



Space Industry Act 2018

2018 CHAPTER 5

Liabilities, indemnities and insurance

37 Regulator etc not liable in respect of spaceflight-related actions

- (1) A person or body to whom this section applies is not liable (whether in negligence, for breach of statutory duty or on any other basis) to any person—
 - (a) for taking or failing to take any relevant actions, or
 - (b) for the way in which the person or body takes any relevant actions.
- (2) This section applies to—
 - (a) the Secretary of State;
 - (b) the regulator (if the regulator is not the Secretary of State);
 - (c) the CAA (if not an appointed person);
 - (d) the Health and Safety Executive;
 - (e) the Health and Safety Executive for Northern Ireland;
 - (f) the Office for Nuclear Regulation;
 - (g) a body or person prescribed under section 21(2);
 - (h) a public authority with whom arrangements are made under section 64.
- (3) In subsection (1) “relevant actions” means actions in relation to, or in connection with, spaceflight activities or activities associated with spaceflight activities.
- (4) This section does not apply to liability in respect of wilful misconduct or gross negligence.
- (5) For the purposes of subsection (4) there is “gross negligence” on the part of a person or body if—
 - (a) the person or body is in breach of a duty of care owed under the law of negligence, and
 - (b) the conduct constituting that breach falls far below what can reasonably be expected of the person or body in the circumstances.

Changes to legislation: Space Industry Act 2018, Section 37 is up to date with all changes known to be in force on or before 05 June 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) View outstanding changes

Commencement Information

- I1** S. 37(1)(2)(4) in force at 29.7.2021 by S.I. 2021/817, reg. 2, **Sch. para. 66** (with reg. 3)
- I2** S. 37(3)(5) in force at 29.7.2021 by S.I. 2021/817, reg. 2, **Sch. para. 67** (with reg. 3)

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.I. 2021/817, Sch. by [S.I. 2021/874 reg. 2](#)