by the Secretary of State.
- (7) Schedule 3 to the Airports Act 1986 (further provision about byelaws) applies in relation to—
- (a) spaceports,
 - (b) holders of spaceport licences, and
 - (c) spaceport byelaws,
- as it applies in relation to airports, airport operators and byelaws under section 63 of that Act.
- (8) A person who contravenes a spaceport byelaw commits an offence and is liable on summary conviction to a fine not exceeding the amount specified by the byelaws in relation to the contravention.
- (9) The maximum fines that spaceport byelaws may specify by virtue of subsection (8) are fines of an amount at level 4 on the standard scale or of a lower amount.
- (10) The Secretary of State may by regulations revoke or vary a spaceport byelaw to the extent that it appears to the Secretary of State to be inconsistent with—
- (a) the security of the spaceport, of spaceflight activities carried out at the spaceport or of spacecraft or payloads at the spaceport,
 - (b) the safety of persons or vehicles using the spaceport, of spacecraft or of the general public,
 - (c) the interests of national security, or
 - (d) any international obligation of the United Kingdom.
- Before exercising the power under this subsection the Secretary of State must consult the person by whom the byelaw was made.
- (11) In this section—
- “the road traffic enactments” means the enactments (whether passed or made before or after the passing of this Act) relating to road traffic, including the lighting and parking of vehicles, and any order or other instrument having effect by virtue of any such enactment;
 - “spaceport official” means a person authorised by the licensee.
- (12) In the application of this section to spaceports in Northern Ireland—
- (a) a reference to section 63 of the Airports Act 1986 is to be read as a reference to Article 18 of the Airports (Northern Ireland) Order 1994 (S.I. 1994/426 (N.I. 1));

Status: Point in time view as at 29/07/2021.

Changes to legislation: Space Industry Act 2018, Cross Heading: Security is up to date with all changes known to be in force on or before 25 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (b) a reference to Schedule 3 to that Act is to be read as a reference to Schedule 4 to that Order.

Commencement Information

I4 S. 24 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 43 (with reg. 3)

25 Provision of advice and assistance on security matters

- (1) A regulator to which this section applies may, in response to a request from—
- (a) the holder of a licence under this Act, or
 - (b) an associated company of the holder of such a licence,
- provide advice or assistance, to the person making the request, about any matter that is relevant to the exercise of the regulator's functions for the purpose mentioned in subsection (2).
- (2) This section applies to a person appointed by regulations under section 16 to exercise functions for the purpose of ensuring security in relation to any activity, service, site, facility or other thing mentioned in section 23(1).
- (3) The Secretary of State may—
- (a) provide advice or assistance to any persons in connection with measures that they are required to take by directions given in the interests of national security under section 28;
 - (b) provide any advice or assistance to specified persons that the Secretary of State considers appropriate for the purpose mentioned in subsection (2).
- (4) In providing advice or assistance under subsection (3)(b), the Secretary of State must have regard to any advice given by a regulator under subsection (1).
- (5) The power under subsection (1) is in addition to any other duty or power of the regulator to provide advice or assistance.
- (6) The powers under subsection (3) are in addition to any other duty or power of the Secretary of State to provide advice or assistance.
- (7) A person who incurs expense in providing advice or assistance under this section to another person is entitled to recover that expense from the other person to the extent that the amount of it is reasonable.

Commencement Information

I5 S. 25 in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 44 (with reg. 3)

Status:

Point in time view as at 29/07/2021.

Changes to legislation:

Space Industry Act 2018, Cross Heading: Security is up to date with all changes known to be in force on or before 25 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.