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Changes to legislation: Space Industry Act 2018, SCHEDULE 12 is up to date with all changes known to be in force on or before 31 August 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)

SCHEDULES

SCHEDULE 12

Section 67

MINOR AND CONSEQUENTIAL AMENDMENTS

VALID FROM 29/07/2021

Land Registration Act (Northern Ireland) 1970 (c. 18)

- 1 In Schedule 11 to the Land Registration Act (Northern Ireland) 1970 (matters requiring to be registered in the Statutory Charges Register), after paragraph 52 insert—
- “53 Any order or direction, affecting land in Northern Ireland, to which section 45 of the Space Industry Act 2018 applies.”

VALID FROM 29/07/2021

Magistrates' Courts Act 1980 (c. 43)

- 2 In section 1 of the Magistrates' Courts Act 1980 (issue of summons to accused or warrant for his arrest), at the end of subsection (4D) insert—
- “(k) an offence under paragraph 1 of Schedule 4 to the Space Industry Act 2018 (hijacking of spacecraft) or paragraph 2 or 4 of that Schedule (destroying or damaging spacecraft or endangering safety of spacecraft or safety at spaceports).”

VALID FROM 29/07/2021

Civil Aviation Act 1982 (c. 16)

- 3 In section 11 of the Civil Aviation Act 1982 (charges), after subsection (8) insert—
- “(9) Charges shall not be determined in pursuance of this section in respect of any function conferred on the CAA by regulations under section 16 of the Space Industry Act 2018.”

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VALID FROM 29/07/2021

Aviation Security Act 1982 (c. 36)

- 4 (1) Section 38 of the Aviation Security Act 1982 (interpretation etc) is amended as follows.
- (2) After subsection (1) insert—
- “(1A) Subject to subsection (1D), a reference in this Act to an aircraft includes a reference to a medium-range rocket.
- (1B) In subsection (1A) “rocket” means a projectile of mainly cylindrical or similar shape that can be propelled from or above the earth by combustion of its fuel (or fuel and oxidant).
- (1C) For the purposes of subsection (1A) a rocket is a “medium-range” rocket if—
- (a) the total impulse of its motor or combination of motors exceeds 160 Newton-seconds, but
- (b) it is not capable of operating above the stratosphere.
- (1D) The Secretary of State may by order—
- (a) provide that subsection (1A) does not apply to any specified provisions of this Act;
- (b) provide for any provision of this Act, as it has effect by virtue of subsection (1A), to apply with specified modifications.”
- (3) In subsection (5), after “subsection (1)” insert “ or (1D) ”.

VALID FROM 29/07/2021

Criminal Justice Act 1982 (c. 48)

- 5 In Schedule 1 to the Criminal Justice Act 1982 (offences excluded from section 32), at the end of Part 2 insert—
- “SPACE INDUSTRY ACT 2018 (c. 5)*
- Paragraph 1 of Schedule 4 (hijacking of spacecraft).
- Paragraphs 2 and 3 of that Schedule (other offences relating to spacecraft).
- Paragraph 4 of that Schedule (endangering safety at spaceports).”

VALID FROM 29/07/2021

Police and Criminal Evidence Act 1984 (c. 60)

- 6 In section 65A of the Police and Criminal Evidence Act 1984 (“qualifying offence”), at the end of subsection (2) insert—

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“(t) an offence under paragraph 1 of Schedule 4 to the Space Industry Act 2018.”

VALID FROM 29/07/2021

Airports Act 1986 (c. 31)

7 In section 82 of the Airports Act 1986 (general interpretation), after subsection (1B) insert—

“(1C) Subject to subsection (1F), a reference in this Act to an aircraft includes a reference to a medium-range rocket.

(1D) In subsection (1C) “rocket” means a projectile of mainly cylindrical or similar shape that can be propelled from or above the earth by combustion of its fuel (or fuel and oxidant).

(1E) For the purposes of subsection (1C) a rocket is a “medium-range” rocket if—

- (a) the total impulse of its motor or combination of motors exceeds 160 Newton-seconds, but
- (b) it is not capable of operating above the stratosphere.

(1F) The Secretary of State may by order—

- (a) provide that subsection (1C) does not apply to any specified provisions of this Act;
- (b) provide for any provision of this Act, as it has effect by virtue of subsection (1C), to apply with specified modifications.”

Outer Space Act 1986 (c. 38)

8 (1) Section 3 of the Outer Space Act 1986 (prohibition of unlicensed activities) is amended as follows.

(2) In subsection (3), for “except other persons or activities from the requirement of a licence” substitute “ make provision for other activities or persons to be exempted from the requirement of a licence, either by the order itself or by the Secretary of State, ”.

(3) After that subsection insert—

“(3ZA) An exemption granted by virtue of subsection (3) may be granted for a limited period.”

(4) In subsection (3A), before paragraph (a) insert—

- “(za) make provision about the procedure for granting an exemption (including provision for applications);
- (zb) make provision about the terms of an exemption or the conditions to which an exemption is subject;
- (zc) make provision about the revocation or renewal of an exemption;
- (zd) make provision for the enforcement of terms or conditions;”

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- (5) In subsection (4), for the words after “which shall” substitute “not be made unless a draft of the instrument has been laid before each House of Parliament and approved by a resolution of each House.”

Commencement Information

II Sch. 12 para. 8 in force at 26.11.2018 by S.I. 2018/1224, reg. 2(ggg)(i)

PROSPECTIVE

9 In section 4 of that Act (grant of licence) omit subsection (3)(d).

10 After that section insert—

“4A Charges

- (1) The Secretary of State may by regulations make a scheme for determining the charges that are payable to the Secretary of State in respect of the performance of such of his functions under this Act as are specified in the scheme.
- (2) A scheme under this section may, as respects any of those functions—
 - (a) specify the amount of the charge or a scale of charges by reference to which that amount is to be determined or provide that the charges are to be of such amount, not exceeding that specified in the scheme, as may be decided by the Secretary of State, having regard to the expense incurred by the Secretary of State and to such other factors (if any) as may be so specified;
 - (b) specify different charges for different cases;
 - (c) specify the description of person who is liable to pay the charge;
 - (d) specify the time at which the charge is to be paid.
- (3) A scheme under this section may specify the manner in which any charge is to be paid.
- (4) Before making a scheme under this section, the Secretary of State must consult the persons who, in his opinion, are likely to be affected by the scheme or any of those persons that he thinks fit.
- (5) Where provision is made for a charge to be paid in connection with the performance of a function by the Secretary of State, it is the duty of the Secretary of State to charge accordingly.

But the Secretary of State may waive the whole or part of the charge if the Secretary of State thinks fit to do so in a particular case.

- (6) Subsection (5) does not affect the Secretary of State's power to enter into an agreement for the payment to him of charges in respect of the performance of functions in respect of which a scheme under this section does not provide for the payment of a charge.

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- (7) The inclusion in a licence of a condition as to the payment of charges determined under a scheme under this section does not prevent the Secretary of State from recovering such charges as a debt due to the Secretary of State.”

Commencement Information

I2 Sch. 12 para. 10 in force at 26.11.2018 by S.I. 2018/1224, reg. 2(ggg)(ii)

VALID FROM 29/07/2021

- 11 (1) In section 5 of that Act (terms of licence), subsection (2) (licence conditions) is amended as follows.
- (2) After paragraph (c) insert—
- “(ca) requiring the licensee to pay to the Secretary of State (whether on the grant of a licence, subsequently or both) any charges determined under a scheme under section 4A;”.
- (3) After paragraph (d) insert—
- “(da) designed to secure compliance with—
- (i) obligations of the United Kingdom under agreements entered into with other countries, and
- (ii) any other international obligations of the United Kingdom;”.
- (4) In paragraph (e)—
- (a) at the end of sub-paragraph (ii) insert “ and ”;
- (b) omit sub-paragraph (iii).

VALID FROM 29/07/2021

- 12 In section 6 of that Act (transfer etc of licence), in subsection (1) omit “and in such other cases as may be prescribed”.

VALID FROM 29/07/2021

- 13 After section 6 of that Act insert—
- “6A Appeals**
- Schedule 10 to the Space Industry Act 2018 makes provision for appeals against decisions of the Secretary of State under this Act.”

VALID FROM 29/07/2021

- 14 (1) Section 7 of that Act (register of space objects) is amended as follows.

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(2) In subsection (2), after “space objects” insert “ (whether launched in the United Kingdom or elsewhere) ”.

(3) For subsection (3) substitute—

“(3) The Secretary of State shall ensure that the public can view the information in the register free of charge.”

VALID FROM 29/07/2021

Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12))

15 In Article 53A of the Police and Criminal Evidence (Northern Ireland) Order 1989 (“qualifying offence” etc), at the end of paragraph (2) insert—

“(t) an offence under paragraph 1 of Schedule 4 to the Space Industry Act 2018.”

VALID FROM 29/07/2021

Aviation and Maritime Security Act 1990 (c. 31)

16 After section 48 of the Aviation and Maritime Security Act 1990 insert—

“48A Application of Act to medium-range rockets

(1) Subject to subsection (4), a reference in this Act to an aircraft includes a reference to a medium-range rocket.

(2) In this section “rocket” means a projectile of mainly cylindrical or similar shape that can be propelled from or above the earth by combustion of its fuel (or fuel and oxidant).

(3) For the purposes of this section a rocket is a “medium-range” rocket if—

(a) the total impulse of its motor or combination of motors exceeds 160 Newton-seconds, but

(b) it is not capable of operating above the stratosphere.

(4) The Secretary of State may by order—

(a) provide that subsection (1) does not apply to any specified provisions of this Act;

(b) provide for any provision of this Act, as it has effect by virtue of subsection (1), to apply with specified modifications.

(5) The power to make an order under subsection (4) is exercisable by statutory instrument.

(6) Any statutory instrument containing an order under subsection (4) shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

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Airports (Northern Ireland) Order 1994 (S.I. 1994/426 (N.I. 1))

- 17 In Article 2 of the Airports (Northern Ireland) Order 1994 (interpretation), after paragraph (3) insert—
- “(3A) Subject to paragraph (3D), a reference in this Order to an aircraft includes a reference to a medium-range rocket.
- (3B) In paragraph (3A) “rocket” means a projectile of mainly cylindrical or similar shape that can be propelled from or above the earth by combustion of its fuel (or fuel and oxidant).
- (3C) For the purposes of paragraph (3A) a rocket is a “medium-range” rocket if—
- (a) the total impulse of its motor or combination of motors exceeds 160 Newton-seconds, but
 - (b) it is not capable of operating above the stratosphere.
- (3D) The Department may by order—
- (a) provide that paragraph (3A) does not apply to any specified provisions of this Order;
 - (b) provide for any provision of this Order, as it has effect by virtue of paragraph (3A), to apply with specified modifications.”

VALID FROM 29/07/2021

Police Act 1997 (c. 50)

- 18 (1) Schedule 8A to the Police Act 1997 (offences which must always be disclosed) is amended as follows.
- (2) In the heading before paragraph 20, after “Aviation” insert “ , spaceflight ”.
- (3) After paragraph 21 insert—
- “21A An offence under any of the following paragraphs of Schedule 4 to the Space Industry Act 2018—
- (a) paragraph 1 (hijacking of spacecraft);
 - (b) paragraph 2 (destroying, damaging or endangering safety of spacecraft);
 - (c) paragraph 3 (other acts endangering or likely to endanger safety of spacecraft); and
 - (d) paragraph 5 (offences in relation to certain dangerous articles).”
- (4) The reference in sub-paragraph (1) above to Schedule 8A is to the Schedule inserted by article 3 of the Police Act 1997 and the Protection of Vulnerable Groups (Scotland) Act 2007 Remedial (No. 2) Order 2015 (S.S.I. 2015/423).

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Transport Act 2000 (c. 38)

- 19 In section 70 of the Transport Act 2000 (general duty of CAA), in subsection (2), after paragraph (c) insert—
- “(ca) to take account of any guidance relating to spaceflight activities (within the meaning of the Space Industry Act 2018) given to the CAA by the Secretary of State;”.
- 20 (1) Section 93 of that Act (control in time of hostilities etc) is amended as follows.
- (2) In subsection (2)—
- (a) in paragraph (a), after “the CAA” insert “ or a person (other than the CAA) appointed by regulations under section 16 of the Space Industry Act 2018 ”;
- (b) in paragraph (b), after “air traffic services” insert “ or range control services ”;
- (c) in paragraph (c), after “undertaking” insert “ or carries out spaceflight activities ”;
- (d) in paragraph (d), after “an airport” insert “ or a spaceport ”.
- (3) In subsection (3)—
- (a) in paragraph (a), for “the CAA” substitute “ a person within subsection (2) (a) ”;
- (b) in paragraph (b), after “air traffic services” insert “ or range control services ”.
- (4) In subsection (4)—
- (a) in paragraph (a), after “aircraft” insert “ or spacecraft ”;
- (b) in paragraph (b), for “or flying schools” substitute “ , flying schools or spaceports ”;
- (c) in that paragraph, for “or flying school” substitute “ , flying school or spaceport ”.
- (5) In subsection (9), for “the CAA” substitute “ a person within subsection (2)(a) ”.
- 21 (1) Section 94 of that Act (orders for possession of aerodromes etc) is amended as follows.
- (2) In subsection (2)(a) and (b), after “aerodrome” insert “ or spaceport ”.
- (3) In subsections (2)(b) and (3)(a), after “aircraft” insert “ or spacecraft ”.
- 22 (1) Section 95 of that Act (sections 93 and 94: interpretation) is amended as follows.
- (2) In subsection (1), after paragraph (c) insert—
- “(ca) range control services;”.
- (3) In that subsection, after paragraph (d) insert—
- “(da) spacecraft;
- (db) spaceflight activities;
- “(dc) spaceport;”.
- (4) In subsection (6)—

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- (a) in paragraphs (a) and (b), after “aerodrome” insert “ or spaceport ”;
- (b) in paragraph (c), after “aircraft” insert “ or spacecraft ”;
- (c) in paragraph (d), after “air traffic services” insert “ or range control services ”.

(5) After subsection (8) insert—

“(9) The following expressions have the same meaning as in the Space Industry Act 2018—

- range control services (see section 6 of that Act);
- spacecraft (see section 2(6) of that Act);
- spaceflight activities (see section 1(4) to (6) of that Act);
- spaceport (see section 3(2) and (3) of that Act).”

VALID FROM 29/07/2021

Sexual Offences 2003 (c. 42)

23 In Schedule 5 to the Sexual Offences Act 2003 (other offences for purposes of Part 2), after paragraph 171B insert—

- “171C An offence under paragraph 1 of Schedule 4 to the Space Industry Act 2018 (hijacking of spacecraft).
- 171D An offence under paragraph 2 of that Schedule (destroying, damaging or endangering the safety of spacecraft).
- 171E An offence under paragraph 3 of that Schedule (other acts endangering or likely to endanger safety of spacecraft).
- 171F An offence under paragraph 4 of that Schedule (endangering safety at spaceports).
- 171G An offence under paragraph 5 of that Schedule (offences in relation to certain dangerous articles).”

VALID FROM 29/07/2021

Criminal Justice Act 2003 (c. 44)

24 In Schedule 4 to the Criminal Justice Act 2003 (qualifying offences for purposes of section 62), after paragraph 33 insert—

“Hijacking of spacecraft

- 33A An offence under paragraph 1 of Schedule 4 to the Space Industry Act 2018.

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Destroying, damaging or endangering the safety of spacecraft

- 33B** An offence under paragraph 2 of Schedule 4 to the Space Industry Act 2018.”
- 25 In Schedule 15 to that Act (specified offences for purposes of Chapter 5 of Part 12), after paragraph 63H insert—
- “63I An offence under paragraph 1 of Schedule 4 to the Space Industry Act 2018 (hijacking of spacecraft).
- 63J An offence under paragraph 2 of that Schedule (destroying, damaging or endangering the safety of spacecraft).
- 63K An offence under paragraph 3 of that Schedule (other acts endangering or likely to endanger safety of spacecraft).
- 63L An offence under paragraph 4 of that Schedule (endangering safety at spaceports).
- 63M An offence under paragraph 5 of that Schedule (offences in relation to certain dangerous articles).”

VALID FROM 29/07/2021

Criminal Justice (Northern Ireland) Order 2004 (S.I. 2004/1500 (N.I. 9))

- 26 (1) Schedule 2 to the Criminal Justice (Northern Ireland) Order 2004 (qualifying offences for purposes of Article 21) is amended as follows.
- (2) In the heading before paragraph 24, after “Aviation,” insert “Spaceflight, ”.
- (3) After paragraph 25 insert—

“Hijacking of spacecraft

- 25A An offence under paragraph 1 of Schedule 4 to the Space Industry Act 2018.

Destroying, damaging or endangering safety of spacecraft

- 25B An offence under paragraph 2 of Schedule 4 to the Space Industry Act 2018.”

VALID FROM 29/07/2021

Terrorism Act 2006 (c. 11)

- 27 (1) Section 20 of the Terrorism Act 2006 (interpretation of Part 1) is amended as follows.
- (2) In subsection (2), at the end of the definition of “Convention offence” insert “ (and see subsection (2A)) ”.

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(3) After that subsection insert—

“(2A) Offences under any of the following paragraphs of Schedule 4 to the Space Industry Act 2018 are to be treated for the purposes of this Part as if they were Convention offences—

- (a) paragraph 1 (hijacking of spacecraft);
- (b) paragraph 2 (destroying, damaging or endangering safety of spacecraft);
- (c) paragraph 3 (other acts endangering or likely to endanger safety of spacecraft);
- (d) paragraph 4 (endangering safety at spaceports).”

VALID FROM 29/07/2021

Armed Forces Act 2006 (c. 52)

28 In Schedule 2 to the Armed Forces Act 2006 (“Schedule 2 offences”), in paragraph 12, at the end insert—

“(az) an offence under any of paragraphs 1 to 5 of Schedule 4 to the Space Industry Act 2018 (hijacking, destroying, damaging or endangering safety of spacecraft etc).”

VALID FROM 29/07/2021

Counter-Terrorism Act 2008 (c. 28)

PROSPECTIVE

29 [F1][F2]In Schedule 2 to the Counter-Terrorism Act 2008 (offences where terrorist connection to be considered), after the entry for offences under the Anti-Terrorism, Crime and Security Act 2001 insert—

“An offence under any of the following paragraphs of Schedule 4 to the Space Industry Act 2018—

- (a) paragraph 1 (hijacking of spacecraft),
- (b) paragraph 2 (destroying, damaging or endangering safety of spacecraft),
- (c) paragraph 3 (other acts endangering or likely to endanger safety of spacecraft),
- (d) paragraph 4 (endangering safety at spaceports),
- (e) paragraph 5 (offences in relation to certain dangerous articles).”]]

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Textual Amendments

- F1** Sch. 12 para. 29 repealed to the extent that it is not yet in force when 2021 c. 11, s. 1 comes into force (that section being in force at 29.6.2021 except for specified purposes by virtue of 2021 c. 11, s. 50(2)(3)) by Counter Terrorism and Sentencing Act 2021 (c. 11), s. 50(2)(v), Sch. 13 para. 4
- F2** Sch. 12 para. 29 repealed (E.W.) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 29 (with ss. 413(4), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

Modifications etc. (not altering text)

- C1** Sch. 12 para. 29 modified (1.12.2020 immediately before the consolidation date (see 2020 c. 9, ss. 3, 5(2)(3) and 2020 c. 17, ss. 2, 416)) by Sentencing (Pre-consolidation Amendments) Act 2020 (c. 9), ss. 1, 5(2)(3); S.I. 2012/1236, reg. 2

VALID FROM 29/07/2021

Criminal Justice (Northern Ireland) Order 2008 (S.I. 2008/1216 (N.I. 1))

- 30 In Schedule 1 to the Criminal Justice (Northern Ireland) Order 2008 (serious offences), after paragraph 31A insert—

“The Space Industry Act 2018 (c. 00)

- 31B An offence under—
 paragraph 1 of Schedule 4 (hijacking of spacecraft),
 paragraph 2 of that Schedule (destroying, damaging or endangering safety of spacecraft),
 paragraph 3 of that Schedule (other acts endangering or likely to endanger safety of spacecraft), or
 paragraph 4 of that Schedule (endangering safety at spaceports).”

- 31 In Schedule 2 to that Order (specified offences), in Part 1, after paragraph 31A insert—

“The Space Industry Act 2018 (c. 00)

- 31B An offence under—
 paragraph 1 of Schedule 4 (hijacking of spacecraft),
 paragraph 2 of that Schedule (destroying, damaging or endangering safety of spacecraft),
 paragraph 3 of that Schedule (other acts endangering or likely to endanger safety of spacecraft),
 paragraph 4 of that Schedule (endangering safety at spaceports),
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Energy Act 2013 (c. 32)

- 32 In section 89 of the Energy Act 2013 (provision of information or advice to relevant authorities), in subsection (8), after paragraph (h) insert—
- “(i) a person appointed by regulations under section 16 of the Space Industry Act 2018.”

VALID FROM 29/07/2021

Modern Slavery Act 2015 (c. 30)

- 33 In Schedule 4 to the Modern Slavery Act 2015 (offences to which defence in section 45 does not apply), after paragraph 36 insert—
- “**36A** An offence under any of the following provisions of Schedule 4 to the Space Industry Act 2018—
- paragraph 1 (hijacking of spacecraft)
 - paragraph 2 (destroying, damaging or endangering safety of spacecraft)
 - paragraph 3 (other acts endangering or likely to endanger safety of spacecraft)
 - paragraph 4 (endangering safety at spaceports)
 - paragraph 5 (offences in relation to certain dangerous articles).”

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