

2001 No. 178

CHANNEL TUNNEL

**The Channel Tunnel (International Arrangements)
(Amendment) Order 2001**

<i>Made</i> - - - -	<i>25th January 2001</i>
<i>Laid before Parliament</i>	<i>29th January 2001</i>
<i>Coming into force</i>	<i>19th February 2001</i>

The Secretary of State, in exercise of the powers conferred upon him by section 11 of the Channel Tunnel Act 1987(a), hereby makes the following Order.

Citation and commencement

1. This Order may be cited as the Channel Tunnel (International Arrangements) (Amendment) Order 2001 and shall come into force on 19th February 2001.

Interpretation

2. In this Order “the 1993 Order” means the Channel Tunnel (International Arrangements) Order 1993(b).

Amendment of the 1993 Order

3. In Schedule 3 to the 1993 Order (Powers of Officers)—

- (a) in paragraph 2 omit sub-paragraph (2)(b), and
- (b) in paragraph 3 omit sub-paragraph (4).

4. In Schedule 4 to the 1993 Order (Enactments Modified) for paragraph 3 substitute—

“Terrorism Act 2000

3. In the Terrorism Act 2000(c)—

(a) in Schedule 7 (Port and Border Controls)—

- (i) in paragraph 1(2) omit the references to “the border area”, “captain”, “ship” and “vehicle” and for the words “an airport or hoverport” substitute the words “a railway station or other place where

(a) 1987 c. 53.

(b) S.I. 1993/1813; to which there are amendments not relevant to this Order.

(c) 2000 c. 11.

- (a) persons embark or disembark or
 - (b) goods are loaded or unloaded,
- on or from a through train or shuttle train, as the case may be”;
- (ii) in paragraph 1(3) for the words “ship or aircraft” wherever occurring, substitute “through train or shuttle train”;
 - (iii) in paragraph 2(2), omit the words “or in the border area”, “or in the area” and “or Northern Ireland”;
 - (iv) in paragraph 2(3) for the words “ship or aircraft” substitute “through train or shuttle train” and omit the words “or Northern Ireland”;
 - (v) after paragraph 2(3) insert—
 - “3A. An examination under sub-paragraph (1) may be commenced in a train during the period when it is a control area.”;
 - (vi) omit paragraphs 3 and 4;
 - (vii) in paragraph 5 omit the words “or 3”;
 - (viii) in paragraph 6, in sub-paragraph (1), for the word “vehicle” substitute “through train or shuttle train” and, in sub-paragraph (2), for the words “ship, aircraft or vehicle” substitute “through train or shuttle train”;
 - (ix) in paragraph 7 for the words “ship or aircraft”, wherever occurring, substitute “through train or shuttle train”;
 - (x) in paragraph 8 for the words “ship or aircraft”, wherever occurring, substitute the words “through train or shuttle train”, and omit sub-paragraph (2);
 - (xi) in paragraph 9, in sub-paragraph (2), omit the words “or in Northern Ireland” and for the words “ship, aircraft or vehicle” substitute “through train or shuttle train” and, in sub-paragraph (4), for the words “ship or aircraft or enter a vehicle” substitute the words “through train or shuttle train”;
 - (xii) omit paragraph 12;
 - (xiii) in paragraph 13 for the words “ships or aircraft” and the words “ship or aircraft”, wherever occurring, substitute “a through train or shuttle train” and for the words “United Kingdom” substitute the words “Tunnel System”;
 - (xiv) for paragraph 14 substitute—
 - “14.—(1) The Secretary of State may from time to time give written notice to persons operating international services designating all or any through trains as control areas while they are within any area in the UK specified in the notice or while they constitute a control zone.
 - (2) The Secretary of State may from time to time give written notice designating a control area—
 - (i) to the Concessionaires as respects any part of the tunnel system in the UK or of a control zone within the tunnel system in France or Belgium, or
 - (ii) to any occupier or person concerned with the management of a terminal control point in the UK.
 - (3) A notice under sub-paragraph (1) or (2) above may specify facilities to be provided and conditions and restrictions to be observed in a control area, and any persons to whom such a notice is given shall take all reasonable steps to secure that any such facilities, conditions or restrictions are provided or observed.”;
 - (xv) omit paragraphs 15, 16 and 17, and
 - (xvi) omit the Table of Designated Ports, and

(b) in Schedule 14 (Exercise of Officers' Powers) in paragraphs 5 and 6 after the words "this Act", in each place where they occur, insert "or the Channel Tunnel (International Arrangements) Order 1993".

5. In Schedule 5 to the 1993 Order, in Part I (Enactments amended), omit paragraph 3.

6. In Schedule 6 to the 1993 Order, in Part I (Repeals), omit the entry relating to the Prevention of Terrorism (Temporary Provisions) Act 1989.

Jack Straw

One of Her Majesty's Principal Secretaries of State

Home Office
25th January 2001

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Channel Tunnel (International Arrangements) Order 1993 as a consequence of the repeal of the Prevention of Terrorism (Temporary Provisions) Act 1989 and its replacement by the Terrorism Act 2000, so that the 2000 Act can apply, with such modifications as are appropriate, in respect of the Channel Tunnel system.

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