STATUTORY INSTRUMENTS

2015 No. 856

IMMIGRATION

The Channel Tunnel (International Arrangements) and Channel Tunnel (Miscellaneous Provisions) (Amendment) Order 2015

Made - - - -	*23rd March 2015*
Laid before Parliament	*25th March 2015*
Coming into force - -	*16th April 2015*

The Secretary of State makes the following Order in exercise of the powers conferred by section 11 of the Channel Tunnel Act 1987(**1**).

Citation and commencement

1. This Order may be cited as the Channel Tunnel (International Arrangements) and Channel Tunnel (Miscellaneous Provisions) (Amendment) Order 2015 and comes into force on 16th April 2015.

Amendments to the Channel Tunnel (International Arrangements) Order 1993

2. The Channel Tunnel (International Arrangements) Order 1993(**2**) is amended as follows.

3.—(1) Before paragraph 2 of Schedule 3, in the heading, after "arrest" insert "and detention".

(2) After paragraph 2(3) of Schedule 3, insert—

"(3A) An immigration officer may exercise the power of detention conferred by section 2(1) of the UK Borders Act 2007(**3**) in a control zone in France in respect of—

(a) an individual who the immigration officer thinks might be liable to arrest by a constable under section 24(1), (2) or (3) of the Police and Criminal Evidence Act 1984(**4**) for an act or omission which would constitute an offence under a frontier control enactment if it had taken place in England, or

(b) an individual subject to a warrant for arrest who is sought by the United Kingdom authorities.

(**1**) 1987 c.53.
(**2**) S.I. 1993/1813; relevant amending instruments are S.I. 2001/1544 and S.I. 2007/2907.
(**3**) 2007 c. 30.
(**4**) 1984 c. 60.

(3B) An immigration officer may exercise the power of detention conferred by section 2(1) of the UK Borders Act 2007 in a supplementary control zone in France in respect of—

(a) an individual who an immigration officer thinks might be liable to arrest by a constable under section 24(1), (2) or (3) of the Police and Criminal Evidence Act 1984 for an act or omission which would constitute an offence under an immigration control enactment if it had taken place in England, or

(b) an individual subject to a warrant for arrest who is sought by the United Kingdom authorities."

4. After paragraph 5 of Schedule 4, insert—

"**UK Borders Act 2007**

6.—(1) In the UK Borders Act 2007 in section 2 (detention)—

(a) in subsection (1)—

(i) omit "in England, Wales or Northern Ireland";

(ii) omit "or Article 26(1), (2) or (3) of the Police and Criminal Evidence (Northern Ireland) Order 1989 (SI 1989/1341 (NI 12))";

(iii) after paragraph (a), insert—

(aa) might be liable to arrest by a constable under section 24(1), (2) or (3) of the Police and Criminal Evidence Act 1984 if the act or omission had taken place in England, or";

(b) omit subsection (1A);

(c) in subsection (2)(a) after "constable" insert ", an officer belonging to the French Republic or an officer belonging to the Kingdom of Belgium";

(d) in subsection (2)(d) after "constable", in each place where it appears, insert ", the officer belonging to the French Republic or the officer belonging to the Kingdom of Belgium";

(e) omit subsection (5).

(2) In the UK Borders Act 2007 in section 4 (interpretation of "port")—

(a) for subsection (1) substitute, "In section 2 "port" means a terminal control point or an international station.";

(b) in subsection (2) for "ship or aircraft", in each place where it appears, substitute "train"."

Amendments to the Channel Tunnel (Miscellaneous Provisions) Order 1994

5. The Channel Tunnel (Miscellaneous Provisions) Order 1994(**5**) is amended as follows.

6. For article 7(2) substitute—

"(2) The enactments are—

(a) the Immigration Act 1971(**6**);

(b) the Public Health (Control of Disease) Act 1984(**7**);

(**5**) S.I. 1994/1405; relevant amending instruments are S.I. 2007/2908 and S.I. 2007/3579.
(**6**) 1971 c. 77.
(**7**) 1984 c. 22.