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## STATUTORY INSTRUMENTS

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# 2003 No. 2818

## The Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) Order 2003

### PART 1

#### INTRODUCTION

##### **Citation and commencement**

1.—(1) This Order may be cited as the Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) Order 2003.

(2) Save for article 10 of this Order which shall come into force on the day after the day on which the Order is made, this Order shall come into force on the date on which the Treaty between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the French Republic concerning the Implementation of Frontier Controls at the Sea Ports of Both Countries on the Channel and North Sea<sup>(1)</sup> enters into force.

##### **Interpretation**

2. In this Order, and in any enactment applied with modifications by Schedule 2 to this Order—

“Control Zone” means the part of the territory of the State of Departure within a port designated in Schedule 1 to this Order within which the officers of the State of Arrival are authorised to carry out immigration control under the Treaty;

“immigration control” means arrangements made in connection with the movement of persons into or out of the United Kingdom or another State and includes the investigation of offences relating to immigration;

“immigration officer” means an officer appointed by the Secretary of State under paragraph 1 of Schedule 2 to the 1971 Act;

“officer belonging to the French Republic” means an officer given responsibility by the Government of the French Republic for the exercise of immigration control in accordance with the Treaty;

“State of Departure” means the State upon whose territory the immigration control of the other State is carried out, and “State of Arrival” means the other State;

“the 1971 Act” means the Immigration Act 1971<sup>(2)</sup>;

“the 1984 Act” means the Police and Criminal Evidence Act 1984<sup>(3)</sup>; and

“Treaty” means the Treaty mentioned in article 1 (2).

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(1) Cm 5832. The entry into force of the Treaty will be notified in the London, Edinburgh and Belfast Gazettes.

(2) 1971 c. 77.

(3) 1984 c. 60.

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**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) Order 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 2 para. 1A inserted by [S.I. 2006/2908 art. 2\(c\)](#)
- Sch. 2 para. 1(3)(ca) inserted by [S.I. 2021/311 art. 2\(7\)\(a\)](#)
- Sch. 2 para. 2(1)(da) inserted by [S.I. 2021/311 art. 2\(7\)\(b\)\(i\)\(aa\)](#)
- Sch. 2 para. 2(1)(ea) inserted by [S.I. 2021/311 art. 2\(7\)\(b\)\(i\)\(bb\)](#)
- Sch. 2 para. 2(2)(d)-(h) inserted by [S.I. 2021/311 art. 2\(7\)\(b\)\(iii\)](#)
- Sch. 2 para. 4(ba)(bb) inserted by [S.I. 2021/311 art. 2\(7\)\(d\)\(i\)](#)
- Sch. 2 para. 4(ca)(cb) inserted by [S.I. 2021/311 art. 2\(7\)\(d\)\(ii\)](#)
- Sch. 2 para. 4(e) inserted by [S.I. 2021/311 art. 2\(7\)\(d\)\(iii\)](#)
- Sch. 2 para. 5(aa) inserted by [S.I. 2021/311 art. 2\(7\)\(e\)\(iv\)](#)
- Sch. 2 para. 4A inserted by [S.I. 2021/784 art. 3](#)
- Sch. 2 para. 2(1)(h)(ii)-(vi) substituted for Sch. 2 para. 2(1)(h)(ii) by [S.I. 2021/311 art. 2\(7\)\(b\)\(i\)\(ee\)](#)
- art. 3(3)(4) inserted by [S.I. 2021/311 art. 2\(3\)](#)
- art. 8(2A) inserted by [S.I. 2019/419 Sch. 3 para. 46\(3\)](#)
- art. 11(1)(f)(g) inserted by [S.I. 2006/2908 art. 2\(a\)](#)
- art. 11(1)(f) word deleted (temp.) by [S.I. 2011/1786 art. 2\(2\)](#)
- art. 11(1)(g) word inserted (temp.) by [S.I. 2011/1786 art. 2\(3\)](#)
- art. 11(1)(h) inserted (temp.) by [S.I. 2011/1786 art. 2\(4\)](#)
- art. 11(4A) inserted by [S.I. 2019/419 Sch. 3 para. 47\(3\)](#)
- art. 12(3)(4)(4a) omitted by [S.I. 2021/311 art. 2\(5\)\(b\)](#)
- art. 12(4A) inserted by [S.I. 2006/2908 art. 2\(b\)](#)
- art. 12(7) inserted by [S.I. 2021/311 art. 2\(5\)\(d\)](#)