The Regulator's Licensing Rules Dated x

These Rules come into force on [date of coming into force of the Regulations]

Part 1- Introduction

- 1.1 The Space Industry Act 2018 ("the Act") provides for the regulation and licensing of space activities and sub-orbital activities (collectively referred to as "spaceflight activities") and any associated activities, including the operation of spaceports, mission management facilities and range control functions in the United Kingdom.
- 1.2 Section 8(5) and (6) of the Act provides:
 - (5) Regulations may make provision about how applications for licences are to be made, considered and determined.
 - **(6)** The regulations may in particular prescribe, or provide for a person responsible for determining an application to specify—
 - (a) the form and contents of an application for a licence;
 - (b) information to be provided in connection with an application;
 - (c) the procedure for rectifying procedural irregularities;
 - (d) time limits for doing anything required to be done in connection with an application and the procedure for extending any period so prescribed.
 - 1.3 The Space Industry Regulations 2020 ("the Regulations") are made under the powers in the Act and regulation 3 of the Regulations delegates the licensing and related functions under the Act to the regulator the Civil Aviation Authority ("CAA"). Regulation 21 of the Regulations delegates the power to specify all the matters in (a) to (d) to the regulator.
 - 1.4 These Rules are issued under that delegated authority and support the regulator's power relating to the granting and renewal of operator, spaceport and range control licences under the Act.
 - 1.5 References in these Rules to the Act and Regulations are to the Act and Regulations then in force.

1.6 From time to time the CAA may wish to supplement or alter the requirements in these Rules and any such changes will be incorporated into these Rules by amendment and published on the CAA website.

Part 2 – Application and interpretation of these Rules

Application

2.1

(1)

These Rules apply to applications for—

(a) an operator licence under section 3 of the Act,

(Note: "operator licence" means a launch operator licence, return operator licence or an orbital operator licence)

- (b) a spaceport licence under section 3 of the Act,
- (c) a range control licence under section 7 of the Act.

(2)

These Rules apply in relation to applications for renewal of a licence as they apply in relation to an application for a licence.

Interpretation

- 2.2 In these Rules, "orbital operator licence" means an operator licence which authorises a person to procure a launch, operate a space object or conduct other activity in outer space.
- 2.3 The Interpretation Act 1978 apples to these Rules as though the Rules were subordinate legislation for the purposes of that Act.

(Note: the application of the Interpretation Act 1978 to the Rules has the effect, in particular, that:

- (1) expressions in the Rules used in the Act have the meanings which they bear in that Act, unless the contrary intention appears;
- (2) words in the Rules in the singular include the plural and words in the plural include the singular)
- 2.4 Words and expressions used in these Rules which are defined in the Regulations have the meaning which they bear in the relevant Part of the Regulations.

(Note: words and expressions used in these Rules which are not defined in the Rules, the Regulations or the Act, bear their natural meaning)

2.5 Any reference to a regulation number in these Rules is to that regulation number in the Regulations.

General

2.6 In these Rules—

"certified copy" in relation to a document means a photographic or other facsimile copy of that document which is certified as an accurate copy by an authorised person, and each document specified to be required as a "certified copy" by these Rules must include—

- a) a statement by the authorised person that reads: "I have seen the original document and I certify that this is a complete and accurate copy of the original [insert type of document] for [applicant name]",
- b) the signature of the authorised person,
- c) the authorised person's name, in block capitals,
- d) the position or capacity of the authorised person within their organisation, and
- e) the date of signature of the authorised person.

An "authorised person" for the purposes of the definition of "certified copy" is either—

- a) a practising solicitor, or
- b) a notary.

2.7

- (1) Any notice or other document specified or authorised by these Rules to be sent to any person may be sent 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 electronic means to that person's proper address.
- (2) In the case of a body corporate, any such notice or document may be sent to a director of that body or to any other officer or employee of that body ("authorised person") who is authorised to accept notices or documents on its behalf.
- (3) For the purposes of paragraph (1)

"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.

Part 3 – Application form and supporting information

Title	Number	Table
Form	Rule 3.1	-
Information to be attached to all application forms	Rule 3.2	Α
Additional information for a launch operator licence application	Rule 3.3	В
Additional information for a return operator licence application	Rule 3.4	С
Additional information for an orbital operator licence application	Rule 3.5	D
Additional information for a spaceport licence application	Rule 3.6	Е
Additional information for a range control licence application	Rule 3.7	F

Form

3.1

- (1) The form which must be used in all applications for a licence under the Act is **SRG 4000** "Application for a licence under the Space Industry Act 2018" which is published on the CAA website.
- (2) The application form may be expanded to include additional pages where necessary, for example to enable the applicant to explain matters which are unique or are not otherwise covered by matters envisaged in the application form.
- (3) Where the form is expanded under paragraph (2) any additional pages must be signed by the applicant.

Information to be attached to all application forms

3.2

- (1) Application form SRG 4000 must have attached to it—
- (a) all information which is specified as required in Table A, and
- (b) any additional information referred to in rules 3.3, 3.4, 3.5, 3.6 or 3.7 which is applicable to the particular type of licence for which the applicant is applying.
- (2) All information referred to in paragraph (1) must be provided—
- (a) in writing, and
- (b) in English or Welsh.

(Note: the declaration on the application form applies to the information referred to in this rule)

Additional information for a launch operator licence application

3.3 Where the application being made is for a launch operator licence, application form SRG 4000 must have attached to it the information specified in **Table B**.

Additional information for a return operator licence application

3.4 Where the application being made is for a return operator licence, application form SRG 4000 must have attached to it the information specified in **Table C**.

Additional information for an orbital operator licence application

3.5 Where the application being made is for an orbital operator licence, application form SRG 4000 must have attached to it the information specified in **Table D**.

Additional information for a **spaceport** licence application

3.6 Where the application being made is for a spaceport licence, application form SRG 4000 must have attached to it the information specified in **Table E**.

Additional information for a range control licence application

3.7 Where the application being made is for a range control licence, application form SRG 4000 must have attached to it the information specified in **Table F**.

Part 4 – Procedural irregularities

Procedure for rectifying procedural irregularities in an application 4.1

- (1) Where there has been an error of procedure in an application for a licence, such as a failure to use the form specified in paragraph (1) of rule 3.1 or failure to attach the correct information referred to in rule 3.2—
- (a) unless the regulator directs otherwise, that error does not invalidate any step taken in the application process leading to the regulator's determination of the application, and
- (b) the regulator may give a direction to the applicant to remedy the error.
- (2) A direction referred to in paragraph (1) must be in writing and sent to the applicant.

Part 5 – Time limits

Time within which applicant must respond

5.1 An applicant must send information in response to the regulator's request in accordance with regulation 22(3), (4) or (6) or answer a question from the regulator in connection with the application in accordance with those regulations within 28 days beginning with the day on which the regulator requested the information or asked the question.

Request for an extension of time

- 5.2 At least two working days before the start of the day on which the 28-day period or period of extension of time expires, the applicant may send a written request to the regulator for an extension of time to supply the information or answer a question referred to in rule 5.1, stating—
- (a) the reasons for the request, and
- (b) the period of extension required.

Extension of time

- 5.3 The regulator may grant an extension of time to the 28-day period or any period of extension of time if it appears reasonable to the regulator to do so.
- 5.4 If the regulator decides to grant a period of extension of time, the regulator must send a written notice of that grant to the applicant.
- 5.5 If the regulator decides not to grant an extension of time, the regulator must—
- (a) send a written notice of that decision to the applicant, and
- (b) give reasons for that decision.

Timing of application to renew a licence

5.6

(1)

An application by a licensee to renew a license under section 14(2) of the Act for a further specified period must, subject to paragraph (2), be made at least 90 days before the start of the day on which the license expires.

(Note: "licensee" in this rule means the holder of an operator licence, a spaceport licence or a range control licence under the Act)

(2)

At least two working days before the start of the day on which the 90-day period begins, the applicant may send a written request to the regulator for a reduction of the 90-day period, stating—

- (a) the reasons for the request, and
- (b) the date by or on which the applicant will make its application to renew the licence.

(3)

The regulator may grant the applicant's request to reduce the 90-day period if it appears reasonable to the regulator to do so.

(4)

If the regulator decides to grant the applicant's request to reduce the 90-day period, the regulator must send a written notice of that grant to the applicant confirming the revised date on or by which the application for renewal must be made.

(5)

If the regulator decides not to grant the applicant's request to reduce the 90-day period, the regulator must—

- (a) send a written notice of that decision to the applicant, and
- (b) give reasons for that decision.

Interpretation of this rule

5.7 In this rule—

"day" without more means a calendar day and "working day" means any day other than—

- a) a Saturday or a Sunday,
- b) Christmas Day or Good Friday, or
- c) a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in any part of the United Kingdom;

"the 28-day period" means the period of 28 days beginning with the day on which the regulator made the request for information referred to in rule 5.1 or raised a question referred to in that rule;

"the 90-day period" means the period of 90 days before the start of the day on which the licence referred to in rule 5.6 expires;

"the period of extension of time" means a period of extension granted by the regulator in accordance with rule 5.3.

Table A

INFORMATION REQUIRED – ALL LICENCE TYPES

1 Applicant, individuals in prescribed roles and any lessor/agent

- Information evidencing that the eligibility criteria have been met in respect of—
 - the applicant, and
 - any individual who needs to meet the eligibility criteria in Chapter 1 of Part 3 of the Regulations
- Information evidencing identity and other matters about lessors and/or agents of the licensee

(Note:

- where the applicant is a body corporate, "applicant" includes every officer of that body corporate and, where an applicant is a partnership, "applicant" includes every partner in that partnership (see regulations 5(2) and 5(3), respectively
- where a lessor or agent of the licensee is a body corporate, information evidencing identity etc. is required in respect of every officer of that body corporate and where a lessor or agent is a partnership, the information is required in respect of every partner in that partnership)

comprising-

a) evidence of identity - **certified copies** of one document from Column A and one document from Column B:

Column A	Column B
Valid passport	Bank Statement with your address no
	more than 3 months old
Valid full photographic driving licence	Utility bill with your address no more
	than 3 months old
Valid EC/EEA Identity Card	

- b) documentary evidence of qualifications of the individual (such as certificates and/or licences)
- c) a document summarising the individual's employment history or academic career covering at least the previous five-year period, to include:
 - o details of current employment, and
 - o a satisfactory explanation of any gaps in employment
- d) contact details for two referees, including of the individual's current or most recent employer, who can substantiate, in writing, periods when the individual

was in their employment and an overview of the responsibilities of the individual in that role

(Note: in paragraphs (c) and (d) above "employment" means any employment whether paid or unpaid and whether under a contract of service, or a contract of apprenticeship, or a contract for services or otherwise than under a contract, and cognate expressions shall be construed accordingly)

- e) criminal record certificate, as follows—
 - for UK citizens who have been continuously resident in the UK for the previous 5 years, a criminal record certificate under section 113A of the Police Act 1997;
 - (ii) for non-UK citizens, and subject to paragraph (g), an overseas criminal record certificate for each country in which the individual has been continuously resident for 6 months or more, covering the previous 5year period;
 - (iii) for UK citizens who have **not** been continuously resident in the UK for the previous 5 years and who have been continuously resident for 6 months or more in an overseas country, a criminal record certificate of the type referred to in paragraph (i), and either—
 - (aa) **subject to paragraph (g)**, for each country in which the individual was continuously resident for 6 months or more, a criminal record certificate of the type referred to in paragraph (ii) above, or
 - (bb) in the case of an individual who was in military service during the previous 5 years, an extract from that individual's military record which complies with paragraph (f)

(Note: applications in overseas countries vary and detailed advice for most countries can be found at: Centre for Protection of National Infrastructure (CPNI) or Security Industry Authority (SIA). If the country in which the individual was based is not listed on either of those two websites, please consult that country's Embassy, High Commission or Consulate in the UK for advice.)

- (f) Where an individual submits an extract from their military record under paragraph (e)(iii)(bb), that extract must—
 - (i) be the original document, not a copy;
 - (ii) cover (and state that it covers) all of the periods within the past five years during which the individual was overseas for six continuous months or more and serving in the military;
 - (iii) expressly disclose any and all convictions the individual may have received during this time;
- (iv) be from an identified source that the regulator can contact if it needs to verify the extract's authenticity
- (g) In exceptional cases for example, where official sources do not exist or they are unable to supply the individual with a certificate the individual must provide the following in lieu of a criminal record certificate:

- (i) a sworn oath,
- (ii) a character reference from a suitable referee, and
- (iii) evidence as to why it is not possible to obtain the criminal record certificate for example, this may be because a government's administration has collapsed to a point where no credible official sources of information exist, or there is a risk to the individual's personal safety if they make contact with that country

(Note: The regulator expects a "suitable referee" to be a person who—

- a) has known the applicant for a period of 2 years or more, and
- b) is resident in the UK, and
- c) holds a valid British or Irish passport and/or a National Identity card.

A person will not be a "suitable referee" (irrespective of whether they satisfy the criteria above in paras a) to c)) if—

- a) they are related to the applicant by birth, adoption, marriage, civil partnership or are living with the applicant in a relationship akin to marriage or civil partnership, or
- b) they live at the same address as the applicant.

Please contact the regulator to discuss if you are unable to find a person to act as a suitable referee)

- (h) Where an applicant is a body corporate registered in the UK, the applicant must also provide:
 - (i) the company's registration number, and
 - (ii) the company's registered office address
- (i) Where an applicant is a body corporate registered in a country outside the UK, the applicant must also provide:
 - (i) the company's registration number,
 - (ii) the company's registered office address, and
 - (iii) a certified copy of the Certificate of Registration or equivalent from the country in which the company is registered.

(Note: the above information at (a) to (g) is required in relation to the licensee, the individual in each prescribed role for the licence type being sought and any lessor/agent. The information at (h) is additional information required from UK

registered bodies corporate only. The information at (i) is additional information required from non-UK registered bodies corporate. Tables B to F refer to the additional information required for each licence type, including the particular prescribed roles for each licence type, and applicants should refer to regulations 7 to 11 to ascertain the roles which are prescribed for their licence type)

2 <u>Details of the applicant's legal status</u>

- (a) Information comprising—
 - (i) where the applicant is a body corporate, the Memorandum of Association and the Articles of Association (or, in the case of a body corporate registered elsewhere than the UK, any equivalent documents)
 - (ii) where the applicant is a body corporate with shared ownership and/or publicly-traded shares identification details (including nationality) of any person with an interest of 10% or more
 - (iii) where the applicant's business is carried on as a partnership a certified copy of the partnership agreement
 - (iv) any trading names of the applicant
- (b) If an applicant intends to bring equipment or material into the UK for use in its spaceflight activities for which an export licence is required, a copy of the export licence, or information relating to the progress of an application for an export licence
- (c) An explanation of the relationship of the applicant with other parts of the corporate group (if applicable).

3 Evidence of the applicant's financial and technical resources

(a) Business plan:

The applicant's business plan relating to the period—

- of one year from the date on which it is estimated the licence will be granted, or
- from the date on which it is estimated the licence will be granted until the estimated date of expiry of the licence if the latter date is expected to be earlier than one year from the date of its grant

(Note: business plan includes:

- projected cash flow statements and liquidity plans
- a projected balance sheet, including profit and loss account
- details of the applicant's financial links with any other commercial activities in which the applicant is engaged either directly or through related undertakings)

(b) Other financial information or forecasts (where these are not included in the business plan)

- the basis for the projected expenditure and income figures (such as revenue forecasts) on items such as facilities, equipment and personnel, engineering and test processes, use of consumables, services provided by third parties, travel and transport, depreciation, exchange rate fluctuations, spaceport and range charges, and any other significant charges on the operation and insurance
- the applicant's most recent internal management accounts for their business and, if available, audited accounts for the previous financial year
- if available, certified copies of insurance and indemnity arrangements (N.B. the wording of this information requirement will be subject to review pending the outcome of the consultation on the insurance and indemnities regulations)
- details of existing and projected sources of finance
- details of any start-up costs incurred in the period from submission of an application to the commencement of operations and an explanation of how the applicant proposes to finance these costs
- if the applicant is part of a group of undertakings, information on the relationship between the parties to the undertakings
- list of existing assets owned and/or leased.

(Note: In the case of leased assets that will be used as part of the licensable activity, the lessor's identity information as required at Section 1 of **Table A** must also be provided)

Table B

ADDITIONAL INFORMATION REQUIRED - LAUNCH OPERATOR LICENCE APPLICATIONS

	TYPE OF LAUNCH OPERATOR LICENCE APPLICATION	INFORMATION TO BE ATTACHED TO APPLICATION FORM
1	All	The safety case
2	All	A copy of the safety operations manual
3	All	The assessment of environmental effects
4	All	The information specified in Table A in respect of the individuals in the following roles:
		 accountable manager launch director safety manager security manager
		 training manager (Note: the regulator's approval of the individual who is to be the training manager is required under regulation 65(1). A separate application for that approval must be made to the regulator under regulation 65(2))
5	All	Details of the financing of the launch vehicle and any associated carrier aircraft, including purchase/leasing arrangements
6	All	A draft operator security programme, based on a security risk assessment, and a cyber security strategy for the proposed operation
7	All	Radio frequencies and powers to be used during the spaceflight activities
8	All	Where the applicant proposes to appoint an agent to carry out spaceflight activities on its behalf (see section 3(4))— • identity information regarding any such agent as set out in Section 1 of Table A , and • any documents which evidence the capability of such an agent to carry out those activities
9	Launch operator licence applications where launch vehicle is to have a human occupant	A record of the risk assessment
10	Launch operator licence applications where launch vehicle is to have a human occupant	Evidence that the applicant will be able to meet the requirements of any of regulations 109 to 127 that will apply

11	Launch operator licence applications where launch vehicle is to have crew	For a launch vehicle which is a sub-orbital aircraft (but not a balloon): (a) for each member of the flight crew— • a commercial pilot's licence with an instrument rating, issued by the CAA, or • an ICAO compliant commercial pilot's licence with instrument rating, which fulfils the requirements of paragraph 14 of Schedule 1 to the Regulations (b) for the aircraft engineer— • an aircraft engineer's licence issued by the CAA which is relevant to turbo jet powered aircraft, or • an equivalent ICAO compliant aircraft maintenance engineer's licence For a launch vehicle with crew which is a balloon, and in respect of the pilot only: • a commercial pilot's licence for balloons issued by the CAA, or • an ICAO compliant commercial pilot's licence for balloons.
12	Launch operator licence applications where the licence would authorise spaceflight activities involving both <u>US</u> technology and either a non-US vehicle or a foreign spacecraft	Information as to the nationality of any person who has contributed money, equipment, technology or personnel to the production or acquisition of any essential and integral part of— a) the non-US vehicle, b) the foreign spacecraft, or c) the applicant's launch business.

Table C

ADDITIONAL INFORMATION REQUIRED - RETURN OPERATOR LICENCE APPLICATIONS

	TYPE OF RETURN OPERATOR LICENCE APPLICATION	INFORMATION TO BE ATTACHED TO APPLICATION FORM
1	All	The safety case
2	All	A copy of the safety operations manual
3	All	The information specified in Table A in respect of the individuals in the following roles: • accountable manager • safety manager

Table D

ADDITIONAL INFORMATION REQUIRED – ORBITAL OPERATOR LICENCE APPLICATIONS

	TYPE OF ORBITAL OPERATOR LICENCE	INFORMATION TO BE ATTACHED TO APPLICATION FORM
1	All	A description of the nature of the space activities the
		applicant is proposing to carry out
2	All	The information specified in Table A in respect of the
		individuals in the following roles:
		accountable manager
		security manager (where regulation 10(2) applies)
3	All	Contract documentation, including
		a) the launch services agreement (LSA),
		b) satellite supply contract, and
		c) other relevant information
4	All	Safety and sustainability information pertaining to the
		mission, including
		a) Launch system information, comprising specifications
		and overview; reliability, resilience and failure
		analysis; disposal approach
		b) Space segment, comprising specifications and
		overview; reliability, resilience and failure analysis;
		qualification and testing
		c) Mission operations, comprising mission overview;
		establishing and maintaining safe operations; bespoke
		operations; disposal operations; emergency
		procedures.
		d) Ground segment, comprising overview and
		specifications, reliability, resilience and failure
		analysis; qualification and testing

5	All	Security information pertaining to the mission, including cyber
		security information, protection and mitigation
6	All	Radio frequencies and powers to be used during the mission
7	All	Orbital location information
8	All	If available at the time of application—
		details of insurance arrangements and indemnity agreements
		to be put in place for:
		launch (if applicable) and
		in-orbit phase of the mission
		including certified copies of all insurance and indemnity
		arrangements (N.B. the inclusion and/or wording of this
		information requirement will be subject to review pending
		the outcome of the consultation on the liabilities and
		insurance regulations)

Table E

ADDITIONAL INFORMATION REQUIRED - SPACEPORT LICENCE APPLICATIONS

	TYPE OF SPACEPORT LICENCE APPLICATION	INFORMATION TO BE ATTACHED TO APPLICATION FORM
1	All	The safety case including, as a minimum, all the information
		required under regulation 39
2	All	The outcome of the siting assessment required under
		regulation 40, that is the numerical estimate of the annualised
		risk of death or serious injury to members of the public posed
		by the spaceflight activity required under regulation 41,
		including an explanation of the methodology used
3	All	The assessment of environmental effects
4	All	The information specified in Table A in respect of the
		individuals in the following roles:
		accountable manager
		safety manager
		security manager
		training manager
		(Note: The regulator's approval of the individual who is to
		be the training manager is required under regulation 65(1).
		A separate application for that approval must be made to
		the regulator under regulation 65(2))
5	Where applicant	Details of the nationality of any person who has contributed
	intends there to be launch of <u>US spacecraft</u> or <u>US launch vehicles</u>	money, equipment, technology or personnel to the production
		or acquisition of any essential and integral part of the launch
	from the spaceport	facilities or its launch business
6	All	A draft space site security programme, based on a security risk
		assessment, and a cyber security strategy for the proposed
		operation
6	All	assessment, and a cyber security strategy for the proposed

Table F

ADDITIONAL INFORMATION REQUIRED – RANGE CONTROL LICENCE APPLICATIONS

	TYPE OF RANGE CONTROL LICENCE APPLICATION	INFORMATION TO BE ATTACHED TO APPLICATION FORM
1	Where the	A document setting out any proposed or intended relevant
licensee's range control services	agreements with relevant authorities including (if possible)	
	consist of or	identification of the relevant authorities (see regulations 46 and
	include monitoring the	47)
	designated	
2	range	Any documents which evidence the capability of the applicant
		to provide the proposed range control services (as set out in
		regulation 45) including, where relevant, information regarding
		any agent appointed to provide range control services on behalf of the applicant (as referred to in section 7(3) of the Act)
3	All	A draft of the management systems and quality management
		arrangements required to be established and implemented
		under regulation 55
4	All	The information specified in Table A in respect of the
		individuals in the following roles:
		accountable manager
		range safety manager
		range operations manager
		security manager
		training manager
		(Note: the regulator's approval of the individual who is to be
		the training manager is required under regulation 65(1). A
		separate application for that approval must be made to the
		regulator under regulation 65(2).)
5	All	A draft space site security programme, based on a security
		risk assessment, and a cyber security strategy for the proposed operation.
		N.B. further information may be needed in connection
		with an application for a range control licence – e.g. in relation to identification of the designated site - but the

content of any further information requirements will
depend on the outcome of the consultation.