
STATUTORY INSTRUMENTS

2021 No. 793

**The Spaceflight Activities (Investigation of
Spaceflight Accidents) Regulations 2021**

PART 7

Contraventions and sanctions

Failure to notify a spaceflight accident

37.—(1) Any person involved who—

- (a) has knowledge of the occurrence of a spaceflight accident in or over the United Kingdom, and
- (b) fails, without reasonable excuse, to notify it without delay to the Chief Inspector and, in the case of a serious spaceflight accident, a police officer or, in relation to Scotland, constable for the area where the accident occurred,

contravenes these Regulations.

(2) Any person involved—

- (a) who has knowledge of—
 - (i) the occurrence of a spaceflight accident occurring elsewhere than in or over the United Kingdom, and
 - (ii) the existence of any circumstances referred to in regulation 16(b), and
- (b) fails, without reasonable excuse, to notify the spaceflight accident without delay to the Chief Inspector,

contravenes these Regulations.

Obstruction

38.—(1) Any person who, without reasonable excuse, obstructs or impedes an Inspector in the exercise of any duties, powers or entitlements imposed or conferred by these Regulations, contravenes these Regulations.

(2) Any person who knowingly provides false or misleading information to an Inspector in connection with a safety investigation contravenes these Regulations.

Failure to comply with witness summons

39. Any person who fails, without reasonable excuse, to comply with a witness summons served under regulation 25(2) contravenes these Regulations.

Failure to preserve evidence

40.—(1) Any person who, without reasonable excuse, contravenes any of the prohibitions in regulation 9 contravenes these Regulations.

(2) Any person involved who fails, without reasonable excuse, to take the necessary steps described in paragraph (4) of regulation 9 contravenes these Regulations.

Failure to protect sensitive safety information

41.—(1) Any person who knowingly contravenes any of the prohibitions in regulation 30 contravenes these Regulations.

(2) Paragraph (1) does not apply to information which is included in a safety investigation report.

(3) Paragraph (1) does not apply where a person makes sensitive safety information available to another person (“person A”) in the following circumstances—

(a) in a case where person A is a party to, or otherwise entitled to appear at judicial proceedings and the relevant court has ordered that sensitive safety information must be made available to person A for the purposes of those proceedings;

(b) in any other case, where the relevant court has ordered that sensitive safety information must be made available to person A for other specified purposes.

(4) The relevant court must not make an order under paragraph (3) unless it is satisfied that the benefits of the disclosure of the sensitive safety information concerned outweigh the adverse domestic and international consequences which the disclosure might have on the safety investigation to which the information relates or any future safety investigation.

(5) In this regulation—

“judicial proceedings” includes any proceedings before any court, tribunal or person having by law power to hear, receive and examine evidence on oath;

“relevant court” means—

(a) in the case of judicial proceedings or an application for disclosure made in England, Wales or Northern Ireland, the High Court;

(b) in the case of judicial proceedings or an application for disclosure made in Scotland, the Court of Session.

Unauthorised disclosure of information relating to a safety investigation

42.—(1) This regulation applies to a person who receives information from—

(a) an Inspector in accordance with regulation 30, or

(b) the investigator-in-charge in accordance with regulation 33(1) or 34.

(2) Any person to whom this regulation applies who, without the prior written consent of the Chief Inspector in the case of paragraph (1)(a), or the investigator-in-charge in the case of paragraph (1) (b), causes or permits that information or any part of it to be disclosed to any other person before it is made publicly available by the Chief Inspector (on publication of the final safety investigation report or otherwise) contravenes these Regulations.

Failure to provide information on persons and dangerous goods on board a launch vehicle following a spaceflight accident

43.—(1) This regulation applies where a spaceflight accident has occurred in or over the United Kingdom.

(2) Where the spaceflight operator responsible for a launch vehicle involved in the spaceflight accident fails to—

- (a) provide to the Chief Inspector, within two hours of the notification by the operator of the occurrence of that accident, the list required by regulation 8(1)(a), or
- (b) provide to the Chief Inspector, immediately following the notification by the operator of the occurrence of that accident, the list required by regulation 8(1)(b),

the operator contravenes these Regulations.

Disclosure of information relating to persons on board a launch vehicle and persons to be contacted in the event of a spaceflight accident

44. Any person who causes or permits—

- (a) any information contained in a list produced pursuant to regulation 8(1)(a), or
- (b) any information provided to the Chief Inspector pursuant to regulation 8(1)(b),

to be used or disclosed other than in accordance with these Regulations, contravenes these Regulations.

Penalties

45. A person who has contravened these Regulations as set out in regulations 37 to 44 is guilty of an offence, and is liable—

- (a) on summary conviction in England and Wales, to a fine;
- (b) on summary conviction in Scotland or Northern Ireland, to a fine not exceeding the statutory maximum;
- (c) on conviction on indictment, to imprisonment for a term not exceeding 51 weeks.