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STATUTORY INSTRUMENTS

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**2004 No. 3168**

**The Fire and Rescue Services Act 2004  
(Consequential Amendments) (England) Order 2004**

**Channel Tunnel (Fire Services, Immigration and Prevention of Terrorism) Order 1990**

**23.** Article 2 of the Channel Tunnel (Fire Services, Immigration and Prevention of Terrorism) Order 1990(1)(fire services) is amended as follows—

- (a) in paragraph (1), for the words from “For the purpose of” to “shall have effect” substitute “For the purpose of enabling functions to be exercised under the Fire and Rescue Services Act 2004 (“the 2004 Act”), including the making of such schemes and arrangements as may be made under sections 13(1), 15(1) and 16(1) of the 2004 Act, that Act shall have effect”;
- (b) in paragraph (1)(b)(i), for the words “fire authority within the meaning of the 1947 Act” substitute “fire and rescue authority under the 2004 Act”;
- (c) in paragraph (1)(b)(ii), for the words “members of a brigade maintained by that authority were members of a brigade maintained in pursuance of that Act” substitute “employees of that authority were employees of a fire and rescue authority”;
- (d) for paragraph (2) substitute—

“(2) Where, in connection with the exercise of any functions under the 2004 Act in relation to the tunnel system, an employee of a fire and rescue service is in transit to or from the tunnel system and is outside the United Kingdom he shall be treated as if he were an employee of a fire and rescue service employed by a fire and rescue authority outside its area under section 11(4) of the 2004 Act.”;
- (e) in paragraph (3), for the words “fire authority” substitute “fire and rescue authority”; and
- (f) in paragraph (4), for the words “Section 2(3), (5) and (9) and section 12(2) to (5) of the 1947 Act” substitute “Section 14(2) and (3) and section 17 of the 2004 Act”.