
STATUTORY INSTRUMENTS

2003 No. 2818

The Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) Order 2003

PART 3

PROVISIONS RELATING TO THE EXERCISE OF POWERS BY UNITED KINGDOM IMMIGRATION OFFICERS AND CONSTABLES IN A CONTROL ZONE IN FRANCE

Enactments having effect in a Control Zone in France

11.—(1) For the purpose of enabling immigration officers to exercise immigration control in a Control Zone in France, the following shall have effect in relation to a person in a Control Zone in France, or anything done in that Zone, with the modifications set out in Schedule 2 to this Order—

- (a) the 1971 Act⁽¹⁾;
- (b) Schedules 7, 8 and 14 to the Terrorism Act 2000⁽²⁾;
- (c) the Code of Practice for examining officers under The Terrorism Act 2000⁽³⁾;
- (d) the Immigration (Leave to Enter and Remain) Order 2000⁽⁴⁾; and
- (e) the Immigration (European Economic Area) Regulations 2000⁽⁵⁾.

(2) Paragraphs 2 (powers and duties of detainee custody officers) and 3 (short-term holding facilities) of Schedule 11, and paragraph 2 of Schedule 13 (powers and duties of detainee custody officers), to the Immigration and Asylum Act 1999 shall have effect in relation to a detainee custody officer in a Control Zone in France as they have effect in relation to such an officer in the United Kingdom and, in the definition of “short-term holding facility” in section 147 of that Act, the reference to “a place” includes a place in a Control Zone in France.

(3) Sections 19B (discrimination by public authorities) and 19D (exception from section 19B for certain acts in immigration and nationality cases) of the Race Relations Act 1976⁽⁶⁾ shall have effect in relation to immigration officers carrying out their functions in a Control Zone in France as they have effect in relation to such officers carrying out their functions in England and Wales and Scotland.

(1) Relevant amendments to the 1971 Act are as follows: section 33 and paragraphs 4, 9 and 22 of Schedule 2 were amended by section 12 (1) of, and paragraph 5 of Schedule 2 to, the Asylum and Immigration Act 1996 (c. 49); paragraph 4 (2) of Schedule 2 was inserted by section 10 of the Immigration Act 1988 (c. 14); paragraphs 2, 2A, 7, 16, 18, 21, 22 and 26 of Schedule 2 were inserted or amended by section 169 of, and Schedule 14 to, the Immigration and Asylum Act 1999 (c. 33) and section 28G and paragraph 25B of Schedule 2 was inserted by section 134 of that Act; and paragraph 10A of Schedule 2 was inserted by section 73 of the Nationality, Immigration and Asylum Act 2002.

(2) 2000 c. 11.

(3) The Code was issued pursuant to paragraph 6 (1) of Schedule 14 to the Terrorism Act 2000.

(4) S.I.2000/1161.

(5) S.I. 2000/2326. The 2000 Regulations were amended by the Immigration (European Economic Area) (Amendment) Regulations 2003 (S.I. 2003/549).

(6) 1976 c. 74. Sections 19B and 19D were inserted by section 1 of the Race Relations (Amendment) Act 2000 (c. 34).

Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) Order 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)*

(4) The Data Protection Act 1998 shall have effect in relation to data which are processed in a Control Zone in France in connection with the carrying out of immigration control by an immigration officer or a constable, or the exercise of a power of arrest by a constable under article 13 (3) of this Order, as if, for the purposes of section 5 of that Act, the data were processed by a data controller established in the United Kingdom in the context of that establishment.

(5) The law of England and Wales shall have effect in relation to any claim for compensation which may be alleged against, or by, a constable or an immigration officer for loss or injury in the exercise of his functions in a Control Zone in France as if the circumstances giving rise to the claim had occurred in England.

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Changes and effects yet to be applied to :

- art. 11(1) substituted by [S.I. 2021/311 art. 2\(4\)\(a\)](#)
- art. 11(1)(e) omitted by [S.I. 2020/1309 reg. 29\(2\)](#)
- art. 11(1)(e) substituted by [S.I. 2006/1003 Sch. 5 para. 4\(2\)](#)
- art. 11(3) words substituted by [S.I. 2021/311 art. 2\(4\)\(b\)](#)
- art. 11(4) word substituted by [2018 c. 12 Sch. 19 para. 296\(b\)](#)
- art. 11(4) words inserted by [2018 c. 12 Sch. 19 para. 296\(e\)](#)
- art. 11(4) words substituted by [2018 c. 12 Sch. 19 para. 296\(a\)](#)
- art. 11(4) words substituted by [2018 c. 12 Sch. 19 para. 296\(c\)](#)
- art. 11(4) words substituted by [2018 c. 12 Sch. 19 para. 296\(d\)](#)
- art. 11(4) words substituted by [S.I. 2019/419 Sch. 3 para. 47\(2\)\(a\)](#)
- art. 11(4) words substituted by [S.I. 2019/419 Sch. 3 para. 47\(2\)\(b\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 2 para. 1A inserted by [S.I. 2006/2908 art. 2\(c\)](#)
- Sch. 2 para. 1(3)(ca) inserted by [S.I. 2021/311 art. 2\(7\)\(a\)](#)
- Sch. 2 para. 2(1)(da) inserted by [S.I. 2021/311 art. 2\(7\)\(b\)\(i\)\(aa\)](#)
- Sch. 2 para. 2(1)(ea) inserted by [S.I. 2021/311 art. 2\(7\)\(b\)\(i\)\(bb\)](#)
- Sch. 2 para. 2(2)(d)-(h) inserted by [S.I. 2021/311 art. 2\(7\)\(b\)\(iii\)](#)
- Sch. 2 para. 4(ba)(bb) inserted by [S.I. 2021/311 art. 2\(7\)\(d\)\(i\)](#)
- Sch. 2 para. 4(ca)(cb) inserted by [S.I. 2021/311 art. 2\(7\)\(d\)\(ii\)](#)
- Sch. 2 para. 4(e) inserted by [S.I. 2021/311 art. 2\(7\)\(d\)\(iii\)](#)
- Sch. 2 para. 5(aa) inserted by [S.I. 2021/311 art. 2\(7\)\(e\)\(iv\)](#)
- Sch. 2 para. 4A inserted by [S.I. 2021/784 art. 3](#)
- Sch. 2 para. 2(1)(h)(ii)-(vi) substituted for Sch. 2 para. 2(1)(h)(ii) by [S.I. 2021/311 art. 2\(7\)\(b\)\(i\)\(ee\)](#)
- art. 3(3)(4) inserted by [S.I. 2021/311 art. 2\(3\)](#)
- art. 8(2A) inserted by [S.I. 2019/419 Sch. 3 para. 46\(3\)](#)
- art. 11(1)(f)(g) inserted by [S.I. 2006/2908 art. 2\(a\)](#)
- art. 11(1)(f) word deleted (temp.) by [S.I. 2011/1786 art. 2\(2\)](#)
- art. 11(1)(g) word inserted (temp.) by [S.I. 2011/1786 art. 2\(3\)](#)
- art. 11(1)(h) inserted (temp.) by [S.I. 2011/1786 art. 2\(4\)](#)
- art. 11(4A) inserted by [S.I. 2019/419 Sch. 3 para. 47\(3\)](#)
- art. 12(3)(4)(4a) omitted by [S.I. 2021/311 art. 2\(5\)\(b\)](#)
- art. 12(4A) inserted by [S.I. 2006/2908 art. 2\(b\)](#)
- art. 12(7) inserted by [S.I. 2021/311 art. 2\(5\)\(d\)](#)