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STATUTORY INSTRUMENTS

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**1991 No. 1212**

**CHANNEL TUNNEL**

**The Channel Tunnel Rail Link (Effective Joining) Order 1991**

*Made* - - - - - *20th May 1991*

*Coming into force* - - - - - *21st May 1991*

The Secretary of State for Transport, in exercise of the powers conferred by section 10(8) of the Channel Tunnel Act 1987<sup>(1)</sup> and of all other enabling powers, hereby makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Channel Tunnel Rail Link (Effective Joining) Order 1991 and shall come into force on the 21st May 1991.

**Certification of effective joining**

2. It is hereby certified that the date upon which the English section effectively joins the French section is 30th November 1992.

Signed by authority of the Secretary of State for Transport

20th May 1991

*Roger Freeman*  
Minister of State,  
Department of Transport

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(1) 1987 c. 53.

*Status: This is the original version (as it was originally made).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

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

The Channel Tunnel Act 1987 (“the Act”) provides for the construction and operation of a tunnel rail link under the English Channel between the United Kingdom and France in accordance with—

- (a) the Treaty between the United Kingdom of Great Britain and Northern Ireland and the French Republic concerning the Construction and Operation by Private Concessionaires of a Channel Fixed Link, signed at Canterbury on 12th February 1985 (Cmnd. 9745) (“the Treaty”), together with its supplementary protocols and arrangements; and
- (b) the Concession between Her Majesty’s Government in the United Kingdom and the Government of the French Republic on the one hand and private Concessionaires on the other hand.

Section 10 of the Act (incorporation of part of the tunnel system into the United Kingdom and general application of law) provides inter alia that, if any part of the tunnel system (as defined in section 1(7) of the Act) constructed by or on behalf of the Concessionaires working from England (“the English section”) extends beyond the frontier between England and France (as defined in section 49(1) of the Act) before it effectively joins the part of the tunnel system constructed by or on behalf of the Concessionaires working from France (“the French section”), until the English section effectively joins the French section, any such cross-frontier extension shall be treated as being in England and, except for rating purposes, as forming part of the county of Kent and the law of England shall apply there.

This section implements Article 3(3) of the Treaty. By an Exchange of Notes coming into force on 9th November 1990 (Cm 1495) regarding the application of that provision the High Contracting Parties agreed that the date of effective connection there referred to would be such date as the Intergovernmental Commission (established by Article 10 of the Treaty) shall fix being a date not later than 31st December 1992. Accordingly at its meeting in Paris on 20th February 1991 the Intergovernmental Commission fixed 30th November 1992 as the date of effective connection.

Pursuant to subsection (8) of that section this Order certifies 30th November 1992 as being the date on which the English section effectively joins the French section.

Copies of the document authenticating the decision of the Intergovernmental Commission fixing that date may be obtained from the Department of Transport, Room S10/18, Channel Tunnel Division, Department of Transport, 2 Marsham Street, London, SW1P 3EB.