
STATUTORY INSTRUMENTS

2021 No. 792

The Space Industry Regulations 2021

PART 16

Occurrence reporting

CHAPTER 6

Confidential information

Protection of information and permitted disclosures

277.—(1) Confidential information may not be disclosed by—

- (a) the licensee who reported the occurrence,
- (b) any member of staff of the regulator,
- (c) any person called upon to participate or assist in an analysis of an occurrence report or in the regulator exercising its powers referred to in regulation [276\(1\)\(b\)](#), or
- (d) any person who has received confidential information from a person referred to in subparagraph (a), (b) or (c),

except as provided for in this regulation or by order of the court under regulation [278](#).

(2) US technical data may only be disclosed with the consent of the Government of the United States after consultation between the regulator, the Secretary of State and the Government of the United States.

(3) Any disclosure made under this regulation must ensure that the anonymity of the licensee, the person who prepared the occurrence report on the licensee's behalf and any other person involved in an occurrence, is preserved.

(4) Subject to obtaining the consent required by paragraph (2) to disclose US technical data, the regulator may disclose confidential information to the persons referred to in paragraph (5) to the extent necessary for the purposes of—

- (a) improving the safety of spaceflight activities, or
 - (b) preventing a spaceflight accident or a major accident.
- (5) The persons referred to in this paragraph are—
- (a) a licensee involved in an occurrence other than the licensee who reported the occurrence,
 - (b) the Secretary of State,
 - (c) persons responsible for the manufacture and maintenance of the launch vehicle or any carrier aircraft involved in the spaceflight accident,
 - (d) persons responsible for training,
 - (e) persons using a launch vehicle or a carrier aircraft of the same type as the launch vehicle or the carrier aircraft involved in the occurrence,
 - (f) a qualifying health and safety authority if—

- (i) such an authority is providing the regulator with advice or assistance in response to a requirement imposed under section 21(1)(a), or
 - (ii) such an authority is performing a function that the authority is authorised to perform under section 21(1)(b),
 - (g) the Chief Inspector of SAIA or the investigator-in-charge, or
 - (h) any national or international body involved with spaceflight activities provided that—
 - (i) the regulator has in place an arrangement to disclose an occurrence report to such a body, and
 - (ii) the regulator does not disclose information which might create a conflict of interest between the bodies to whom the information is revealed and the objective of an occurrence report.
- (6) Subject to obtaining the consent required by paragraph (2) to disclose US technical data, the Chief Inspector or the investigator-in-charge may refer to confidential information received from the regulator in accordance with paragraph (4) in a safety investigation report only to the extent necessary to permit the Chief Inspector or the investigator-in-charge to comply with their obligations under regulations 32 to 34 of the Spaceflight Activities (Investigation of Spaceflight Accidents) Regulations 2021.

Commencement Information

II Reg. 277 in force at 29.7.2021, see **reg. 1(1)**

Changes to legislation:

There are currently no known outstanding effects for the The Space Industry Regulations 2021, Section 277.