
STATUTORY INSTRUMENTS

1994 No. 570

The Channel Tunnel (Security) Order 1994

PART III

**PROTECTION OF CHANNEL TUNNEL TRAINS AND
THE TUNNEL SYSTEM AGAINST ACTS OF VIOLENCE**

Powers of the Secretary of State

Powers of the Secretary of State to require information

11.—(1) The Secretary of State may, by notice in writing served on any of the following persons—

- (a) the owner, operator or train manager of any Channel Tunnel train,
- (b) the Concessionaires,
- (c) any person who carries on operations in the tunnel system,
- (d) any person permitted to have access to a restricted zone for the purposes of the activities of any business carried on by him, and
- (e) the owner, occupier or manager of any property used in connection with the operation of any Channel Tunnel train or the tunnel system including any land, building or works, train or other vehicle, apparatus or equipment so used whether it is on board a Channel Tunnel train or, as the case may be, within the tunnel system or elsewhere,

require that person to provide the Secretary of State with such information specified in the notice as the Secretary of State may require in connection with the exercise by the Secretary of State of his functions under this Part of this Order.

(2) A notice under paragraph (1) above shall specify a date (not being earlier than seven days from the date on which the notice is served) before which the information required by the notice in accordance with paragraph (1) above is to be furnished to the Secretary of State.

(3) Any such notice may also require the person on whom it is served, after he has furnished to the Secretary of State the information required by the notice in accordance with paragraph (1) above, to inform the Secretary of State if at any time the information previously furnished to the Secretary of State (including any information furnished in pursuance of a requirement imposed by virtue of this paragraph) is rendered inaccurate by any change of circumstances (including the taking of any further measures for purposes to which this Part of this Order applies or the alteration or discontinuance of any measures already being taken).

(4) In so far as such a notice requires further information to be furnished to the Secretary of State in accordance with paragraph (3) above, it shall require that information to be furnished to him before the end of such period (not being less than seven days from the date on which the change of circumstances occurs) as is specified in the notice for the purposes of this paragraph.

(5) A notice may be served under this article on a person appearing to the Secretary of State to be about to become such a person as is mentioned in paragraph (1) above, but a notice served on a person by virtue of this paragraph shall not take effect until he becomes a person so mentioned

and, in relation to the notice so served, the preceding provisions of this article shall apply with the necessary modifications.

(6) Any person who—

- (a) without reasonable excuse, fails to comply with a requirement imposed on him by a notice under this article, or
- (b) in furnishing any information so required, makes a statement which he knows to be false in a material particular, or recklessly makes a statement which is false in a material particular,

commits an offence.

(7) A person guilty of an offence under paragraph (6) above is liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum;
- (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both.

(8) A notice served on a person under paragraph (1) above may at any time—

- (a) be revoked by a notice in writing served on him by the Secretary of State, or
- (b) be varied by a further notice under paragraph (1) above.