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STATUTORY INSTRUMENTS

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**1994 No. 570**

**The Channel Tunnel (Security) Order 1994**

**PART III**

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

***Offences relating to security of Channel Tunnel trains and the tunnel system***

**False statements relating to goods etc**

**29.**—(1) Subject to paragraph (3) below, a person commits an offence if—

- (a) in relation to any goods (whether belonging to him or to another) that are intended for carriage by a Channel Tunnel train, and
- (b) to—
  - (i) any of the persons mentioned in paragraph (2) below,
  - (ii) any employee or agent of such a person in his capacity as employee or agent, or
  - (iii) a constable,

he 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.

(2) The persons referred to in paragraph (1)(b)(i) above are—

- (a) the Concessionaires,
- (b) the owner, operator or train manager of any Channel Tunnel train,
- (c) any person who—
  - (i) is permitted to have access to a restricted zone for the purposes of the activities of a business carried on by him, and
  - (ii) has control in that restricted zone over the goods to which the statement relates, and
- (d) any freight forwarder who is included on the list of security approved Channel Tunnel freight forwarders maintained by the Secretary of State pursuant to article 33 of this Order.

(3) Paragraph (1) above does not apply in relation to any statement made by an authorised person in the exercise of the power conferred by article 28(2)(b) of this Order.

(4) A person guilty of an offence under paragraph (1) above is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

**False statements in connection with identity documents**

**30.**—(1) Subject to paragraph (4) below, a person commits an offence if—

- (a) for the purpose of, or in connection with, an application made by him or another for the issue of an identity document to which this paragraph applies, or

(b) in connection with the continued holding by him or another of any such document which has already been issued, he makes to any of the persons specified in paragraph (3) below, to any employee or agent of such a person or to a constable, a statement which he knows to be false in a material particular, or recklessly makes to any of those persons, to any such employee or agent or to a constable, a statement which is false in a material particular.

(2) Paragraph (1) above applies to any identity document which is to be or has been issued by any of the persons specified in paragraph (3) below in accordance with arrangements the maintenance of which is required by a direction given by the Secretary of State under article 16 of this Order.

(3) The persons referred to in paragraph (1) above are—

- (a) the Concessionaires,
- (b) the owner, operator or train manager of any Channel Tunnel train,
- (c) any person who is permitted to have access to a restricted zone for the purposes of the activities of a business carried on by him, and
- (d) any freight forwarder who is included on the list of security approved Channel Tunnel freight forwarders maintained by the Secretary of State pursuant to article 33 of this Order.

(4) Paragraph (1) above does not apply in relation to any statement made by an authorised person in the exercise of the power conferred by article 28(2)(b) of this Order.

(5) A person guilty of an offence under paragraph (1) above is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

### **Unauthorised presence in restricted zone**

**31.—**(1) A person shall not—

- (a) go, with or without a vehicle, onto or into any part of a restricted zone except with the permission of the person in control of the restricted zone or a person acting on behalf of that person and in accordance with any conditions subject to which that permission is for the time being granted, or
- (b) remain in any part of such a restricted zone after being requested to leave by the person in control or a person acting on behalf of that person or by a constable.

(2) Paragraph (1)(a) above does not apply unless it is proved that, at the material time, notices stating that the area concerned was a restricted zone were posted so as to be readily seen and read by persons entering the restricted zone.

(3) A person who contravenes paragraph (1) above without lawful authority or reasonable excuse is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(4) A constable or the person in control of the restricted zone, using such force as is reasonable in the circumstances, may remove from the restricted zone a person who contravenes paragraph (1) (b) above.

(5) In this article the “person in control of the restricted zone” means in the case of a restricted zone of the tunnel system, the Concessionaires and in the case of any other restricted zone, the owner, occupier or manager of the land, building or works constituting the restricted zone.

### **Offences relating to authorised persons**

**32.—**(1) A person who—

- (a) intentionally obstructs an authorised person acting in the exercise of a power conferred on him by or under this Part of this Order, or

(b) falsely pretends to be an authorised person,  
commits an offence.

(2) A person guilty of an offence under paragraph (1)(a) 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.

(3) A person guilty of an offence under paragraph (1)(b) above is liable on summary conviction to a fine not exceeding level 5 on the standard scale.