

SCHEDULE 2

INTERNATIONAL ARTICLES

PART II

FRONTIER CONTROLS AND POLICE: GENERAL

ARTICLE 5

(1) In order to simplify and speed up the formalities relating to entry into the State of arrival and exit from the State of departure, the two Governments agree to establish juxtaposed national control bureaux in the terminal installations situated at Frethun in French territory and at Folkestone in British territory. These bureaux shall be so arranged that, for each direction of travel, the frontier controls shall be carried out in the terminal in the State of departure.

(2) Supplementary frontier controls may exceptionally be carried out in the Fixed Link by officers of the State of arrival on its own territory.

ARTICLE 6

The competence of those juxtaposed national control bureaux shall extend to all cross-frontier movements with the exception of customs clearance of commercial traffic.

ARTICLE 7

(1) For through trains, each state may carry out its frontier controls during the journey and may authorise the officers of the other State to carry out their frontier controls in its territory.

(2) The two States may agree to an extension of the control zones for through trains, as far as London and Paris, respectively.

ARTICLE 8

Within the Fixed Link, each Government shall permit officers of the other State to carry out their functions in its own territory in application of their powers relating to frontier controls.

ARTICLE 9

The laws and regulations relating to frontier controls of the adjoining State shall be applicable in the control zone situated in the host State and shall be put into effect by the officers of the adjoining State in the same way as in their own territory.

ARTICLE 10

(1) The officers of the adjoining State shall, in exercise of their national powers, be permitted in the control zone situated in the host State to detain or arrest persons in accordance with the laws and regulations relating to frontier controls of the adjoining State or persons sought by the authorities of the adjoining State. These officers shall also be permitted to conduct such persons to the territory of the adjoining State.

(2) However, except in exceptional circumstances, no person may be held more than 24 hours in the areas reserved, in the host State, for the frontier controls of the adjoining State. Any such detention shall be subject to the requirements and procedures laid down by the legislation of the adjoining State.

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(3) In exceptional circumstances the 24 hour period of detention may be extended for a further period of 24 hours in accordance with the legislation of the adjoining State. The extension of the period of detention shall be notified to the authorities of the host State.

ARTICLE 11

Breaches of the laws and regulations relating to frontier controls of the adjoining State which are detected in the control zone situated in the host State shall be subject to the laws and regulations of the adjoining State, as if the breaches had occurred in the latter's own territory.

ARTICLE 12

(1) The frontier controls of the State of departure shall normally be effected before those of the State of arrival.

(2) The officers of the State of arrival are not authorised to begin to carry out such controls before the end of controls of the State of departure. Any form of relinquishment of such controls shall be considered as a control.

(3) The officers of the State of departure may no longer carry out their controls when the officers of the State of arrival have begun their own operations except with the consent of the competent officers of the State of arrival.

(4) If exceptionally, in the course of the frontier controls, the sequence of operations provided for in paragraph (1) of this Article is modified, the officers of the State of arrival may not proceed to detentions, arrests or seizures until the frontier controls of the State of departure are completed. In such a case, these officers shall escort the persons, vehicles, merchandise, animals or other goods, for which the frontier controls of the State of departure are not yet completed, to the officers of that State. If these latter then wish to proceed to detentions, arrests or seizures, they shall have priority.

ARTICLE 14

The detailed plans for the Fixed Link and its means of access, shall, in accordance with the relevant provisions of the Concession, delimit among other things:

- (a) the control zones;
- (b) the restricted zones and their sub-divisions;
- (c) railway lines and their means of access included in the control zones;
- (d) the area of the frontier control installations and their means of access.

ARTICLE 16

Where investigations and proceedings concern offences committed in the Fixed Link or having a connection with the Fixed Link, the authorities of the host State shall, at the request of the authorities of the adjoining State, undertake official enquiries, the examination of witnesses and experts and the notification to accused persons of summonses and administrative decisions.

ARTICLE 17

The assistance provided for in Article 16 shall be furnished in accordance with the laws, regulations and procedures in force in the State providing the assistance, and with international agreements to which that State is a party.

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ARTICLE 18

If the State of arrival refuses admission to persons, vehicles, animals or goods, or if persons decide not to pass through the frontier controls of the State of arrival, or send or take back any vehicles, animals or goods which are accompanying them, the authorities of the State of departure may not refuse to accept back such persons, vehicles, animals or goods. However, the authorities of the State of departure may take any measures to deal with them in accordance with national law and in a way which does not impose obligations on the other State.

ARTICLE 19

(2) In an emergency, the local representatives of the authorities concerned may by mutual agreement, provisionally bring into effect alterations to the delimitation of the control zones which may prove necessary. Any arrangement so reached shall come into effect immediately.