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

D R A F T S T A T U T O R Y I N S T R U M E N T S

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SPACE INDUSTRY

The Spaceflight Activities (Investigation of Spaceflight Accidents) Regulations 2021

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Coming into force - - ***

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The Secretary of State, in exercise of the powers conferred by sections 20(1) and (2), 54 and 68(1) to (3) of the Space Industry Act 2018(**a**), makes the following Regulations.

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.

PART 1
General

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Spaceflight Activities (Investigation of Spaceflight Accidents) Regulations 2021 and come into force on the twenty-first 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.

Application of these Regulations

2. These Regulations apply to the investigation of spaceflight accidents(**a**) occurring—

(a) in or over the United Kingdom, and

(b) elsewhere, if the circumstances set out in regulation 16 apply.

Interpretation

3. In these Regulations—

"the 1986 Act" means the Outer Space Act 1986(**b**);

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

"accredited representative" means—

(a) an inspector who is appointed by the Chief Inspector, on the basis of their qualifications, for the purpose of participating in an investigation conducted by another state, or

(b) an individual appointed by one or more states, on the basis of their qualifications, for the purpose of participating in a safety investigation conducted by SAIA;

"adviser" means an individual appointed, on the basis of their qualifications—

(a) by a state to assist an accredited representative in a safety investigation,

(b) by the Chief Inspector to assist an accredited representative appointed by the United Kingdom to participate in an investigation by another state, or

(c) by, or at the invitation of, the Chief Inspector to assist an investigator-in-charge to conduct a safety investigation;

"cabin crew" means individuals who take part in spaceflight activities on board a launch vehicle to perform duties assigned by the spaceflight operator or the pilot in command of the launch vehicle, but who are not members of the flight crew;

"Chief Inspector" means the Chief Inspector of Spaceflight Accidents appointed under regulation 6(2);

"crew" means—

(a) members of the flight crew, and

(b) members of the cabin crew;

"fatally injured" means a person sustaining an injury in a spaceflight accident which results in that person's death within 30 days of the date of the accident;

"flight crew" means individuals who take part in spaceflight activities on board a launch vehicle as a pilot or flight engineer of the launch vehicle;

"injury"—

(a) except in regulation 9(2), does not include injury from natural causes, self-inflicted injury or injuries inflicted by another individual, and

(b) in regulation 9(2), includes all injuries;

"Inspector" means an individual appointed as an Inspector of Spaceflight Accidents under regulation 6(1);

"international body" means the European Space Agency or other international body involved with spaceflight activities;

(**a**) The definition of "accident" in section 20(3) (investigation of accidents) of the 2018 Act is wide and includes unexpected events which threaten the safety of any spacecraft or person, whether or not any person is injured or the spacecraft is damaged. Launch vehicles referred to in these Regulations are spacecraft.

(**b**) 1986 c. 38.

"Investigating Inspector" means the investigator-in-charge and any other Inspector who is assisting the investigator-in-charge with a safety investigation by virtue of regulation 6(6);

"investigation" means a process conducted, by a body other than SAIA, for the purposes of spaceflight accident prevention, which—

(a) includes—

(i) the gathering and analysis of information,

(ii) the drawing of conclusions (including the determination of causes and contributing factors), and

(iii) when appropriate, the making of recommendations on spaceflight accident prevention, and

(b) relates to an accident arising out of or in the course of spaceflight activities;

"investigator-in-charge" means an individual charged, on the basis of that individual's qualifications, with responsibility for the organisation, conduct and control of a safety investigation;

"launch operator licence" means an operator licence(**a**) which authorises a person to carry out spaceflight activities that include launching a launch vehicle or launching a carrier aircraft and a launch vehicle;

"launch vehicle" means—

(a) a craft to which section 1(5) of the 2018 Act applies and the component parts of that craft, or

(b) a space object(**b**) which is a vehicle and the component parts of that vehicle,

that is used for the purpose of the proposed spaceflight activities or the operator's spaceflight activities, as applicable, but does not include a payload carried by the launch vehicle;

"licensee" means the holder of an operator licence, a spaceport licence or a range control licence regulating the spaceflight activities (which the spaceflight accident arose out of or in the course of) and a person who would be required to hold such a licence but for section 4 or regulations made under section 7(4) of the 2018 Act;

"operation of a launch vehicle" means—

(a) in the case of a launch vehicle which has a human occupant, operation which takes place between the time a human occupant boards the launch vehicle with the intention of being carried on it during the proposed spaceflight activity until such time as all human occupants have disembarked, or

(b) in the case of a launch vehicle which does not have a human occupant, operation which takes place between the time the launch vehicle is ready to move with the purpose of flight until such time as it comes to rest at the end of the flight and the propulsion system is shut down,

and for these purposes, "human occupant" means a member of the crew or a spaceflight participant;

"operator" means the holder of an operator licence;

"operator's spaceflight activities" means spaceflight activities which are authorised by an operator licence and which are any of—

(a) launching a launch vehicle;

(b) launching a carrier aircraft;

(c) operating the launch vehicle or a carrier aircraft whose launch is authorised by the operator licence, in so far as necessary for one or more of the following assignments—

(**a**) See section 3(2) of the Space Industry Act 2018 for the definition of "operator licence".

(**b**) Space object is defined in section 69(1) of the Space Industry Act 2018, by reference to the Outer Space Act 1986 (c. 38). The definition is given in section 13(1) of that Act. It "includes the component parts of a space object, its launch vehicle and the component parts of that".

(i) to carry a spaceflight participant,

(ii) to carry a payload until its release or separation from the launch vehicle,

(iii) to carry out sub-orbital activities, or

(iv) to return to earth and complete its flight,

including orbital activities only in so far as they are necessary to complete such an assignment;

(d) operating a launch vehicle whose launch is not authorised by the operator licence, in order to cause that vehicle to land in the United Kingdom;

"orbital activities" means spaceflight activities using a launch vehicle which has reached a stable orbit;

"person involved" means—

(a) a licensee;

(b) the owner of the launch vehicle;

(c) a person who designed the launch vehicle;

(d) a person who manufactured the launch vehicle;

(e) a person responsible for the maintenance of the launch vehicle;

(f) a person responsible for training the crew;

(g) a person responsible for the provision of air traffic control, flight information or range control services who has provided services for the launch vehicle;

(h) a person responsible in any way for the launch or operation of the launch vehicle;

(i) a member of the crew;

(j) a spaceflight participant;

(k) the regulator;

(l) any international body or national body involved with the spaceflight activities which gave rise to the spaceflight accident or in the course of which the spaceflight accident occurred;

"pilot in command" means the pilot who—

(a) takes part in the operator's spaceflight activities on board the launch vehicle, and

(b) is designated by the spaceflight operator as being in command and charged with the safe conduct of its flight, without being under the direction of any other pilot;

"police officer" means any person who is a member of—

(a) a police force,

(b) the Police Service of Northern Ireland, or

(c) the Police Service of Northern Ireland Reserve;

"property" means a launch vehicle, its contents or wreckage;

"proposed spaceflight activities" means any of the spaceflight activities mentioned in paragraphs (a) to (d) of the definition of "operator's spaceflight activities" which would be authorised by the operator licence that the applicant is applying for, if granted;

"relatives" includes—

(a) a spouse or civil partner, or a person whose relationship with the victim has the characteristics of the relationship between spouses;

(b) a person related to the victim by blood or by adoption;

"return operator licence" means an operator licence which is not a launch operator licence and which authorises a person to operate a launch vehicle, launched elsewhere than the United Kingdom, in order to cause that vehicle to land in the United Kingdom;

"safety investigation" means a process conducted by SAIA for the purposes of spaceflight accident prevention, which—

(a) includes the gathering and analysis of information,

(b) the drawing of conclusions, including the determination of causes and contributing factors, and

(c) when appropriate, the making of safety recommendations;

"safety recommendation" means a proposal of SAIA, based on information derived from a safety investigation or other sources such as safety studies, made with the intention of preventing spaceflight accidents;

"SAIA" means the space accident investigation authority nominated by the Secretary of State under regulation 5;

"sensitive safety information" has the meaning given in regulation 29;

"serious injury" means an injury which is sustained by an individual in a spaceflight accident which involves—

(a) hospitalisation for more than 48 hours, commencing within 7 days beginning with the day after the day on which the injury was received;

(b) lacerations which cause severe haemorrhage, nerve, muscle or tendon damage;

(c) injury to any internal organ;

(d) second or third degree burns, or any burns affecting more than 5 per cent of the body surface;

(e) exposure to infectious substances or harmful radiation, which has been verified by a medical doctor;

"serious spaceflight accident" means—

(a) a spaceflight accident occurring in the course of the operation of a launch vehicle in which an individual is fatally or seriously injured, or

(b) a spaceflight accident occurring during the course of spaceflight activities where there was a high probability that such injury would occur, as a result of that accident;

"spaceflight accident" means an accident—

(a) arising out of, or in the course of, spaceflight activities, and

(b) occurring—

(i) in or over the United Kingdom, or

(ii) elsewhere, if any of the circumstances referred to in regulation 16 apply;

"spaceflight operator" means the holder of a launch operator licence or return operator licence;

"spaceflight participant" means an individual, other than a member of the crew, who is to be carried on board the launch vehicle with the spaceflight operator's permission;

"stable orbit" means an orbit where a launch vehicle—

(a) has started to travel in an orbit of a minimum perigee of 130 kilometres taking account of any natural influences such as the forces of drag acting on that vehicle, and

(b) is capable of continuing to travel in that orbit for at least one orbit of the earth;

"state" includes any territory, region or other place;

"training" means training provided to an individual in accordance with training regulations.

Service of notices and other documents

4.—(1) Any notice or other document required or authorised by these Regulations to be served on any person may be served by—

(a) delivering it to that person in person,

(b) leaving it at that person's proper address, or

(c) sending it by post or by electronic means to that person's proper address.

(2) In the case of a body corporate, any such notice or document may be served on a director of that body or on any other officer or employee of that body ("authorised person") who is authorised to accept service of such notices or documents on its behalf.

(3) For the purposes of this regulation, "proper address" means—

(a) in the case of a body corporate or its director or authorised person—

(i) the registered or principal office of that body, or

(ii) the email address of the secretary or clerk of that body, the director or the authorised person;

(b) in any other case, a person's last known address, which includes an email address.

(4) In this regulation references to an email address are to an email address which has not been withdrawn for the purposes of service.

PART 2

Inspectors and the safety investigation authority

Safety investigation authority

5.—(1) The Secretary of State must nominate a body to act as the space accident investigation authority ("SAIA") for the United Kingdom to conduct safety investigations independently without interference from any other persons.

(2) SAIA must operate independently of the UK Space Agency(**a**), the Civil Aviation Authority(**b**) and any other person—

(a) whose interests conflict, or might conflict, with the responsibilities given to SAIA under these Regulations, or

(b) who might influence its objectivity.

(3) The Secretary of State must ensure that SAIA has the resources required to carry out its functions under these Regulations.

Appointment of Inspectors of Spaceflight Accidents

6.—(1) For the purposes of carrying out safety investigations, the Secretary of State must appoint individuals to work for SAIA as Inspectors of Spaceflight Accidents.

(2) The Secretary of State must appoint one such Inspector as the Chief Inspector of Spaceflight Accidents.

(3) The Chief Inspector must appoint another such Inspector as the Deputy Chief Inspector of Spaceflight Accidents.

(4) Any of the Chief Inspector's powers and obligations under these Regulations may be exercised or discharged by the Deputy Chief Inspector where the Chief Inspector so directs.

(5) Where a safety investigation is required or permitted by these Regulations, the investigator-in-charge is the Chief Inspector or any other Inspector selected by the Chief Inspector for that purpose.

(6) The Chief Inspector may determine that the investigator-in-charge shall be assisted by one or more Inspectors.

(**a**) The UK Space Agency is an executive agency of the Department for Business, Energy and Industrial Strategy.

(**b**) The Civil Aviation Authority is a body corporate constituted in accordance with section 2 of the Civil Aviation Act 1982 (c. 16).

PART 3

First steps after the spaceflight accident

Obligation to notify spaceflight accident

7.—(1) Any person involved who has knowledge of the occurrence of a spaceflight accident in or over the United Kingdom must notify it without delay—

(a) to the Chief Inspector, and

(b) to a police officer or, in relation to Scotland, a constable for the area where the accident occurred.

(2) The Chief Inspector must notify any other state concerned of the occurrence of a spaceflight accident of which the Chief Inspector has been notified.

(3) For the purposes of paragraph (2), states concerned in relation to a spaceflight accident include the states—

(a) in or over which the spaceflight accident took place;

(b) in which the launch vehicle was launched;

(c) in which the launch vehicle was designed;

(d) in which the launch vehicle was manufactured.

Information on persons and dangerous goods on board a launch vehicle following a spaceflight accident

8.—(1) The spaceflight operator responsible for a launch vehicle involved in a spaceflight accident must provide to the Chief Inspector—

(a) within two hours of the time at which the spaceflight operator became aware of the occurrence of the spaceflight accident, a list of all persons on board the launch vehicle, and

(b) immediately after the spaceflight operator becomes aware of the occurrence of the spaceflight accident, a list of all dangerous goods on board the launch vehicle.

(2) The spaceflight operator must also make the lists referred to in paragraph (1) available to—

(a) the authority designated by the Secretary of State to liaise with relatives of the persons on board, and

(b) where necessary, to medical units which may need the information to enable them to treat the victims.

(3) The list referred to in paragraph (1)(a) must be treated as confidential information, and the name of a person on board a launch vehicle may not be publicly disclosed unless the person appearing to SAIA to be the closest relative of the person on board—

(a) has been informed by the relevant authorities, and

(b) has not objected to that disclosure.

(4) For the purposes of paragraph (1)(b), "dangerous goods" means any article or substance which is identified as such in the 2021–2022 English language edition of the Technical Instructions for the Safe Transport of Dangerous Goods by Air(**a**), approved and published by decision of the Council of the International Civil Aviation Organisation.

(**a**) ISBN 978-92-9258-946-2. The Technical Instructions can be purchased from: ICAO (https://store.icao.int/); Labeline, Midas House, Chivenor Business Park, Barnstaple, Devon EX31 4AY (http://www.labeline.com and T: 0870 850 5051); and Freight Merchandising Services Limited, Unit 383, Sykes Road, Slough Trading Estate, Slough, Berkshire SL1 4SP (http://www.fmslondon.co.uk and T: 01784 240840).

Preservation of evidence

9.—(1) Subject to paragraph (2), pending the arrival of the investigator-in-charge no person may—

(a) modify the state of the site of the spaceflight accident,

(b) take samples from that site,

(c) move or remove the launch vehicle involved in the spaceflight accident or its wreckage, or

(d) take samples from the launch vehicle, its contents or wreckage.

(2) A person may take any of the actions referred to in paragraph (1) for—

(a) safety reasons,

(b) to assist individuals with an injury, or

(c) with the express permission of the authorities in control of the site.

(3) If possible, a person must consult the investigator-in-charge before taking any of the actions referred to in paragraph (1).

(4) Anyone who is a person involved in relation to a launch vehicle which has been involved in a spaceflight accident must take all steps necessary to preserve documents, material and recordings in relation to that accident.

(5) The steps referred to in paragraph (4) include steps to prevent erasure of recordings relating to the flight after that flight.

Coordination of investigations

10.—(1) SAIA must make advance arrangements with the police and other statutory authorities who may institute investigations following a spaceflight accident covering—

(a) access to the site of an accident;

(b) preservation of and timely access to evidence;

(c) how information on the status and progress of investigations is to be provided;

(d) on the exchange of information relevant to the investigations;

(e) use of sensitive safety information;

(f) how any conflicts are to be resolved.

(2) If an investigation is commenced by the police or other statutory authority (an "investigating authority")—

(a) the investigating authority must notify SAIA and the investigator-in-charge;

(b) SAIA must make arrangements with the persons in charge of that investigation giving the investigating authority access to the site of the spaceflight accident for the purpose of their investigations;

(c) all physical evidence and any flight recorders are to remain in the custody of the investigator-in-charge, but access to that evidence must be provided to the investigating authority for the purposes of their investigation, and in particular, a representative of that authority may accompany the flight recorders or physical evidence to any place where they are to be treated or read-out;

(d) if an examination or analysis of any physical evidence may modify, alter or destroy it, the investigator-in-charge may not undertake such examination or analysis except with the consent of the investigating authority, unless paragraph (3) applies.

(3) If the investigating authority has not given its consent to the examination or analysis requested under paragraph (2)(d) within a period of two weeks after the day on which the request was made, the investigator-in-charge may proceed with the examination or analysis.

(4) If the investigating authority is entitled to seize any evidence, it must give the investigator-in-charge immediate and unlimited access to and use of such evidence.

(5) For the purposes of this regulation—

"flight recorder" means any device for recording data relating to the flight of the launch vehicle, whether or not the device is located on the launch vehicle;

"statutory authority" means an authority which has statutory responsibility to investigate or to consider taking enforcement action in relation to a spaceflight accident.

PART 4

The safety investigation and inspectors' powers

CHAPTER 1

The safety investigation

Objective and independence of a safety investigation

11.—(1) The sole objective of a safety investigation which is undertaken pursuant to these Regulations is the prevention of spaceflight accidents, without the apportionment of blame or liability.

(2) A safety investigation must be independent of and separate from any judicial or administrative proceedings to apportion blame or liability.

(3) Any individual participating in a safety investigation must perform their duties independently and not seek or accept instructions from any person other than the Chief Inspector, the investigator-in-charge or the accredited representative.

The extent of a safety investigation

12.—(1) The Chief Inspector must determine—

(a) the extent of a safety investigation, and

(b) the procedure to be followed in conducting a safety investigation.

(2) The Chief Inspector must determine the matters referred to in paragraph (1) taking into account the lessons expected to be drawn from such safety investigations for the improvement of safety of spaceflight activities.

Reopening of safety investigation

13.—(1) Where, following publication of a final safety investigation report relating to a spaceflight accident, evidence has become available which, in the Chief Inspector's opinion, is new and significant, the Chief Inspector must cause the safety investigation to be reopened.

(2) Following publication of a safety investigation report relating to a spaceflight accident, the Chief Inspector may cause the safety investigation to be reopened for any other reason where the Chief Inspector considers it appropriate to do so.

CHAPTER 2

The duty to investigate and powers to investigate

Duty to investigate

14. The Chief Inspector must cause a safety investigation to be conducted in accordance with these Regulations where a serious spaceflight accident occurs in or over the United Kingdom.

Power to investigate

15.—(1) The Chief Inspector may cause a safety investigation to be conducted in accordance with these Regulations where—

(a) a spaceflight accident occurs in or over the United Kingdom, and

(b) the Chief Inspector expects to draw safety lessons for spaceflight activities from the safety investigation.

(2) In this regulation "spaceflight accident" does not include a serious spaceflight accident.

Power to investigate spaceflight accidents occurring elsewhere than the United Kingdom

16. If practicable, the Chief Inspector may cause a safety investigation to be conducted in accordance with these Regulations where—

(a) a spaceflight accident occurs elsewhere than in or over the United Kingdom,

(b) the spaceflight accident involves a launch vehicle in respect of which the United Kingdom is the state—

(i) from which the launch vehicle was launched,

(ii) having jurisdiction over the organisation responsible for the design of the launch vehicle,

(iii) having jurisdiction over the organisation responsible for the manufacture or final assembly of the launch vehicle, or of any component parts of the launch vehicle,

(iv) having jurisdiction over the organisation responsible for the maintenance of the launch vehicle, or any component parts of the launch vehicle, or

(v) in which the spaceflight operator's principal place of business is located, and

(c) an investigation is not conducted by another state, or the United Kingdom has been requested by another state to assist with an investigation carried out on behalf of that state.

CHAPTER 3

Assistance with UK safety investigations

Assistance with safety investigations

17.—(1) SAIA may request assistance in a safety investigation from safety investigation authorities from other states.

(2) SAIA may request the regulator and other relevant bodies to participate in a safety investigation by supplying—

(a) information relating to the spaceflight accident, or

(b) equipment,

to help with that investigation.

(3) The Chief Inspector may appoint an adviser to assist an investigator-in-charge of a safety investigation, under the supervision of that investigator.

(4) The Chief Inspector may invite—

(a) a relevant body, or

(b) the regulator,

to appoint an adviser to assist in a safety investigation.

(5) Paragraphs (3) and (4) do not apply if making such an appointment or giving such an invitation would give rise to a conflict of interest for SAIA.

(6) In this regulation, "relevant body" means any international body or national body involved with spaceflight activities.

CHAPTER 4

Accredited representatives, advisers and state experts

Accredited representatives and advisers

18.—(1) A state may appoint an accredited representative to participate in a safety investigation where—

(a) the state has been notified of the occurrence of a spaceflight accident in or over the United Kingdom under regulation 7(2), or

(b) the state has provided assistance to SAIA following a request under regulation 17(1).

(2) An accredited representative participating in a safety investigation may appoint an adviser to assist the representative to participate in the safety investigation.

(3) Subject to paragraph (4), where the spaceflight accident occurs in or over the United Kingdom, an accredited representative has the right in a safety investigation to—

(a) visit the scene of the spaceflight accident,

(b) examine the wreckage,

(c) obtain information supplied by witnesses, and suggest lines of questioning,

(d) have full access to all evidence relevant to the investigation as soon as possible,

(e) receive copies of all documents relevant to the investigation and any other information gathered by the investigator-in-charge during the investigation,

(f) participate in any analysis or interpretation of data recorded on any media,

(g) participate in off-scene investigation activities such as component examinations, technical briefings, tests and simulations,

(h) participate in investigation progress meetings, including deliberations related to analysis, findings, causes and safety recommendations, and

(i) make submissions to the investigator-in-charge in respect of the various elements of the investigation.

(4) The participation of an accredited representative appointed under paragraph (1)(b)—

(a) may be limited to those areas of the investigation in relation to which assistance has been provided by the state, and the rights of the accredited representative under paragraph (3) are limited accordingly;

(b) are subject to any international obligations of the United Kingdom.

(5) The rights set out in paragraph (3) may also be exercised by an adviser assisting an accredited representative, but only so far as is necessary to enable the accredited representative concerned to participate effectively in the investigation.

State appointment of experts

19.—(1) A state which has an interest in a safety investigation because one or more of its citizens have died or suffered serious injuries in the spaceflight accident being investigated may appoint an expert to the safety investigation (a "state expert").

(2) A state expert may—

(a) visit the site of the accident;

(b) have access to—

(i) factual information which may be published under regulation 30(8);

(ii) information on the progress of the safety investigation;

(iii) a copy of the final safety investigation report.

Participation in another state's investigation

20.—(1) If the Chief Inspector receives notification from another state of the occurrence of a spaceflight accident, the Chief Inspector—

(a) may appoint an accredited representative to participate in the investigation on behalf of the United Kingdom, and

(b) must, as soon as possible, inform that state whether the United Kingdom intends to appoint an accredited representative.

(2) Where an accredited representative is appointed, the Chief Inspector—

(a) must send to the state which gave the notification the accredited representative's—

(i) name and contact details, and

(ii) expected date of travel to the state if appropriate, and

(b) may appoint an adviser to assist the accredited representative in participating in the investigation.

(3) The accredited representative of SAIA may request permission from the relevant authorities in the state concerned to take any of the actions referred to in regulation 18(3).

(4) SAIA may provide assistance in an investigation in another state to safety investigation authorities from that state if requested.

CHAPTER 5

Investigator-in-charge

Investigator-in-charge

21.—(1) The conduct of a safety investigation is within the sole discretion of the investigator-in-charge of that investigation.

(2) The investigator-in-charge may take the measures necessary to carry out an effective safety investigation, and for this purpose may exercise any of the powers referred to in regulations 23 to 26.

Delegation of powers by investigator-in-charge

22.—(1) The investigator-in-charge may authorise the following persons to exercise the powers listed in regulations 23 to 26—

(a) the advisers of the investigator-in-charge, and

(b) accredited representatives appointed under regulation 18(1) and their advisers.

(2) The investigator-in-charge may only give the authorisation referred to in paragraph (1) as far as necessary to enable the persons referred to in that paragraph to participate effectively in a safety investigation.

(3) Where the safety investigation is not taking place in the United Kingdom, the investigator-in-charge may only give the authorisation referred to in paragraph (1) if, and to the extent that, the state where the investigation is taking place permits the powers concerned to be exercised by the persons referred to in that paragraph.

CHAPTER 6

Inspectors' powers

Rights of access to information and records

23.—(1) Where the spaceflight accident occurs in or over the United Kingdom, the investigator-in-charge is entitled, notwithstanding any confidentiality obligations to which any person is subject, to—

(a) immediate and unrestricted access to the site of the spaceflight accident as well as to the launch vehicle, its contents or its wreckage;

(b) carry out an immediate listing of evidence and controlled removal of debris or components for examination or analysis purposes;

(c) immediate access to and control over—

(i) any equipment which has recorded data relating to the launch vehicle;

(ii) any data recorded during the spaceflight activities in relation to the launch vehicle;

(d) be provided with—

(i) results of autopsy examinations of the bodies of any fatally injured individuals and tests made from samples taken from those bodies;

(ii) results of medical examinations of the individuals involved in the operation of the launch vehicle or tests carried out on samples taken from those individuals;

(e) access on request to any relevant information or records held by a person involved.

(2) Where the spaceflight accident occurs outside the United Kingdom in the territory of another state and a safety investigation is being carried out under regulation 16, the investigator-in-charge may request permission from the relevant authorities in the state concerned—

(a) to have the access referred to in paragraph (1)(a), (c) and (e), and

(b) to be provided with the information referred to in paragraph (1)(b) and (d).

Inspectors' powers of entry and inspection of land or premises in the United Kingdom

24.—(1) Subject to paragraph (2), an Investigating Inspector may, on production of that Inspector's authority to act as an Inspector, enter and inspect any land or premises, including any dwelling, any ship involved in the spaceflight activities and any launch vehicle, in the United Kingdom where, in the opinion of the investigator-in-charge, such action is necessary for the purposes of the safety investigation.

(2) An Investigating Inspector may not enter and inspect any dwelling unless one of the following conditions is met—

(a) the occupier of the dwelling has consented to the entry and inspection;

(b) such entry and inspection has been authorised by a warrant issued by a justice, on an application made by an Investigating Inspector and supported by—

(i) in England and Wales, an information in writing,

(ii) in Scotland, evidence on oath, or

(iii) in Northern Ireland, a complaint on oath;

(c) the investigator-in-charge is satisfied that access to the dwelling is required urgently and that the requirement to obtain consent or a warrant would undermine the safety investigation.

(3) A justice may issue a warrant if the justice is satisfied that there are reasonable grounds for entering and inspecting the dwelling for the purposes of the safety investigation and that at least one of the following conditions is met—

(a) entry to the dwelling has been, or is likely to be, refused and notice of the intention to apply for a warrant has been served on the occupier;

(b) asking for consent to enter and inspect the dwelling would undermine the safety investigation;

(c) entry to the dwelling is required urgently;

(d) the dwelling is unoccupied or the occupier is temporarily absent.

(4) A warrant may authorise a maximum of two Investigating Inspectors to enter and inspect a dwelling.

(5) A warrant is valid for one month beginning on the date of its issue.

(6) Where an Investigating Inspector exercises the power conferred by paragraph (1), that Inspector may—

(a) search the land or premises for any item,

(b) examine anything that is on the land or premises,

(c) require any person to produce any document or record that is in that person's possession or control,

(d) seize, detain or remove any item that is on the land or premises and any document or record that has been produced in accordance with sub-paragraph (c), and

(e) take copies of or extracts from any document or record found on the land or premises.

(7) Any item, document or record seized by an Investigating Inspector may be retained until the completion of the safety investigation.

(8) In this regulation—

"dwelling" means any premises wholly or mainly used as a place of residence or abode (including any garden, yard, garage, outhouse or other appurtenance of such premises which is not used in common by the occupants of more than one such dwelling);

"a justice" means—

(a) in England and Wales, a justice of the peace,

(b) in Scotland, a sheriff or a summary sheriff, and

(c) in Northern Ireland, a lay magistrate;

"ship" means every description of vessel whether or not used in navigation.

CHAPTER 7

Inspectors' powers in relation to witnesses and the release of evidence

Inspectors' powers to call and examine a witness

25.—(1) An Investigating Inspector has the power to call and examine a witness without delay and to require a witness to furnish or produce information or evidence relevant to the safety investigation.

(2) The power conferred by paragraph (1) must be exercised by the service of a summons signed by an Investigating Inspector and requiring any individual ("witness") to attend a witness interview at a time and place stated in the summons, in order to—

(a) answer any question, or

(b) produce any document, record, information or other evidence,

which is, in the opinion of that Inspector, relevant to the safety investigation.

(3) A witness called for examination by an Investigating Inspector may nominate a person to be present at the examination.

(4) The investigator-in-charge may at any time exclude any person from being present at an examination of a witness if—

(a) that person is not a solicitor or other professional legal adviser acting solely on behalf of the witness being interviewed,

(b) both the Inspector and Chief Inspector have substantial reason to believe that the person's presence would hamper the investigation with the result that the objective in regulation 11 is likely to be hindered and future safety thereby endangered, and

(c) the Chief Inspector is satisfied, having regard to all the circumstances, that it is proper to exclude that person.

(5) Where a person nominated to be present has been excluded in accordance with paragraph (4), the witness required to attend may nominate another person to be present at the witness interview in place of the excluded person and paragraph (4) applies to that other person.

(6) A witness must be allowed the expenses of attending a witness interview, payable by SAIA.

Inspectors' powers relating to evidence from a witness

26. An Investigating Inspector has the power to—

(a) record a witness interview in any manner that the Investigating Inspector considers appropriate,

(b) take a statement from a witness and require the witness to make and sign a declaration of truth in relation to that statement, and

(c) retain any evidence which is produced by a witness or which the investigator-in-charge has access to or control over, by virtue of these Regulations, until completion of the safety investigation.

Release of evidence to owner

27.—(1) This regulation applies where property is held by SAIA in a hangar, or in any other facility which is being used by SAIA, for the purposes of a safety investigation.

(2) Subject to paragraph (5), where any such property is no longer required for the purposes of the safety investigation SAIA must inform the owner of the property, by serving a notice in writing, that it will be released to that owner at the place and date specified in the notice and in accordance with any other arrangements that are specified in the notice.

(3) An owner on whom such a notice is served must collect the property in accordance with the arrangements specified in the notice (or in accordance with any alternative arrangements that the owner agrees in writing with SAIA), failing which—

(a) SAIA may make arrangements for the destruction or disposal of the property, and

(b) the reasonable costs of such destruction or disposal will be recoverable from the owner as a debt due to the Secretary of State(**a**).

(4) Notice served pursuant to paragraph (2)—

(a) must not specify a date for collection of the property earlier than one month beginning with the date on which the notice was served, and

(b) must include a warning that a failure by the owner to collect the property on the date specified in the notice (or such other date that the owner agrees in writing with SAIA) will entitle SAIA to make arrangements for the destruction or disposal of the property and that the reasonable costs of destruction or disposal will be recoverable from the owner as a debt due to the Secretary of State.

(5) Where any property referred to in paragraph (1) is no longer required for the purposes of the safety investigation and SAIA is satisfied that a person, body or authority (other than the owner) is entitled (under statutory or common law powers that apply in any part of the United Kingdom) to collect that property for the purposes of another investigation and has confirmed their intention to do so—

(a) paragraph (2) does not apply to that property, and

(b) SAIA must release it to that person, body or authority and inform the owner of the property, by serving a notice in writing, that it has been so released.

(**a**) See regulation 28(4).

CHAPTER 8

Expenses

Recovery of expenses

28.—(1) SAIA may recover reasonable expenses in, or in connection with, carrying out a safety investigation under these Regulations from a licensee.

(2) The licensees are prescribed persons for the purposes of section 20(2)(b) of the 2018 Act.

(3) In this regulation "expenses" includes reasonable costs of—

(a) recovering property, transporting it from the site of the spaceflight accident to a hangar or any other facility which is being used by SAIA for the purposes of a safety investigation and storing the property in that hangar or facility;

(b) destroying or disposing of property where SAIA has to make arrangements for such destruction or disposal in accordance with regulation 27;

(c) overtime, travel or subsistence claims made by staff of SAIA in connection with a safety investigation.

(4) The reasonable costs referred to in this regulation will be recoverable from a licensee as a debt due to the Secretary of State.

PART 5

Sensitive safety information

Interpretation

29. In this Part—

"relevant person" means—

(a) an Inspector,

(b) any other officer of the Secretary of State,

(c) an accredited representative,

(d) any person who has been involved in the recovery of the launch vehicle, and

(e) any person to whom sensitive safety information has been made available by such an Inspector, accredited representative or other officer;

"sensitive safety information" includes—

(a) all statements taken by Inspectors from persons in the course of the safety investigation,

(b) records revealing the identity of persons who have given evidence to Inspectors in the course of a safety investigation,

(c) any information collected by Inspectors which is of a sensitive and personal nature, including information concerning the health of individuals,

(d) material produced by Inspectors and others assisting in the safety investigation during the course of the investigation such as notes and opinions expressed about the analysis of information,

(e) drafts of preliminary, interim or final reports or statements,

(f) information and evidence provided by investigators from other states in accordance with international standards and recommended practices, if their safety investigation authority has requested that this material is to be treated as sensitive safety information in accordance with this Part,

(g) voice and image recordings and transcripts of such recordings from—

(i) the launch vehicle,

(ii) the mission management facility from which spaceflight activities carried out by the launch vehicle were controlled, or

(iii) ground control at the spaceport or other place from which such activities were controlled,

(h) any communications between persons involved in the operation of the launch vehicle,

(i) US Technical Data, and

(j) occurrence reports referred to in Part 16 of the Space Industry Regulations 2021(**a**), or any information in occurrence reports save to the extent that information is in the public domain;

"US Technical Data" has the meaning given in the Agreement between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland on technology safeguards associated with United States' participation in space launches from the United Kingdom entered into on 16th June 2020(**b**).

Protection of information and permitted disclosures

30.—(1) Sensitive safety information may not be disclosed by—

(a) any member of staff of SAIA,

(b) any person called upon to participate in or contribute to a safety investigation,

(c) any other relevant person, or

(d) any person who has received sensitive safety information from a person referred to in sub-paragraph (a), (b) or (c),

except as provided for in this regulation, regulation 32(2)(b), by order of the court under regulation 31, or in the circumstances set out in regulation 41(3).

(2) US Technical Data may only be disclosed with the consent of the Government of the United States after consultation between SAIA and the Government of the United States.

(3) Sensitive safety information may be disclosed to the extent necessary to permit the investigator-in-charge to comply with their obligations under regulations 33 and 34.

(4) Any disclosure made under this regulation must ensure that the anonymity of persons involved in a spaceflight accident is preserved.

(5) SAIA may disclose information (other than sensitive safety information) to the persons referred to in paragraph (6) for the purposes of—

(a) improving the safety of spaceflight activities, or

(b) preventing a spaceflight accident.

(6) The persons referred to in this paragraph are—

(a) the regulator,

(b) the licensee,

(c) persons responsible for the manufacture and maintenance of the launch vehicle involved in the spaceflight accident or for training, or

(d) persons using a launch vehicle of the same type as the launch vehicle involved in the spaceflight accident.

(7) SAIA may disclose factual information obtained during a safety investigation to any international body or national body involved with spaceflight activities, provided that, in doing so, SAIA does not disclose—

(**a**) S.I. 2021/****.

(**b**) CP 307. The agreement may be obtained in hard copy from the Commercial Space Directorate, UK Space Agency, 10 Victoria Street, London, SW1H 0NN or found on the Foreign, Commonwealth & Development Office treaties database at https://www.gov.uk/government/publications/ukusa-agreement-in-the-form-of-an-exchange-of-notes-between-the-united-kingdom-and-the-united-states-of-america-on-technology-safeguards-associated.

(a) sensitive safety information, or

(b) information which might create a conflict of interest between the bodies to whom the information is revealed and the aims of SAIA in pursuing the safety investigation.

(8) Provided that the objective of the safety investigation are not compromised, SAIA may inform victims or their relatives, or associations of victims or their relatives, of, or make public—

(a) any information on factual observations related to the spaceflight accident,

(b) the proceedings of the safety investigation,

(c) preliminary reports or conclusions, or

(d) safety recommendations.

(9) Before making public any information referred to in paragraph (8), SAIA must send that information to the victims and their relatives, or associations of victims or their relatives, in a way which does not compromise the objective of the safety investigation, or any future safety investigation.

Court application for disclosure

31.—(1) An application may be made to the court for permission—

(a) to disclose sensitive safety information, or

(b) for sensitive safety information to be disclosed.

(2) An application made under paragraph (1) must identify the sensitive safety information which the person making the application wishes to disclose, or to be disclosed.

(3) Before making an order under paragraph (1), the court must be satisfied—

(a) that the disclosure of the sensitive safety information identified in the application will not—

(i) disclose the identity of any person involved with the spaceflight accident, or

(ii) damage the international relations of the United Kingdom, and

(b) that the benefits of disclosing that information outweigh the adverse domestic and international consequences that disclosure of that information might have on the safety investigation to which the information relates or any future safety investigation.

(4) The jurisdiction conferred by this regulation may be exercised by—

(a) the High Court, or

(b) in Scotland, the Court of Session.

PART 6

The safety investigation report and safety recommendations

The duty to prepare a safety investigation report

32.—(1) Once the safety investigation is completed, the investigator-in-charge must prepare a report of the investigation and publish it as soon as possible after the date of the spaceflight accident.

(2) The safety investigation report must be in writing and contain—

(a) a statement that the sole objective of a safety investigation is the prevention of spaceflight accidents, without the apportionment of blame or liability;

(b) sensitive safety information only in so far as relevant to the analysis of the spaceflight accident.

(3) The safety investigation report may contain safety recommendations.

(4) The safety investigation report must not reveal the identity of individuals involved in a spaceflight accident.

(5) If the safety investigation final report is not published within twelve months of the date of the spaceflight accident, the investigator-in-charge must publish a statement about the progress of the investigation and the safety issues arising from it.

(6) The investigator-in-charge must publish the statement referred to in paragraph (5) at least on each anniversary of the spaceflight accident.

(7) If any part of the safety investigation report is based on information obtained in accordance with the powers of the investigator-in-charge under regulations 25 and 26, that part is inadmissible in any judicial proceedings whose purpose or one of whose purposes it is to attribute or apportion liability or blame, unless a relevant court, having regard to the factors referred to in regulation 31(3), determines otherwise.

(8) For the purposes of these Regulations where any inspector is required to attend judicial proceedings the inspector is not required to provide opinion evidence or analysis of information provided to them, or to provide information obtained in accordance with an inspector's powers under regulations 25 and 26 where the purpose or one of the purposes of those proceedings is to attribute or apportion liability or blame, unless a relevant court, having regard to the factors referred to in regulation 31(3), determines otherwise.

(9) In this regulation—

(a) "judicial proceedings" include any civil or criminal proceedings before any court, or person having by law power to hear, receive and examine evidence on oath;

(b) "relevant court" means—

(i) the High Court;

(ii) in Scotland, the Court of Session.

Notice of safety investigation report

33.—(1) Where the investigator-in-charge considers that any safety investigation report prepared under regulation 32 could adversely affect the reputation of any person ("the person concerned"), that report must not be published until the investigator-in-charge has—

(a) served a notice on the person concerned or, where that person is deceased, the person who appears to the investigator-in-charge best to represent the interests of the person concerned in the matter, and

(b) made such changes as the investigator-in-charge thinks fit, following the consideration by that investigator of any representations that have been made pursuant to paragraph (2)(b).

(2) The notice referred to in paragraph (1)(a) must—

(a) include particulars of any proposed analysis of facts and conclusions as to the circumstances and causes of the relevant spaceflight accident which could affect the person concerned, and

(b) inform the person on whom it is served that written representations regarding that proposed analysis may be made to the investigator-in-charge by or on behalf of that person within the specified period, beginning with the date on which the notice was served.

(3) For the purposes of paragraph (2), the "specified period" is—

(a) in the case of an interim report, the period specified by the investigator-in-charge, and

(b) in the case of the final report, the period of 28 days, or such longer period as the investigator may allow.

Pre-publication copies of the final safety investigation report

34.—(1) Before the publication of an interim or final safety investigation report, the investigator-in-charge must provide a copy of it to the Secretary of State and must also serve a

copy of it on any person on whom a notice was served pursuant to paragraph (1)(a) of regulation 33.

(2) As soon as possible after the safety investigation report is completed, the investigator-in-charge must send a copy of the report to—

(a) the European Space Agency and any national body responsible for the regulation of spaceflight activities in the states concerned;

(b) if the regulator is not the Secretary of State, the regulator;

(c) persons to whom safety recommendations are addressed.

(3) The investigator-in-charge may also send a copy of the report to any person the investigator-in-charge considers appropriate.

Safety recommendations

35.—(1) SAIA must make a safety recommendation where it considers that preventative action must be taken promptly to enhance the safety of spaceflight activities—

(a) at any stage of the safety investigation, or

(b) at any time on the basis of—

(i) studies or other information about the safety of spaceflight activities, or

(ii) analysis of a series of safety investigations.

(2) Where SAIA has participated in an investigation carried out by another state, SAIA may make a safety recommendation where it considers that preventative action must be taken promptly to enhance the safety of spaceflight activities, at any time after coordinating with the state concerned.

(3) SAIA must—

(a) make the safety recommendation in writing,

(b) address the safety recommendation to whichever authority and to whichever person the SAIA consider, in either case, to be in the best position to give effect to the recommendation, and

(c) publish the safety recommendation.

(4) The safety recommendation does not create a presumption of blame or liability for the spaceflight accident.

What happens after a person receives a safety recommendation

36.—(1) The person to whom the safety recommendation ("the recommendation") is addressed ("the addressee") must—

(a) acknowledge receipt of the recommendation to SAIA immediately, and

(b) within 90 days of the date of receiving the recommendation—

(i) if the addressee has taken action to implement the recommendation, tell SAIA what action has been taken,

(ii) if the addressee is considering taking action to implement the recommendation, tell SAIA what action is being considered and how long it will take to implement it, or

(iii) give reasons to SAIA for not implementing the recommendation.

(2) SAIA must, within 60 days of receiving the acknowledgment and any other information referred to in paragraph (1), tell the addressee—

(a) whether or not SAIA considers that the action taken or proposed to implement the recommendation is adequate, or

(b) any reasons for disagreeing with the addressee's decision to take no action to implement the recommendation.

(3) The addressee must—

(a) keep records of all action taken to implement the recommendation;

(b) inform SAIA—

(i) if the action taken to implement the recommendation has changed from the action notified to SAIA under paragraph (1)(b)(i) or (ii);

(ii) when the addressee has completed all the action they propose to take to implement the recommendation.

(4) SAIA must—

(a) keep records of responses to a safety recommendation by addressees, and

(b) publish—

(i) the responses to safety recommendations, and

(ii) SAIA's assessment of those responses sent to the addressee under paragraph (2).

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.

PART 8

Review

Review

46.—(1) The Secretary of State must from time to time—

(a) carry out a review of the regulatory provision contained in these Regulations, and

(b) publish a report setting out the conclusions of the review.

(2) The first report must be published before the end of the period of five years beginning with the date on which these Regulations come into force.

(3) Subsequent reports must be published at intervals not exceeding five years.

(4) Section 30(4) of the Small Business, Enterprise and Employment Act 2015(**a**) requires that a report published under this regulation must, in particular—

(a) set out the objectives intended to be achieved by the regulatory provision referred to in paragraph (1)(a),

(b) assess the extent to which those objectives are achieved,

(c) assess whether those objectives remain appropriate, and

(d) if those objectives remain appropriate, assess the extent to which they could be achieved in another way which involves less onerous regulatory provision.

(5) In this regulation, "regulatory provision" has the same meaning as in sections 28 to 32 of the Small Business, Enterprise and Employment Act 2015 (see section 32 of that Act).

(**a**) 2015 c. 26. Section 30(3) was amended by section 19 of the Enterprise Act 2016 (c. 12), and paragraph 36 of Schedule 8 to the European Union (Withdrawal) Act 2018 (c. 16).

Signed by authority of the Secretary of State for Transport

Name
Parliamentary Under Secretary of State
Date Department for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for the investigation of spaceflight accidents.

Part 1 contains the interpretation provisions.

Part 2 requires the Secretary of State to nominate a body to act as the space accident investigation authority ("SAIA") for the United Kingdom, and makes provision for the appointment of inspectors for that body.

Part 3 sets out what must be done after a spaceflight accident.

Part 4 provides for the objective of safety investigations carried out under these Regulations, how the extent of a safety investigation is to be determined, and when a safety investigation may be reopened. It sets out when the Chief Inspector must investigate a spaceflight accident and when the Chief Inspector may do so, when SAIA may seek assistance with a UK safety investigation, what rights accredited representatives, their advisers and state experts have in a UK safety investigation, and how SAIA may participate in another state's investigation. It provides for the powers of the investigator-in-charge of a safety investigation, and when those powers may be delegated. It also makes provision for the release of evidence to its owner and for the recovery of expenses by SAIA.

Part 5 defines sensitive safety information and makes provision for its protection, setting out the circumstances in which information relating to a safety investigation may be disclosed.

Part 6 makes provision in relation to the safety investigation report and safety recommendations.

Part 7 provides for penalties for breaches of the Regulations.

Part 8 provides for review of the operation of the Regulations for the purpose of the Small Business, Enterprise and Employment Act 2015 (c. 26).

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available from the Department for Transport, Great Minster House, 33 Horseferry Road, London SW1P 4DR and is published alongside the Explanatory Memorandum to this instrument on the legislation.gov.uk website.

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