Draft Regulations laid before Parliament under section 68(6) of the Space Industry Act 2018, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2025 No.

SPACE INDUSTRY

The Space Industry (Licence Exemption for Military Activities of Allies) Regulations 2025

Made - - - - ***

Coming into force

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 4(2) and (4)(b), 7(4) and (6)(h) and 68(2) and (3)(c) of the Space Industry Act 2018(**a**).

In accordance with sections 4(2) and 7(4) of that Act, the Secretary of State is satisfied that in the cases set out in these Regulations, the requirement for an operator licence(**b**) or the prohibition of unlicensed persons providing range control services(**c**) is not necessary to secure public safety, to secure the health and safety of individuals taking part in spaceflight activities in a role or capacity prescribed under section 17(1) or to secure compliance with the international obligations of the United Kingdom.

In accordance with section 68(7) of that Act, the Secretary of State has carried out a public consultation.

In accordance with section 68(6) and (7) of that Act, a draft of this instrument and a report about the consultation have been laid before Parliament.

In accordance with section 68(6) of that Act, the draft has been approved by a resolution of each House of Parliament.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Space Industry (Licence Exemption for Military Activities of Allies) Regulations 2025 and come into force on the day after the day on which they are made.

(2) These Regulations extend to England and Wales, Scotland and Northern Ireland.

(**a**) 2018 c. 5.
(**b**) See section 3(2) of the Space Industry Act 2018 for the definition of "operator licence".
(**c**) See section 6 of the Space Industry Act 2018 for the meaning of "range control services".

Interpretation

2. In these Regulations—

"the 2018 Act" means the Space Industry Act 2018;

"allied armed force" means the naval, military and air force or defence force of a country invited to the United Kingdom by, or present in the United Kingdom with the consent of, His Majesty's government in the United Kingdom, to carry out a permitted activity;

"authorised person" means—

(a) an allied armed force or a member of an allied armed force,

(b) an international military organisation or a person acting under its authority,

(c) an agent or contractor of an allied armed force or international military organisation, or

(d) a member or official of a foreign government or a part of a foreign government, or an official of an agency or authority of such a government, provided that the member or official has been invited to the United Kingdom by, or is present in the United Kingdom with the consent of, His Majesty's government in the United Kingdom, to carry out a permitted activity;

"Crown interest" means any of the following—

(a) an interest belonging to His Majesty in right of the Crown or in right of His private estates, or

(b) an interest belonging to a government department or held in trust for His Majesty for the purposes of a government department;

"Crown land" means land in which there is a Crown interest or Duchy interest;

"Duchy interest" means an interest belonging to His Majesty in right of the Duchy of Lancaster or belonging to the Duchy of Cornwall;

"His Majesty's forces" has the same meaning as in the Armed Forces Act 2006(**a**);

"international military organisation" means a naval, military or air force organisation governed by public international law or established by, or on the basis of, an agreement between two or more countries and invited to the United Kingdom by, or present in the United Kingdom with the consent of, His Majesty's government in the United Kingdom, to carry out a permitted activity;

"permitted activity" means a sub-orbital activity(**b**) which is carried out for national security purposes but which does not include—

(a) the launching, procuring the launch of, operating or procuring the return to earth of a balloon that is capable of reaching the stratosphere carrying crew or passengers or of an aircraft carrying such a balloon;

(b) the launching, procuring the launch of, operating or procuring the return to earth of a rocket or other craft that is capable of operating above the stratosphere and carrying crew or passengers or of an aircraft carrying such a craft;

(c) procuring the launch or return to earth of a rocket or other craft that is capable of operating above the stratosphere or of an aircraft carrying such a craft.

(**a**) 2006 c. 52.
(**b**) "sub-orbital activity" is defined in section 1(4) of the Space Industry Act 2018.

Exemption from the requirement for an operator licence

3. An authorised person is exempt from the requirement for an operator licence under section 3 of the 2018 Act (prohibition of unlicensed spaceflight etc) to carry out a permitted activity, where the activity is carried out or is to be carried out from—

(a) Crown land or land controlled by His Majesty's forces;

(b) a fixed platform on the territorial sea adjacent to the United Kingdom, owned or controlled by His Majesty's forces; or

(c) a ship on the territorial sea adjacent to the United Kingdom.

Exemption from the requirement for a range control licence

4.—(1) A person is exempt from the prohibition in section 7(1)(b) (restriction on the provision of range control services) of the 2018 Act on unlicensed persons providing range control services where—

(a) the person has entered into a contract with the Secretary of State to provide range control services on behalf of the Ministry of Defence;

(b) that person provides range control services for a permitted activity to be carried out by an authorised person; and

(c) the permitted activity is carried out or is to be carried out from—

(i) Crown land or land controlled by His Majesty's forces;

(ii) a fixed platform on the territorial sea adjacent to the United Kingdom, owned or controlled by His Majesty's forces; or

(iii) a ship on the territorial sea adjacent to the United Kingdom.

(2) The exemption of a person in accordance with paragraph (1) extends to that person's employees or agents.

Amendment to the Space Industry Regulations 2021

5.—(1) The Space Industry Regulations 2021(**a**) are amended as follows.

(2) In regulation 2 (interpretation), after paragraph (2) insert—

"(3) For the purposes of these Regulations, references to "space site" do not include references to a ship in regulation 3(c) of the Space Industry (Licence Exemption for Military Activities of Allies) Regulations 2025 from which a permitted activity is carried out or is to be carried out by an authorised person.

(4) For the purpose of paragraph (3), "permitted activity" and "authorised person" have the same meaning as in regulation 2 of the Space Industry (Licence Exemption for Military Activities of Allies) Regulations 2025.".

Signed by authority of the Secretary of State for Transport

Parliamentary Under Secretary of State
Department for Transport

(**a**) S.I. 2021/792, to which there are amendments not relevant to these Regulations.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 3(1)(a) of the Space Industry Act 2018 ("the Act") prohibits a person from carrying out spaceflight activities in the United Kingdom except under the authority of a licence under that section. Section 1(6) of the Act defines "spaceflight activities". Under section 3(2) of the Act, an "operator licence" is a licence authorising a person to carry out spaceflight activities.

Section 7(1) of the Act provides that range control services may only be provided by the Secretary of State or a person authorised by a range control licence to provide the services. Section 6 of the Act sets out the meaning of "range control services".

Sections 4(2) and 7(4) enable regulations to be made exempting persons or activities, either by the regulations themselves or by the regulator, from the requirement to hold an operator licence or from the prohibition on unlicensed persons providing range control services, but only if the Secretary of State is satisfied of certain matters.

Regulation 3 exempts a person who falls within the definition of an authorised person in regulation 2, from the requirement to hold an operator licence. The exemption granted to an authorised person is for military-related activities. Further, the spaceflight activities an authorised person is permitted by regulation 3 to carry out are limited to permitted activities as defined in regulation 2.

Regulation 4 sets out the circumstances in which a person is exempt from the prohibition in section 7(1)(b) from providing range control services without the authorisation of a range control licence.

Regulation 5 amends the Space Industry Regulations 2021 to exclude a ship in regulations 3(c) of these Regulations from references to "space site" in the Space Industry Regulations 2021.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

An Explanatory Memorandum is published alongside this instrument on www.legislation.gov.uk.

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