
STATUTORY INSTRUMENTS

2000 No. 913

CHANNEL TUNNEL

The Channel Tunnel (International Arrangements) (Amendment) Order 2000

<i>Made</i>	- - - -	<i>29th March 2000</i>
<i>Laid before Parliament</i>		<i>6th April 2000</i>
<i>Coming into force</i>	- -	<i>28th April 2000</i>

The Secretary of State, in exercise of the powers conferred upon him by section 11 of the Channel Tunnel Act 1987(1), hereby makes the following Order:

1. This Order may be cited as the Channel Tunnel (International Arrangements) (Amendment) Order 2000 and shall come into force on 28th April 2000.

2.—(1) Schedule 4 to the Channel Tunnel (International Arrangements) Order 1993(2) is amended as follows.

(2) The word “and” which follows paragraph 1(11)(q) is omitted.

(3) After paragraph 1(11)(r) insert—

“(s) In paragraph 27B (passenger information)(3)—

- (i) in sub-paragraph (1) for the words “ships or aircraft” substitute “through trains or shuttle trains”;
- (ii) in sub-paragraph (2) for the words “owner or agent (“the carrier”) of a ship or aircraft” substitute “person operating an international service or his agent (“the carrier”)”;
- (iii) in sub-paragraph (3)(a) for the words “ship or particular aircraft” substitute “train”;
- (iv) in sub-paragraph (3)(b) and (c) for the words “ships or aircraft” substitute “trains”;
and
- (v) in sub-paragraphs (4) and (9) for the words “ship or aircraft”, wherever occurring, substitute “train”;

(1) 1987 c. 53.

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

(3) Paragraph 27B is inserted into Schedule 2 to the Immigration Act 1971 (c. 77) by section 18 of the Immigration and Asylum Act 1999 (c. 33).

- (t) In paragraph 27C (notification of non-EEA arrivals)⁽⁴⁾—
 - (i) in sub-paragraph (1)—
 - (a) for the words “owner or agent (“the carrier”) of a ship or aircraft” substitute “person operating an international service other than a shuttle service or his agent (“the carrier”)”, and
 - (b) for the second occurrence of the words “ship or aircraft” substitute “through train”;
 - (ii) in sub-paragraph (2)(a) for the words “ship or particular aircraft” substitute “through train”;
 - (iii) in sub-paragraph (2)(b) and (c) for the words “ships or aircraft” substitute “through trains”; and
- (d) in sub-paragraphs (6), (7) and (9) for the words “ship or aircraft” substitute “through train”.

Home Office
29th March 2000

Barbara Roche
Minister of State

⁽⁴⁾ Paragraph 27C is inserted into Schedule 2 to the Immigration Act 1971 by section 19 of the Immigration and Asylum Act 1999.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Channel Tunnel (International Arrangements) Order 1993 (S.I.1993/1813). It modifies paragraph 27B of Schedule 2 to the Immigration Act 1971 (as inserted by section 18 of the Immigration and Asylum Act 1999) so as to extend it to through trains and shuttle trains travelling through the Channel Tunnel. This modification will ensure that paragraph 27B applies to Channel Tunnel train operators or their agents in the same way as it applies to owners or agents of ships or aircraft.

Paragraph 27B allows immigration officers to require carriers to provide passenger information relating to passengers carried, or expected to be carried, by their ships or aircraft arriving in or departing from the United Kingdom.

This Order also modifies paragraph 27C of Schedule 2 to the 1971 Act (as inserted by section 19 of the 1999 Act) so as to extend it to through trains travelling through the Channel Tunnel. This modification will ensure that paragraph 27C applies to the operators of through trains and their agents in the same way as it applies to owners or agents of ships or aircraft travelling to the United Kingdom.

Paragraph 27C requires carriers to inform an immigration officer (upon receipt of written notice from an immigration officer) of the expected arrival in the United Kingdom of any of their ships or aircraft which they expect to carry a person who is not an EEA national.

Failure by a train operator or his agent to comply with the requirements of paragraph 27B or 27C as modified by this Order will constitute an offence under section 27 of the 1971 Act (as amended by paragraph 52 of Schedule 14 to the 1999 Act and as modified by paragraph 1(9) of Schedule 4 to the 1993 Order).