

SCHEDULE 1

Article 3

PART I

amendments of immigration act 1971

1. In section 4(2)(b), after the words “by ship or aircraft” there shall be inserted the words “or through the tunnel system”.
2. In section 10(1), after the word “aircraft” in both places where it occurs there shall be inserted the words “or through the tunnel system”.
3. After section 11(1) there shall be inserted the following subsection—

“(1A) A person arriving in the United Kingdom through the tunnel system shall for the purposes of this Act be deemed not to enter the United Kingdom unless and until he has left the tunnel system, and, subject to subsection (1) above, a person who has not otherwise entered the United Kingdom shall be deemed not to do so as long as he is detained, or temporarily admitted or released while liable to detention, under the powers conferred by Schedule 2 to this Act.”.
4. In section 27, at the end there shall be inserted the following paragraph—

“(d) if, as the Concessionaires,—

 - (i) they fail, without reasonable excuse, to make arrangements for the removal of a person from the United Kingdom when required to do so by directions given under Schedule 2 to this Act, or
 - (ii) they fail, without reasonable excuse, to observe any conditions or restrictions notified to them under Schedule 2 to this Act in relation to a control area.”.
 5. In section 33(1)—
 - (a) after the definition of “certificate of entitlement” there shall be inserted the following definition—

““Concessionaires” has the same meaning as in the Channel Tunnel Act 1987;” and
 - (b) after the definition of “ship”, there shall be inserted the following definition—

““tunnel system” has the same meaning as in the Channel Tunnel Act 1987;”.
 6. In paragraph 1 of Schedule 2—
 - (a) in sub-paragraph (4), for the words “or aircraft” there shall be substituted the words “, aircraft or, where it has arrived in, or is seeking to leave, the United Kingdom through the tunnel system, vehicle”; and
 - (b) in sub-paragraph (5), for the words “or aircraft” in the first place where they occur there shall be substituted the words “, aircraft or, where it has arrived in, or is seeking to leave, the United Kingdom through the tunnel system, vehicle”.
 7. In paragraph 2(1) of Schedule 2, for the words “or aircraft” there shall be substituted the words “, aircraft or through the tunnel system”.
 8. In paragraph 3 of Schedule 2 after the words “United Kingdom”, in both places where they occur, there shall be inserted the words “or leaving or seeking to leave the United Kingdom through the tunnel system.”.
 9. In paragraph 8(1)(c) of Schedule 2, after the words “owners or agents” there shall be inserted the words “, or where the person has arrived through the tunnel system, the Concessionaires,”.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

10. After paragraph 16(4) of Schedule 2, there shall be inserted the following sub-paragraph—

“(4A) A person in a vehicle may, where he has arrived in the United Kingdom through the tunnel system in that vehicle, under the authority of an immigration officer, be removed from the vehicle for detention under this paragraph.”.
11. In paragraph 19(1) of Schedule 2, after the words “in which he arrived” there shall be inserted the words “, or, where the person has arrived through the tunnel system, the Concessionaires,”.
12. In paragraph 20(1) of Schedule 2, after the words “in which he arrived in the United Kingdom” there shall be inserted the words “, or, where the person has arrived through the tunnel system, the Concessionaires,”.
13. After paragraph 27 of Schedule 2, there shall be inserted the following paragraph—

Supplementary duties of the Concessionaires

“**27A.** The Secretary of State may from time to time give written notice to the Concessionaires designating control areas for entry into or departure from the United Kingdom through the tunnel system and specifying the conditions and restrictions (if any) to be observed in any control area; and where by notice given to the Concessionaires a control area is for the time being designated for entry into or departure from the United Kingdom, the Concessionaires shall take all reasonable steps to secure that any conditions or restrictions notified to them are observed.”.

PART II

amendment of immigration act 1988

In section 8, after subsection (7) there shall be inserted the following subsection—

“(8) The reference in this section to the port at which a person seeks to enter the United Kingdom includes the terminal area in the tunnel system at Cheriton, Folkestone and the service and maintenance area at the Old Dover Colliery site referred to in section 1(7)(b) and (c) of the Channel Tunnel Act 1987.”.