

# Working with the regulator as a licensee under The Space Industry Act 2018

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## Chapter 1

# Introduction

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- 1.1 Under the Space Industry Act 2018 (SIA), if you want to carry out space activities, suborbital activities, and associated activities in the UK, you must get a licence, by applying to the Civil Aviation Authority (CAA). We are the UK's spaceflight regulator.
- 1.2 As well as granting licences, we are responsible for ensuring that spaceflight activities in the UK are conducted as safely as possible for the public, in line with UK national security and interests and the UK's international obligations.
- 1.3 Once you have a licence, you then have various duties and responsibilities as a licensee, to ensure you are working in line with the SIA, the Space Industry Regulations and any conditions stated on your licence. As the regulator, we monitor this. This guidance document explains what duties you will have and why. It also explains what you can expect from us in terms of monitoring – including information we will require from you and inspections we can carry out.
- 1.4 The exact monitoring will vary between licensees, depending on the nature and scope of your activities. There is further information on the specific duties and responsibilities associated with each type of licence in the corresponding guidance documents.
- 1.5 Our aim is to work constructively and positively with all licensees, to help you conduct your space activities safely and successfully. However, we have a range of 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.
- 1.6 For more information on our enforcement powers under the SIA and the Space Industry Regulations 2021, and how we use them, read our [Spaceflight enforcement policy \(CAP2987\)](#).

## What you need to know

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- 1.7 This document is intended for guidance only. You should read it alongside the [SIA](#), the [Space Industry Regulations](#) and our [Spaceflight enforcement policy](#).
- 1.8 For full definitions of some of the terms used in this guidance, see the SIA and the Space Industry Regulations, in particular [regulation 2](#). However, there are some definitions elsewhere in the SIA and Regulations.

## Chapter 2

## What you can expect from us

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### Our approach

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2.1 Our approach to the regulation of spaceflight activities is based on the same five principles that underpin our approach to regulation of aviation:

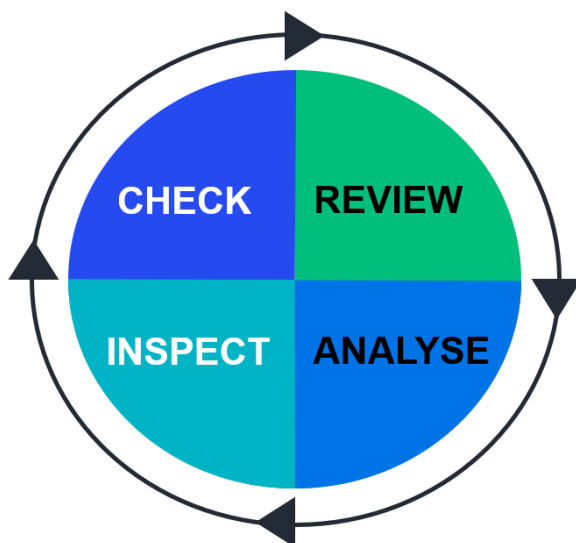
- Understanding and addressing risk
- Delivering unique value
- Acting proportionately
- Engaging proactively and transparently
- Acting on our combined insight

You can [read more about these principles on our website](#).

2.2 We also adhere to the [Regulator's Code](#).

2.3 Our spaceflight regulation is outcome-based and pragmatic, reflecting our role in supporting the growth of the space industry in the UK as well as our core duties under the SIA – in particular, the duty to exercise our functions as regulator with regard to spaceflight activities with a view to securing public safety.

2.4 Monitoring consists of four key elements, shown in figure 1 below, which we apply proportionately for each licensee, on an ongoing basis while their licence is current.



**Figure 1: Our monitoring approach**

- 2.5 For example, we might:
- **check** that you have the necessary insurance in place for your activities
  - **review** the content of your safety operations manual or training manual
  - **analyse** data you provide us about recent testing or environmental impact
  - **inspect** facilities that are to be used for mission management.
- 2.6 One aspect can lead to another: we might wish to check that you have completed an action identified as necessary during an inspection.

## Reporting plan

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- 2.7 To enable us to understand and address risk, we require a range of information from licensees about their ongoing activities, after they have been granted a licence.
- 2.8 The information we will require depends on your licence type and licensed activities. For example, if you were licensed to conduct, host or provide range control services for multiple launches, you will be required to provide us with the dates and details of each specific launch, once these are known.
- 2.9 When we grant a licence, we will send you a reporting plan<sup>1</sup> that sets out the information we need from you and when you must provide it. You can [see an example of a reporting plan on our website](#), but your reporting plan may have more, or fewer, requirements.
- 2.10 Complying with your reporting plan will be a condition on your licence.
- 2.11 If you have any queries about reporting requirements, please contact us as soon as you get your reporting plan, so we can clarify what's required. Email [commercialspaceflight@caa.co.uk](mailto:commercialspaceflight@caa.co.uk).

## Inspections and site visits

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- 2.12 A central part of our monitoring is conducting inspections and site visits, so that we can see how your activities are progressing and ensure you have met and continue to meet any licence conditions that must be fulfilled before the licensed activities can start. We can ask to inspect any site, facility, equipment, or craft such as the launch vehicle and carrier aircraft that you propose to use for spaceflight activities. We appoint inspectors to do this.
- 2.13 Inspections are typically led by a senior space inspector, who will hold a warrant card or authorisation document from us. Senior space inspectors can be

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<sup>1</sup> In the first licences issued under the SIA, the reporting plan was described as an “oversight and monitoring plan.”

supported by other inspectors with specific technical expertise as required, who may not have a warrant card.

- 2.14 Inspectors have a range of powers to enable them to do their work. These include being able to examine relevant items while they are on site, take photographs and samples, and request documents and further information. They can take materials off site for further examination.
- 2.15 You are legally required to give inspectors the access they request and not obstruct them in their work.
- 2.16 Inspectors will, where possible, give you advance notice of any inspection. However, if there is a situation which in the inspector's opinion may be dangerous, or where delay might be prejudicial to public safety or UK national security, they can demand to access a site at ANY time and be granted access without delay.

### **What happens during an inspection**

- 2.17 Inspections can be in person or virtual. Over the course of your licensed activities, you are likely to have both types.
- 2.18 The inspector will send you a proposed agenda in advance. If for any reason you think it would be better to change the order of the items on the agenda (e.g. so that the right people can be present at the right time), please let us know as soon as possible.
- 2.19 All inspections will start with an opening meeting, where the inspector will set out the aims of the inspection. They will end with a closing meeting, where the inspector will sum up their findings and advise you of any actions that you should take. If the inspector intends to issue a notice of any sort or proposes enforcement activity, they will tell you at this meeting. Key members of your team – such as the accountable manager – should attend both meetings.
- 2.20 During the inspection, you are expected to help inspectors by doing things like:
- demonstrating equipment
  - disassembling equipment
  - ensuring relevant personnel are on hand to answer any questions.

### **Frequency of inspections**

- 2.21 The number and frequency of inspections will vary between licensees, reflecting your activity and progress. As a broad principle, licensees conducting more complex or novel operations, or undertaking higher-risk activities, are likely to be inspected more frequently than those conducting more straightforward operations.

- 2.22 If we have any reason to be concerned about safety or non-compliance, inspections may be more frequent.
- 2.23 Also, if for any reason we were not able to address all the matters we wanted to cover in an inspection, we are likely to want to return soon.

### The inspector's power to issue notices

- 2.24 Under the SIA and Space Industry Regulation, inspectors have the powers to issue:
- contravention notices (see [regulation 247](#))
  - warning notices (see [regulation 248](#))
  - prohibition notices (see [regulation 249](#)).
- 2.25 An inspector can issue a contravention notice if they believe that a licensee has contravened, is contravening, or is conducting an activity that is likely to contravene licence conditions or provisions of the SIA or the Regulations. The contravention notice will stipulate what the contravention is and specify the time period for resolving the issue. In some instances, the inspector may set out the measures needed to bring the activity back into compliance.
- 2.26 If the licensee fails to comply with a contravention notice, the inspector can issue a warning notice. This will stipulate the time period for rectifying the issue(s) and may also set out the measures needed to bring the activity back into compliance.
- 2.27 If
- a person fails to comply with both the contravention and warning notices, or
  - the inspector has determined that there is a risk to public safety or national security
- the inspector can issue a prohibition notice. Anyone receiving a prohibition notice must stop all activities specified in the notice. The prohibition notice will provide details of what has caused the notice to be issued and the period over which it applies, including when the notice takes effect.
- 2.28 Though notices will typically be issued in this sequence, inspectors can issue prohibition notices without a prior contravention or warning notice, if they believe there is a significant risk to safety or national security.

### Stop notices

- 2.29 In addition to inspectors' notices, we can also issue stop notices under [regulation 265](#). A stop notice is an instruction from the CAA to **immediately** stop a specified activity until such time as the steps specified in the notice have been carried out.



- 2.30 We will issue stop notices if we are concerned that an activity is causing, or is likely to cause, serious harm to people or property and will result, or is likely to result, in an offence being committed in relation to the activity.

### Rights to appeal

- 2.31 Under [section 60 of the SIA](#), you are entitled to appeal against a prohibition notice or stop notice.
- 2.32 [Schedule 10 of the SIA](#) provides more details on the right to appeal. The [Space Industry \(Appeals\) Regulations](#) apply in such cases and there is a separate guidance document explaining the appeals process.
- 2.33 During any appeal process, operations can continue on a site related to the appeal, unless a specific enforcement notice prohibiting certain activities has been issued.

## Legislative background

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- 2.34 Our primary duty under the SIA is to exercise the regulator's functions with a view to securing public safety (see [section 2](#)), the SIA gives us the power to do anything we feel appropriate to that end. The specific requirements for us to monitor licensed activities are set out in [Section 26 of the SIA](#). This makes clear that monitoring is for the purposes of:
- securing compliance with the SIA and Space Industry Regulations and with any conditions of licences, whether those are required to be met before licensed activities can commence (these conditions are known as “conditions precedent”), or while the licensed activities are being undertaken
  - securing compliance with the UK's international obligations
  - protecting public safety and national security.
- 2.35 [Part 14 of the Space Industry Regulations](#) provides further details on how we will monitor licensed activities. It also sets out the role and powers of inspectors and how we will use, share and protect information we gather in our monitoring.
- 2.36 [Part 16 of the Space Industry Regulations](#) covers the licensee's duty to report occurrences, which is examined in chapter 3 of this guidance. Part 16 includes a full definition of occurrences and sets out how we have to respond to any occurrence reports.
- 2.37 Additional duties relating to different licence types are addressed in sections of the Space Industry Regulations that refer to that licence type. For example, the requirement for launch and return operators to review their safety cases are set out in chapter 3 of [Part 8 of the Regulations](#), “[Safety of operator's spaceflight activities](#)”. Regulation 81 then stipulates that before a licensee can implement

any changes to their safety case, we must review it and confirm in writing that we accept it.

- 2.38 Our enforcement powers under the SIA are covered over a number of sections, starting at [section 27 of the SIA](#) which relates to our power to give directions. [Sections 51-59](#) of the SIA cover offences and the potential civil sanctions.

## Chapter 3

## What we expect from you

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- 3.1 Under the SIA, all licensees must:
- provide us with information about your licensed activities
  - keep records of, and in relation to, licensed activities
  - report occurrences.
- 3.2 We need this information to check you are continuing to operate in line with the terms of your licence and to protect public safety and national security. We therefore expect you to communicate with us in a timely way, using the correct channels and methods.
- 3.3 As well as these core reporting requirements, you must also inform us of any proposed changes to your licensed activities that affect (or might affect) the basis on which we granted the licence. For example, this could mean changes to the safety case, or in key personnel.
- 3.4 We also expect you to participate fully in inspections.
- 3.5 If you have any queries about what you are required to do, please contact us BEFORE any reporting dates. This will allow us to provide further details so you can comply with the requirement rather than us needing to take enforcement action.

You can contact us by emailing [commercialspaceflight@caa.co.uk](mailto:commercialspaceflight@caa.co.uk).

### Your responsibility to provide information to us

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- 3.6 We use information you provide us, to check you are continuing to operate in line with the terms of your licence. You are responsible for providing the correct information, in the right formats, at the right time.
- 3.7 The information you must provide us will depend on your licence type and licensed activities. For example, if you were licensed to conduct, host or provide range control services for multiple launches, you will be required to provide us with the dates and details of each specific launch, once these are known.
- 3.8 The guidance on each licence type sets out the kind of information the regulator will expect to see as part of its core monitoring. For example, a launch operator may be required to confirm launch dates and mission information and details of payloads, which were only indicative at the application stage. Similarly, a licensed spaceport may be required to confirm the details of the launch vehicles

that will launch from the spaceport, while an orbital operator may be required to confirm details such as the launch date.

- 3.9 However, we can request almost any information from you as long as it is relevant to monitoring duties.
- 3.10 We will set out the information we require from you in a reporting plan, issued with your licence. This may also include specific dates for when information must be provided, or a schedule that is related to the licensed activities (e.g. two weeks before launch, post launch, etc). The reporting plan will also state how often we need information. For example, we may request certain information is provided to us on an annual basis.

You can [see an example of a reporting plan on our website](#), but your reporting plan may have more, or fewer, requirements.

- 3.11 If you do not meet the information reporting requirements in time, we can take enforcement action.
- 3.12 Different licensees may be required to provide very similar information. For example, for a launch involving a payload, the launch operator, orbital operator and spaceport licensees may all need to provide us with information about the scheduled launch and mission. It is NOT sufficient for one licensee to simply point us to the information submitted by another. However, licensees are welcome to submit similar information, and to work together to ensure the information they submit is consistent where this is relevant.

## Information notices

- 3.13 In addition to the existing reporting requirements, we can also issue information notices requiring you to provide us with specific information, by a certain date.
- 3.14 Information notices are typically used:
- **either** to request similar information from all licensees in a certain category, in response to external factors
  - **or** as an escalation measure, where a licensee has not adhered to an existing reporting requirement.

### Example

Following an incident during a launch in which a navigation system failed, we could write to all launch operator licensees asking them to confirm in writing, within seven days of receiving the request, whether they are intending to use the same system for any subsequent UK launches. If one or more licensees did not respond in the required period, we could issue an information notice to these licensees.

- 3.15 If licensees do not respond to an information notice in the correct way, we can take additional enforcement action.

### Changes to information used in your application

- 3.16 If there has been a material change in any of the information submitted as part of the licence application, then you must inform us in writing as soon as possible after the potential change becomes known. You will need to provide details of what has changed and why.
- 3.17 Where you intend to change any aspect of the safety case, you must submit a full updated safety case for us to review. We recommend that you clearly indicate which sections of the safety case have been updated. You must not make any changes to your activities until we have confirmed in writing that we accept your revised safety case.
- 3.18 Other examples of material changes include:
- changes to personnel in prescribed roles, where we have to approve the incoming individuals
  - changes to organisational structure and ownership, particularly if this results in increased foreign ownership
  - changes to training programmes.
- 3.19 We will evaluate the information you provide us, to ensure that the planned activities are still compliant with the licence and any conditions that were attached to it. This helps us fulfil the UK's international obligation to supervise space activities under its jurisdiction.
- 3.20 If we become aware of material changes that you have not informed us of, we can take enforcement action, including to stop you undertaking licensed activities until we have had the chance to assess the impact of the change.

### Your responsibility to keep records

- 3.21 All licensees are expected to retain comprehensive records of all their licensed activities, throughout the licence period and for three years after the licence has expired. Doing so will also help comply with the duty to provide information to us.
- 3.22 There are additional record-keeping requirements in relation to training. These apply particularly to launch operator licensees and range control licensees, who are required to appoint a training manager.
- 3.23 Further, under [regulation 103](#), launch operators and return operators must keep certain records relating to their spaceflight activities. These include:

- records of all communications during spaceflight activities between the mission management facility or ground control at the spaceport and the range control service provider, the spaceport licensee, relevant meteorological service providers, relevant air navigation service providers, and relevant emergency services
- records of their correspondence with us before launch and during the operator's spaceflight activities
- reports of maintenance work carried out on communication and recording systems used to make the records referred to, and of checks made to such systems to ensure the launch vehicle is fit for the operator's spaceflight activities.

For a full list of the duties for launch and return operators to retain such records, see [regulations 102-103](#) and the separate [Guidance for launch operator and return operator licence applicants and licensees \(CAP2213\)](#).

- 3.24 Other licensees should also retain similar records of communication, correspondence and maintenance work.
- 3.25 If licensees fail to provide evidence of adequate record-keeping, we may take enforcement action.

## Your duty to report occurrences

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- 3.26 Under [Part 16 of the Space Industry Regulations](#), all licensees have a duty to report occurrences to us.
- 3.27 An occurrence is any spaceflight accident, a major accident, or any incident during or in preparation for licensed activities which, if not corrected or addressed, could result in a spaceflight accident or a major accident.
- 3.28 An occurrence in relation to orbital activities is any collision with another space object, any other event that generates space debris, or any incident during or in preparation for licensed activities which, if not corrected or addressed, could result in a platform failure, loss of control of the satellite or risk to other space objects. The full definition is set out in your licence.
- 3.29 Occurrence reports must be submitted in writing within 72 hours of the time at which the licensee became aware of the occurrence. They must include the information listed at [regulation 274](#) and categorise the occurrence using the categories A-E.
- A – occurrences related to ground preparations for spaceflight activities at a spaceport or other place from which such preparations take place

- B – occurrences related to the launch vehicle or any carrier aircraft, including a technical failure in such a vehicle or aircraft, during:
  - preparations for the launch from the time when that vehicle or its component parts or that aircraft or its component parts arrive at the spaceport or other place from which the launch is to take place or takes place, and
  - the operator’s spaceflight activities
- C – occurrences related to a technical failure in the mission management facility or ground control at the spaceport or other place
- D – occurrences related to a failure in the provision of range control services
- E – occurrences related to any human occupants [of a launch vehicle].

3.30 Occurrence reports are vital to our work, because they help to identify actual or potential problems. The sole objective of an occurrence report is the prevention of spaceflight accidents or major accidents, without the apportionment of blame or liability.

3.31 As soon as reasonably practicable after we receive an occurrence report, we will analyse it, compare it with any other relevant occurrence reports and consider whether we need to take steps to prevent or mitigate the risk of a spaceflight accident or a major accident occurring.

3.32 In response to an occurrence report, we can ask for further information, schedule an inspection or site visit, or where we deem it necessary issue a stop notice, requiring a licensee to stop their licensed activities immediately.

3.33 We will retain the occurrence report with a view to identifying any common trends of events, either for that individual licensee or across the scope of activities licensed under the Act.

3.34 If we become aware of an occurrence that a licensee did not report within the mandatory time period, we can take enforcement action.

3.35 Licensees should be aware that many occurrences should also be reported to the Health and Safety Executive (HSE) under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR). Guidance on RIDDOR and the types of [dangerous occurrences that are reportable](#) can be found on the [HSE website](#).

## Transferring a licence

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3.36 Under [section 15\(1\) of the SIA](#), it is possible to transfer a licence to a different organisation, with our written consent.

3.37 We can only grant consent if we are satisfied that the transfer:

- will not impair the national security of the United Kingdom
- is consistent with the international obligations of the United Kingdom
- is not contrary to the national interest

and that:

- the transferee has the financial and technical resources to do the things authorised by the licence, and is otherwise a fit and proper person to do them
- the persons who are expected to do, on the transferee's behalf, any of the things authorised by the licence are fit and proper persons to do them.

3.38 If you want to transfer the licence, you should write to us requesting consent for the transfer and provide relevant information about the transferee.

3.39 Before we can confirm the transfer, we must consult the Secretary of State.



## Chapter 4

# How we manage information

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- 4.1 In fulfilling our monitoring duties, we request and receive a wide range of information about spaceflight activities. We manage all information we receive sensitively and appropriately. We use standard UK Government information classifications, and have systems and processes designed for protecting information with higher classification requirements. All personal data is stored and processed in accordance with General Data Protection Regulation (GDPR) requirements, including the provision of appropriate technical and organisation security controls.
- 4.2 We also employ the principle of Least Privilege, which means that only approved roles are granted access to information, and only if they need that access to carry out their roles. Access is reviewed on a regular basis. There are strict requirements for personnel vetting and only staff with appropriate security clearance will be granted access.
- 4.3 All information stored with us is encrypted and we use secure information channels where necessary to communicate with licensees and other parties.

## Sharing information

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- 4.4 Under [regulation 253](#), information provided to us either in an application for a licence or in meeting ongoing monitoring requirements can be shared with:
- the Secretary of State
  - a qualifying health and safety authority
  - the Defence Safety Authority
  - any other public authority or international organisation responsible for regulating any aspect of spaceflight activities (for example, we share information about spectrum requirements with Ofcom, the communications regulator)
  - someone appointed by the Secretary of State to carry out regulatory functions under the SIA.
- 4.5 However, there are restrictions on us disclosing further any information which has been:
- obtained by us (or an appointed inspector) under the powers in [Part 14 of the Space Industry Regulations](#), or

- shared under regulation 253.

Such information is known in Part 14 as “protected information”.

4.6 We can only disclose protected information if:

- the person/body who provided the protected information gives their consent
- a public authority needs to disclose the information to comply with a duty
- the protected information has been sufficiently anonymised.

4.7 In practical terms, this means that the majority of information provided to us in support of our monitoring duty will not be disclosed further.

## Right to withhold information from us or an inspector

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4.8 As detailed in chapter 3, inspectors can request a range of information in undertaking their work, and you are required to comply with their requests. Similarly, we can issue information requests that licensees must fulfil.

4.9 The only exceptions are where documents or information are subject to:

- legal professional privilege, or
- a claim to confidentiality of communications.

4.10 In these two cases, you should let us know as soon as possible that you are withholding a document and confirm why.

4.11 Unless information falls into these two categories, there is no right for anyone to withhold any information on the grounds that it is restricted or sensitive.

**IMPORTANT:** Licensees also cannot withhold information on the basis that it relates to US technology and is therefore covered by [International Traffic in Arms Regulations \(ITAR\)](#) or export controls. ITAR may place restrictions on a US person, but the [UK-US Technology Safeguards Agreement](#) and associated Memorandum of Understanding (MoU) aim to ensure that US persons can provide information that the regulator and its inspectors will need.

## Confidential information and disclosure of confidential information following occurrences

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4.12 Our role in protecting public safety means we will sometimes need to obtain confidential information, including in relation to occurrence reporting. Because the purpose of occurrence reporting is to prevent future accidents, it may be necessary for us to disclose some such information, in some circumstances. This could include:

- any information referred to in occurrence reports (unless it has already been made public)
- material we have produced, or commissioned, to help in the analysis of the occurrence or the exercise of our powers referred to in [regulation 276\(1\)\(b\)](#)
- information and evidence about occurrences provided by the Space Accident Investigation Authority (SAIA)
- information and evidence about occurrences provided by any national or international body referred to in [regulation 277\(5\)\(h\)](#), and
- US technical data

4.13 [Chapter 6 of Part 16](#) of the Space Industry Regulations sets out how confidential information may be disclosed following occurrences. It covers:

- who may and may not disclose confidential information
- when US technical data may be disclosed (i.e. only with the consent of the Government of the United States after consultation between the regulator, the Secretary of State and the Government of the United States), to whom and for what purposes
- anonymity requirements that apply to persons preparing occurrence reports and any other person involved in an occurrence
- the extent to which the Chief Inspector of spaceflight accidents or the investigator-in-charge may refer to confidential information (including US technical data) received from us, when complying with their obligations under regulations 32 to 34 of the [Spaceflight Activities \(Investigation of Spaceflight Accidents\) Regulations 2021](#).

4.14 Under [regulation 278](#) of the Space Industry Regulations, an application may be made to the court for permission for a person to either disclose confidential information or for confidential information to be disclosed to a person. Regulation 278 contains a description of what such applications must contain, which court has jurisdiction over the issue, and the matters that the court must be satisfied of before making an order for disclosure.

## Chapter 5

## Enforcement

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- 5.1 If we identify or suspect any contraventions, or potential contraventions, we have a range of tools, including powers of enforcement, to take proportionate action and achieve compliant outcomes. These range from advisory measures notices (e.g. guidance letters and warnings) to revoking a licence or investigating and prosecuting offences under the SIA or the Space Industry Regulations.
- 5.2 Where possible, we aim to identify, and respond to, potential contraventions before any actual contravention occurs, to mitigate against adverse outcomes. This is one of the reasons why we undertake routine day-to-day monitoring and inspection activity in relation to spaceflight.
- 5.3 Our powers of enforcement under the SIA and Space Industry Regulations cover not only licensees but also anyone else who is subject to the Acts and the Regulations – for example anyone carrying out spaceflight activities or associated activities without a licence.
- 5.4 Any proposed enforcement will be considered in the context of our overriding duty to ensure public safety under [section 2](#) of the SIA.
- 5.5 For more details of the powers we have, and how we use them, read our [enforcement policy \(CAP2987\)](#).