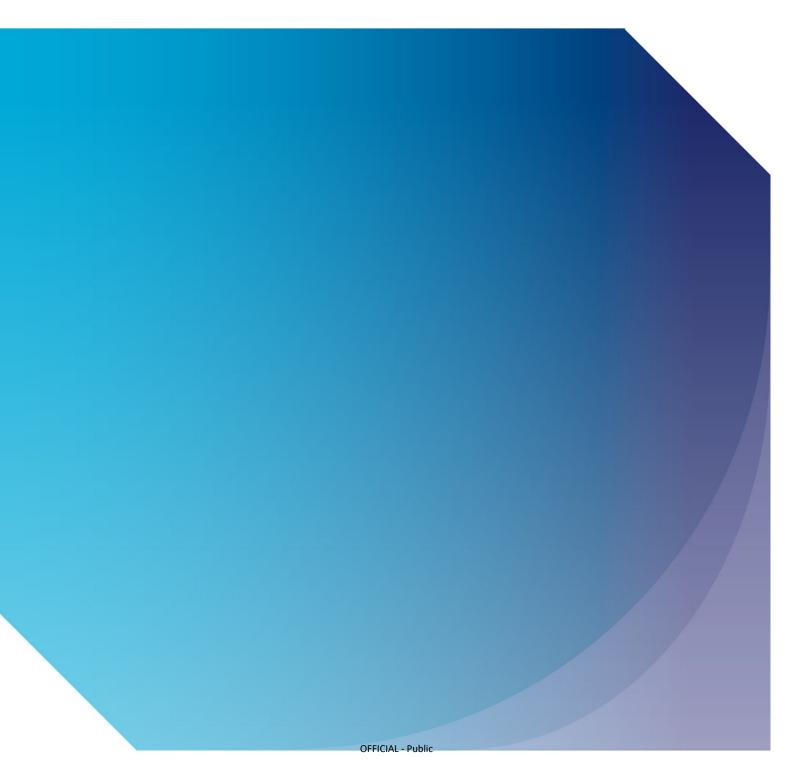


# Applying for a licence under the Space Industry Act 2018

CAP 2209



Published by the Civil Aviation Authority, 2024

Civil Aviation Authority Aviation House Beehive Ring Road Crawley West Sussex RH6 0YR

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First published 2021 Second edition

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# Chapter 1 Introduction

1.1 This guidance document explains the core requirements of applying for any licence under the Space Industry Act 2018 (SIA). It also summarises the additional requirements for each type of licence. The guidance tells you how we will assess your application and how long an application can take.

# Requirement to obtain a licence

- 1.2 Under the SIA, if you want to carry out space activities, sub-orbital activities, and associated activities in the UK, you must get a licence.
- 1.3 There are different types of licence covering different activities.
  - If you want to launch a launch vehicle from the UK (including UK territorial waters) above the stratosphere, you need a **launch operator licence**. This is for a launch that involves a vehicle launched vertically from a licensed spaceport, released from a carrier aircraft, and for sub-orbital spaceplanes and balloons. The same licence can cover a single launch, or a series of launches.
  - If you want to return a launch vehicle that was launched from outside the UK to land in the UK, you need a **return operator licence.**
  - If you want to operate a space object, or conduct any other activity in outer space, from the UK, then you need an **orbital operator licence**. The most common example of an activity that would be licensed under an orbital operator licence is the launch and operation of a satellite from the UK. Each satellite carried on a launch vehicle must be covered by an orbital operator licence.
  - If you want to launch a satellite from the UK, but then operate that satellite from outside the UK, you will need a procurement-only operator licence.
  - If you're a UK national or UK-based organisation that wishes to operate a space object, or conduct any activity in outer space, from **outside the UK**, you need to get a **licence under the Outer Space Act 1986** (OSA). More information on how to do this is available in our publication <u>OSA Guidance for</u> <u>applicants (CAP2224)</u>.

- If you want to provide range control services in relation to spaceflight activities

   such as tracking a space launch vehicle, identifying and monitoring hazard
   areas and issuing notifications to other airspace users then you need a
   **range control licence.**
- If you want to operate a spaceport i.e., a site from which spacecraft or carrier aircraft can be launched or a site at which controlled and planned landings of spacecraft can take place then you need a **spaceport licence**. If you are proposing to host launches on a ship or platform at sea within UK territorial waters, you don't need to apply for a spaceport licence. However, the launches would still be regulated under the SIA and Space Industry Regulations. You are strongly advised to contact the CAA spaceflight team about your proposals as early as possible, by emailing <u>commercialspaceflight@caa.co.uk</u>
- 1.4 If you want to carry out different licensed activities for example, to operate a spaceport and provide range control services you will need to apply for separate licences for each activity.

# Chapter 2 How to get a licence

- 2.1 To get any of these licences, you need to apply to the CAA. We are the UK's spaceflight regulator. There is no charge for applying for a range control, spaceport, launch operator or return operator licence. There is a charge for applying for an orbital operator licence (see the <u>CAA Scheme of Charges:</u> <u>Spaceflight</u> for the latest fees).
- 2.2 The application process is slightly different for each licence type, but there are some core requirements.
- 2.3 This guidance document explains what those core requirements are and what applicants need to do to meet them. It also tells you about how we will assess your application and how long an application can take.
- 2.4 There are then further requirements by licence type, which are covered in the guidance documents for applying for that type of licence.
- 2.5 This document is written for people and organisations applying for all types of licence under the SIA.

# Our approach

- 2.6 As the regulator we enable space activities which are safe for the public, in line with UK national security and interests and meet the UK's international obligations.
- 2.7 To do this, we review a range of information about your organisation and the space activities you want to undertake. We need to understand how you propose to undertake those activities, and what steps you will take to ensure that the risks associated with the activities are as low as reasonably practicable. We know that there are lots of different approaches, so we examine each application individually, focusing on the outcomes you are trying to achieve and how well you demonstrate you can achieve those.
- 2.8 We are keen to help applicants provide the right information. So, we strongly encourage you to contact us before you apply and talk to us about your plans. In this pre-application phase, we can provide a range of support and guidance, including workshops on key aspects of the application.

Contact us by emailing <a href="mailto:commercialspaceflight@caa.co.uk">commercialspaceflight@caa.co.uk</a>

- 2.9 Once you have applied, we will still seek to work with you. For example, we are likely to ask you additional questions about your proposals. We may want to examine documentation, visit sites, see prototype launch vehicles or get demonstrations of technology and systems you propose to use. Our rights to do this are set out in the SIA and Space Industry Regulations 2021. We will treat all information you give us as commercially sensitive. You can also continue to ask us questions.
- 2.10 Once you get a licence, we will conduct regular monitoring and inspections to check everything is going as planned for your space activities. We do have enforcement powers, which we can use if we identify that anything is going ahead that was not in line with the approved plans, or where we have reasons to be concerned about safety.

# What you need to know

- 2.11 This document is intended for guidance only. You should read it alongside the <u>SIA</u>, the <u>Space Industry Regulations 2021</u> and the <u>Regulator's Licensing Rules</u> (CAP2221), plus the relevant guidance document for the type of licence you are applying for.
- 2.12 For full definitions of some of the terms used in this guidance, see the SIA and the Space Industry Regulations, in particular <u>regulation 2</u>. However, there are some definitions elsewhere in the SIA and the Space Industry Regulations.
- 2.13 This guidance focuses on what applicants and licensees are required to do under the SIA and Space Industry Regulations. Depending on what activities you are planning, you may also be required to meet requirements under other laws and regulatory regimes. We can highlight which other issues may be relevant to your activities during the pre-application phase, though we can't advise you on how to meet other regulators' requirements.
- 2.14 If your mission might affect other airspace users, you may need to apply for an airspace change, temporary restriction or Temporary Danger Area (TDA). Some proposals will need to be consulted on, and there may be fixed dates that determine when a change can be formally notified. Other national authorities may also need to be involved. It could take longer to successfully apply for an airspace change or restriction than for the space licence itself. The process to apply for an airspace change is managed by the CAA's Airspace Regulation Team and is set out in more detail in <u>The Process for Changing the Notified Airspace Design (CAP1616)</u>.
- 2.15 If you are a UK-based or registered organisation that is planning to launch, or procure the launch, of a space object outside the UK, you will need to comply

with the Outer Space Act 1986. If you already operate a satellite or space object under a licence issued under the Outer Space Act 1986, those operations will continue to be governed under that regime. You can find more information in <u>OSA Guidance for applicants (CAP2224)</u>

# Chapter 3 Applying for a licence: overview

## What you will need to do

- 3.1 To apply for any licence under the SIA, you will need to:
  - complete the online application form, including providing details of your company's legal status, financial and technical resources. The form is available through <u>https://portal.caa.co.uk/</u>. You have to register with the CAA to get access to the portal.
  - submit additional information about aspects of your operation. The information required varies between licence types.
  - provide information about the individuals who will be in certain key roles, known as prescribed roles, for your activities.
- 3.2 If you are applying for an orbital operator licence, you will also have to pay the application fee.
- 3.3 Some of the information required is straightforward factual information about your organisation. Other aspects are more complex, so you may want to speak to our team on these aspects before you submit your application.

Contact us by emailing <u>commercialspaceflight@caa.co.uk</u>

3.4 It's important to make sure you submit all the required information when you first apply. We conduct an initial assessment when we receive your application. Once we have conducted this assessment, we will let you know if anything is missing or if we have concerns.

#### Applying for a procurement-only operator licence

- For a procurement-only operator licence, you must complete the application form 'Orbital Operators/Procurement to launch', available at <a href="https://portal.caa.co.uk/">https://portal.caa.co.uk/</a>. You have to register with the CAA to get access to the portal.
- 3.6 Less information is required than when applying for an orbital operator licence. However, we strongly recommend that you submit the form at least six months ahead of when you require the licence.
- 3.7 Our assessment of your application focuses on the activities you would be procuring, rather than the in-operation stage (as a guideline, those activities from the integration of the satellite to its separation from the launch vehicle). However, we must also assure ourselves that launching the satellite would be in keeping

with the UK's international obligations and not contrary to UK national security or national interest. This may require you to provide us with details on certain operational and end-of-life considerations forming part of the mission.

3.8 To discuss a potential application for a procurement-only operator licence, please contact us by emailing <u>commercialspaceflight@caa.co.uk</u>

### Legislative background

- 3.9 <u>Section 8 of the SIA</u> (Grant of licences: general) explains that the regulator i.e., the CAA can grant a licence if it thinks fit, but only if it is satisfied that doing so:
  - will not impair UK national security
  - is consistent with the UK's international obligations, and
  - is not contrary to the national interest

and that:

- the applicant has the financial and technical resources to do the things authorised by the licence, and is a 'fit and proper' person to do them
- the persons expected to do, on the applicant's behalf, any of the things authorised by the licence are fit and proper persons to do them.
- 3.10 These criteria are largely addressed through the information you need to include in the online application form and are explained in more detail in this guidance.
- 3.11 Under <u>regulation 18 of the Space Industry Regulations</u>, you can only apply for a licence using the standard application form. This is available through our <u>secure</u> <u>portal</u>. You have to register with the CAA to get access.

# Chapter 4 Applying for a licence under the SIA: summary of requirements

- 4.1 This chapter details all the common requirements for applying for a licence under the SIA and provides some guidance on how to demonstrate you meet them.
- 4.2 If you have any queries about what you are required to do, or what evidence we need to see, we strongly encourage you to contact us **before** you submit your application. We can provide a range of support and guidance to help you provide the right information.

Contact us by emailing commercialspaceflight@caa.co.uk

4.3 We treat all information that you share with us pre-application, or send us as part of your application, as confidential.

#### Organisation details and legal status

4.4 You must provide details of your organisation's registered address and company registration number, or equivalent. You then need to provide details of your legal status, your executive officers, including providing certified copies of documents that prove their identity, and of individuals who will take up prescribed roles.

#### **Prescribed roles**

- 4.5 Prescribed roles are roles that have been identified as essential to fulfilling the requirements of a licence issued under the SIA. There are different prescribed roles for each licence type.
- 4.6 You must nominate suitably competent and qualified individuals for each prescribed role. They don't have to be based in the UK, though security managers should normally have been living in the UK for at least three years.
- 4.7 <u>Regulations 7 to 11</u> set out the prescribed roles for each licence, along with the duties for each role.
- 4.8 **All** applicants must appoint an accountable manager and provide details of the person nominated for this role.
- 4.9 If you are applying for a **launch operator licence**, you must also provide details of who will fulfil the following prescribed roles:
  - Launch director
  - Safety manager

- Security manager
- Training manager.
- 4.10 If you are applying for a **range control licence**, you must also provide details of who will fulfil the following prescribed roles:
  - Range operations manager
  - Range safety manager
  - Security manager
  - Training manager.
- 4.11 Before starting their licensed activities, launch operator and range control licensees must apply for approval of their training managers. You can do this alongside your application or after you get a licence.
- 4.12 If you are applying for a **spaceport licence**, you must also provide details of who will fulfil the following prescribed roles:
  - Safety manager
  - Security manager.
- 4.13 If you are applying for a **return operator licence**, you must also provide details of who will fulfil the following prescribed roles:
  - Safety manager
  - Security manager, if your proposed activities may give rise to an issue of national security.
- 4.14 If you are applying for an **orbital operator licence**, you must also provide details of who will fulfil the following prescribed roles:
  - Security manager, if your proposed activities may give rise to an issue of national security.
- 4.15 Broadly, operations are likely to give rise to issues of national security where:
  - sensitive or classified information is involved, or
  - where the operator, the asset being licensed, or the mission management facility are designated as critical national infrastructure.
- 4.16 The decision of whether activities may give rise to an issue of national security is made through the UK Space Agency (UKSA). It will be made as soon as possible during the application process, so you have sufficient time to identify a security manager.

4.17 You can normally nominate the same person to take on more than one prescribed role, if that person is sufficiently competent to fulfil all the roles. The one exception is that a launch director for a launch operator **cannot** also undertake the role of safety manager.

#### Fit and proper persons

- 4.18 You need to show that anyone nominated for a prescribed role or who is an executive officer or director is a 'fit and proper' person (see section 8(3) of the SIA). To do this, you must provide, for each of these individuals, a document that:
  - summarises their qualifications and employment history/academic career, covering at least the previous five-year period
  - describes their post in your organisation, with a brief description of the responsibilities of that post
  - sets out any specific qualifications they hold that are directly relevant to their role.
- 4.19 If you have a Board of Directors, you are also required to provide a short biography of each member of the Board and a summary of how you appoint directors.
- 4.20 We will assess whether the individuals nominated for prescribed roles have relevant skills and experience for those roles. We can also check if there's any evidence that the person is not fit and proper, and can request interviews with individuals if we deem it necessary.
- 4.21 In some cases, individuals may need to undergo specific training or attain new qualifications to help them perform their role. You should include details of any such training that the individual will undertake by the time the licence is granted.

#### Evidence of training

- 4.22 <u>Section 18(4) of the SIA and the Space Industry Regulations set out various</u> requirements in terms of training and medical fitness for anyone involved in licensed activities. This includes a requirement, for most licence types, to compile a training manual.
- 4.23 In your application, you will need to provide some details of how you propose to meet these requirements.
- 4.24 If you are applying for a range control, launch operator or return operator licence, then, before you start your licensed activities, you must provide us with:
  - details of the person you propose to appoint as training manager

- the sections of the training manual that describe the training that will be provided to the individuals in prescribed roles.
- 4.25 We must approve the person you intended to appoint as training manager, and the relevant sections of the training manual, before you can start the licensed activities.
- 4.26 You can apply for these approvals when you apply for a licence, or once you have a licence, though we cannot grant approval until after we have granted a licence.
- 4.27 Because the training requirements differ by licence type, further information about the evidence you need to provide is set out in the relevant guidance on applying for each type of licence.

#### **Eligibility criteria**

- 4.28 In addition, you must confirm that the proposed licensee and all persons named as taking on a prescribed role meet the eligibility criteria set out in <u>regulation 6</u>. These relate to the financial standing of individuals with key roles and responsibilities in the organisation that is applying. This is a straightforward factual declaration. You are also asked to provide details of what checks you have done around this.
- 4.29 If the proposed licensee is a corporate body (i.e., a limited company or limited liability partnership), the eligibility criteria in regulation 6 also apply to directors (or members, in the case of a limited liability partnership), senior managers or company secretaries and anyone acting in a similar capacity.
- 4.30 We will carry out an independent check of relevant records before assessing the application further. If any individual does not meet the eligibility criteria, we are not allowed to grant a licence. Your application may not be rejected, but you will have to nominate another individual to the role.

#### Organisational information: financial and technical resources

- 4.31 Under <u>section 8(3) of the SIA</u>, we are not permitted to grant a licence unless we are satisfied that the applicant has the financial and technical resources to do the things authorised by the licence.
- 4.32 You must therefore show us that you have the financial resources and insurance arrangements to undertake the proposed activities. We ask to see documents such as:
  - most recent internal management accounts
  - audited accounts for the previous financial year
  - revenue and expenditure forecasts

- a description of the applicant's relationship with other parts of the corporate group.
- 4.33 The full list of requirements are in the <u>Regulator's Licensing Rules (CAP2221)</u>.

#### Insurance

- 4.34 As set out in <u>sections 34-38 of the SIA</u>, all operator licensees are required to:
  - indemnify the UK government for any claims for third-party damage brought against the government which arise from their licensed space activities, and
  - insure their organisation against third-party liabilities arising from the licensed activity.
- 4.35 The level of cover required will depend on the proposed activities and should be based on a risk assessment.
- 4.36 The CAA and UK government must be named as additional insured on the insurance policy.
- 4.37 There is no requirement for spaceport licensees or range control service providers to obtain such insurance, though you may wish to obtain some form of insurance cover in relation to space activities.
- 4.38 Further details about the insurance requirements can be found in the separate document <u>Guidance on insurance requirements and liabilities under the Space</u> <u>Industry Act 2018 (CAP2218)</u> and at <u>https://www.caa.co.uk/space/guidance-and-resources/insurance-and-liability/</u>

#### Technical capabilities and resources

- 4.39 You must also demonstrate that you have sufficient technical capabilities and resources to carry out the planned activities adequately. This may include demonstrating that you employ or have access to technically competent people with the requisite skills, experience and qualifications.
- 4.40 The requirements for demonstrating technical resources are specific to each licence type and to the proposed activities.
- 4.41 In assessing your technical resources, it is likely that, after reviewing your written application, we will ask to carry out visits and inspections of sites, facilities and equipment.

#### Use of agents

- 4.42 In relation to the SIA, agents are third parties who are appointed by a licensee to carry specific activities on their behalf.
- 4.43 Agents don't need to apply for a separate licence, if the activities are or will be covered by the licence you are applying for.

- 4.44 However, if you are planning to use agents, you must provide details of them in your application, including:
  - a detailed description of the spaceflight activities that the agent will carry out and evidence that the agent is capable to carry out the activities, and
  - any applicable agency contracts.

# Requirements related to UK national security, international obligations and UK national interest

- 4.45 Under <u>section 8(2) of the SIA</u>, before granting a licence, we must be satisfied that granting a licence to you:
  - will not impair UK national security
  - is consistent with the UK's international obligations, such as those under the <u>Outer Space Treaty 1967</u>, and international commitments, such as those under the <u>Missile Technology Control Regime</u>, and
  - is not contrary to the national interest.
- 4.46 You will need to complete a questionnaire which explores how your proposed activities will affect UK national security concerns. Questions cover issues such as potential influence from third parties, access to technology and intelligence, reconnaissance, and surveillance issues. Your answers to the questionnaire are reviewed by the UK Space Agency (UKSA). Depending on your answers and the nature of your proposed activities, the UKSA will work with the National Cyber Security Centre (NCSC), National Protective Security Authority (NPSA) and Ministry of Defence (MOD) as part of the assessment.
- 4.47 As part of the licence application, you must also provide information about the/your business structure and in particular any foreign ownership or the participation of foreign entities. More details of the specific information required is set out in the <u>Regulator's Licensing Rules (CAP2221)</u>.

#### Requirements related to safety and security

- 4.48 Our primary duty as regulator is to ensure that space activities in the UK are carried out as safely as possible for the public, in line with UK national security and interests and the UK's international obligations.
- 4.49 In support of this, all applicants are required to demonstrate how they have considered safety in their proposed activities, with a view to making the safety risks associated with their activities as low as reasonably practicable.
- 4.50 This has to be done in different ways for different licence types.

- 4.51 For example, if you are applying for a **launch operator licence, return operator licence** or **spaceport licence**, you must, among other things, prepare a safety case, which explains how you have identified risks associated with your activities and the measures you have taken, or will take, to make those risks as low as reasonably practicable.
- 4.52 If you are applying for a **range control licence** or **orbital operator licence**, you must answer a technical question set that provides us with sufficient information about how you have addressed, or will address, safety risks related to your activities.
- 4.53 All applicants are also required to protect space sites, spaceflight operations and the technology they are using from any form of interference that could affect their ability to undertake licensed activities safely. This is where security and safety are linked.

#### **Cyber security**

- 4.54 To this end, all applicants must submit a draft cyber security strategy for your proposed activities, and the cyber security risk assessment on which the strategy is based. The cyber security strategy should be appropriate and proportionate for the risk and the type of systems operated.
- 4.55 For further details, read <u>Guidance on Cyber Security Strategies for applicants</u> and licensees (CAP2535).
- 4.56 This information should not be submitted as part of your application, but via a suitable means for handling such information. We will discuss this with you.

#### Physical and personnel security

- 4.57 As set out in paragraphs **4.9-4.13**, all applicants for a launch operator licence, spaceport licence and range control licence must appoint a security manager. If you are applying for an orbital operator licence or return operator licence, and your proposed activities may give rise to an issue of national security, you must also appoint a security manager.
- 4.58 Any applicant who is required to appoint a security manager must submit, as part of your application, details of the individual you propose to appoint, plus:
  - a draft security programme
  - the security risk assessment on which the programme is based

- 4.59 Applicants for a spaceport licence must also submit a site plan, including proposals for any security restricted and controlled areas.<sup>1</sup>
- 4.60 The security manager will also be required to undergo relevant UK security vetting.
- 4.61 If you intend to bring equipment or material into the UK for use in your space activities, which requires an export licence from the country where the equipment is coming from, (for example, an export licence granted by the US Government to export equipment from the US to the UK), you must supply a copy of the export licence,<sup>2</sup> or information relating to the progress of an application for an export licence, within your application. The <u>Guidance on security matters for applicants and licensees (CAP2217)</u> provides further information on requirements for companies using US technology and data to launch from the UK.

#### Assessment of environmental effects

 If you are applying for a launch operator or spaceport licence, you must submit an assessment of environmental effects. For details of what is required, see the separate <u>Guidance for the assessment of environmental effects (CAP2215)</u>. There is no requirement to complete an assessment of environmental effects for other licence types.

<sup>&</sup>lt;sup>1</sup> Security restricted areas include all areas at space sites designated for range control services, including where tracking systems, surveillance systems, telemetry systems and meteorological equipment is stored. Controlled areas are space site security restricted areas, that have been designated as such, where US technology, data and equipment is being used, and US launch activity is taking place.

<sup>&</sup>lt;sup>2</sup> For example, in the United States, articles specifically designed or otherwise intended for military end-use are subject to the US International Traffic in Arms Regulations (ITAR) and described in the United States Munitions List (USML) or the Missile Technology Control Regime (MTCR) Annex. Other items not specifically listed in the USML, but with the capability to be used for either civilian or military purposes, are considered "dual use" and controlled under the US Export Administration Regulations (EAR).

# Chapter 5 How the CAA manages your application

5.1 When we get your application, we will assign a case manager as your primary point of contact throughout the application process. They will stay in touch with you regularly and you can ask them any questions you have. If you have already engaged with us before you submit your application, you may already know your case manager.

#### Initial assessment

- 5.2 We conduct an initial assessment when we receive your application to ensure that all the required information is there. Once we have conducted this assessment, we will meet with you and let you know if anything is missing or if we have concerns.
- 5.3 Based on our initial assessment, you will receive one of three responses:
  - PROCEED you've submitted all the information we need and can progress to full assessment. IMPORTANT: This does not mean your application is approved.
  - PAUSE what you've submitted so far isn't sufficient. We'll let you know why. It may be just that some information is missing, or more detail is required in specified areas.
  - **REJECT** your application cannot meet the legislative requirements for a licence to be granted.
- 5.4 If we request further information, or pause your application, we'll agree a schedule with you for your response (i.e., by providing the missing information or addressing the issues we have identified as not suitable/sufficient). We'll tell you what happens next once we receive the extra information.
- 5.5 If you do not submit the further information we have requested within six months of the meeting date, you may have to restart the application process. That means that any future applications would be treated as new applications and need to start again with a full initial assessment.

#### Full assessment

5.6 The full assessment typically takes up to 16 weeks, but timelines will depend on the complexity of your application and the quality of the documents and evidence you provide. In this phase, we examine whether your application meets the legislative requirements. If we find there are discrepancies or missing information as we review your application, we will 'stop the clock' on our assessment whilst waiting for your response.

- 5.7 We also consider whether we should put any conditions on a licence, if we decide to grant it. <u>Schedule 1 of the SIA</u> includes a list of examples of conditions, but this is not exhaustive. The actual conditions included in a licence will vary depending on the operation planned and the type of licence issued.
- 5.8 As well as examining all the material you have submitted, we can also:
  - ask you for additional information
  - ask to inspect any site, facility, equipment, or craft such as the launch vehicle and carrier aircraft that you propose to use
  - request interviews with key personnel.
- 5.9 We'll send you any requests in writing, with timescales for responding. It's your responsibility to comply with these requests within the timescales.
- 5.10 If we come to inspect a site or equipment, you are expected to help us by doing things like:
  - demonstrating equipment
  - disassembling equipment
  - ensuring relevant personnel are on hand to answer any questions
- 5.11 We're allowed to take samples, photographs and measurements when conducting any inspections. Under <u>regulation 19(6)</u>, we can also take copies of any additional documents you share with us at this stage and record interviews.
- 5.12 When we're considering your application, regulation 19(6) also gives us the authority to disclose information relating to your application to:
  - the Secretary of State
  - a person acting on behalf of a country which is a party to an agreement with the UK, for the purposes of consulting that country about the application
  - the Space Accident Investigation Authority, or any other national or international body investigating spaceflight accidents, for the purposes of obtaining information about any safety recommendations relevant to your proposed activities
  - any person consulted under <u>section 13(6) of the SIA</u> (conditions of licences) or any other person consulted about conditions to be included in the licence

- any other public authority or international organisation responsible for regulating any aspect of spaceflight activities
- a person who we are asking to conduct a technical assessment of your proposed activities, or to provide legal advice about them.
- 5.13 They will be expected to treat any information we disclose to them for this purpose as confidential.
- 5.14 We can only disclose US technical data with the consent of the US Government, after consultation with the Secretary of State. US technical data is defined in the Technology Safeguards Agreement (TSA), which is the agreement between the UK and US governments on technology safeguards associated with US participation in space launches from the UK.

#### Withdrawing your application

- 5.15 If for any reason, you wish to withdraw an application for a licence before we have made our decision, you can do so. You need to send us notice in writing.
- 5.16 If you withdraw an application, we will expect you not to submit a similar application soon after, unless you can provide reasonable justification for this.
- 5.17 If you withdraw an application for an orbital operator licence, you will not get a refund on the application fee. You will also not be permitted to transfer the payment to another application.

#### **Deciding on your application**

- 5.18 If we are satisfied that criteria set out in <u>sections 8 (2) and (3) of the SIA</u> are met, we can grant a licence. However, we do have the right to reject an application even if these criteria are met.
- 5.19 For launch operator and spaceport licences, we must also:
  - be satisfied that the relevant safety criteria are met (section 9 of the SIA for launch operators, section 10 of the SIA for spaceports).
  - take into account the assessment of environmental effects (under section <u>11 of the SIA</u>) in deciding whether to grant the licence and what conditions should be attached to the licence.
- 5.20 Your case manager will present the conclusions of our review of your application to our space leadership team. Our Head of UK Space Regulation makes the final decision on any licence application and proposed conditions.
- 5.21 After we've completed our assessment, we check if the licence conditions are contrary to the interests of government departments and other agencies. This is a statutory consultation and it will take four weeks. Consultees include the

Department for Transport (DfT) and the Office for Nuclear Regulation. You can also comment on the proposed conditions at this stage.

5.22 If there are no objections from the statutory consultation, we then must get consent from the Secretary of State to grant the licence. For launch and return, range and spaceport licences we seek consent from the Secretary of State for Transport. For orbital licences, consent is delegated from the Department for Science, Innovation and Technology (DSIT) to the UK Space Agency.

#### **Granting a licence**

- 5.23 We will write to you to inform you of our decision.
- 5.24 If your licence has been granted, you will be sent the licence (electronic or paper format). The licence will set out any conditions we have placed on the licence. We will also provide written reasons for including those conditions.
- 5.25 We will also send you a reporting plan to support our ongoing monitoring of your licensed activities. The reporting plan will detail what information you are required to send us and when. This is in addition to general reporting requirements under the SIA and Space Industry Regulations. Further details of these general reporting requirements and the other duties you will have as a licensee are set out in <u>Working with the regulator as a licensee under The Space Industry Act 2018 (CAP2214)</u>.
- 5.26 The licence is effective immediately from the date of the grant of the licence, or as otherwise stated in a condition on the licence. Spaceport, launch and range operator licences granted under the SIA do not expire. The duration of an orbital licence granted under the SIA or OSA will be set out in the licence.
- 5.27 We will publish spaceport operator, launch and return operator and range control services licences, and the associated reporting plans, on our website. We aim to do this within six weeks of being granted. Details of satellites licensed and registered by the UK are published on our website in the UK register of space objects.
- 5.28 If your application has been refused, we will write to you to confirm this and explain why.
- 5.29 Under <u>section 60 of the SIA</u> and <u>Schedule 10</u>, you can appeal against:
  - a decision to refuse an application for a licence
  - a decision to grant a licence subject to conditions.
- 5.30 The Space Industry (Appeals) Regulations apply in such cases. For further details, see the separate document <u>Guidance on appealing decisions made</u> <u>under the Space Industry Act 2018 (CAP2216)</u>.

#### How long does it take?

5.31 Because every application is slightly different, we cannot give an exact time for how long it will take us to consider your application. However, to help you plan, Figure 1 shows the **minimum times** we will need to assess your application, from the time we receive it to notifying you of our decision.

	•	Application submitted
		9 months
	LAUNCH	Stages for licensing: Initial screen, assessment for compliance with seven legislative tests, statutory consultation and SoS consent
SIA	A	9 months
	SPACEPORT	Stages for licensing: Initial screen, assessment for compliance with seven legislative tests, statutory consultation and SoS consent
		6 months
l	RANGE	Stages for licensing: Initial screen, assessment for compliance with five legislative tests, statutory consultation and SoS consent
A/OSA	<b>(</b>	6 months 12 months for novel missions
ß	ORBITAL	Stages for a permission: Initial screen, assessment for compliance with six legislative tests, statutory consultation and SoS consent
ANO	<del>S</del> i}	16 weeks
	LARGE ROCKET	Stages for licensing: Initial screen, safety case assessment, final review

#### Figure 1: Minimum times to process SIA licence applications

5.32 Based on these timings, we recommend that you submit your application well in advance of the dates you plan to start your proposed activities.