

SCHEDULE 5

AMENDMENTS OF ENACTMENTS AND INSTRUMENTS

PART II

INSTRUMENTS

The Channel Tunnel (Customs and Excise) Order 1990

16. The Schedule is amended by inserting after paragraph 4—

“4A.—(1) For the purposes of section 33 (power to inspect aircraft, aerodromes, records, etc.) references to an aircraft shall be treated as including references to a through train and to a shuttle train, and in relation to such trains section 33—

(a) shall have effect as if in section 33(3) the words from “licensed” to “other aerodrome” had not been enacted, and

(b) shall be construed in accordance with sub—paragraphs (2) and (3).

(2) The reference in section 33(1) to the commander of an aircraft shall be construed as a reference to the train manager of a train.

(3) References to an aerodrome shall be construed as references to a place which is a customs approved area.

4B.—(1) For the purposes of section 34(1) (power to prevent flight of aircraft) references to an aircraft shall be treated as including references to a through train, and in relation to such trains section 34 shall be construed in accordance with sub—paragraphs (2) to (4).

(2) References to a customs and excise airport shall be construed as references to a place which is a customs approved area.

(3) References to a flight shall be construed as references to a journey, and any cognate expression shall be construed accordingly.

(4) The reference in section 34(3) to the commander of an aircraft shall be construed as a reference to the train manager of a train.”.

(1) Section 34 was amended by the Isle of Man Act 1979 (c. 58), section 13 and Schedule 1; the exercise of powers under section 34 was restricted by the Finance (No.2) Act 1992, section 4.