

SCHEDULE 2 **U.K.**

Article 11(1)

MODIFICATION OF APPLIED ENACTMENTS

Immigration Act 1971 **U.K.**

1.—(1) In section 4 of the 1971 Act (administration of control) in subsection (2)— for the words “the United Kingdom by ship or aircraft” substitute “, or seeking to arrive in, the United Kingdom by entering a Control Zone”.

(2) In section 33 of the 1971 Act (interpretation) in subsection (1)—

(i) after the definition of “certificate of entitlement” insert—

““Control Zone” means a Control Zone in France in which immigration officers exercise immigration control pursuant to 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;”;

(ii) in the definition of “illegal entrant” after the words “unlawfully entering or seeking” insert “(whether or not he has arrived in the United Kingdom)”.

(3) In Schedule 2 to the 1971 Act (administrative provisions as to control on entry etc)—

(a) in paragraph 1(5) for the words after “vehicle” substitute “which is in a Control Zone.”;

(b) in paragraph 2(1) for the words from “in the United Kingdom” to “seeking to enter the United Kingdom)” substitute “, or who are seeking to arrive, in the United Kingdom by entering a Control Zone”;

(c) after paragraph 2(1) insert—

“(1A) The power conferred by sub-paragraph (1) is exercisable as respects persons seeking to arrive in the United Kingdom (who may first be questioned to ascertain whether they are seeking to do so), in a Control Zone, but where it has not been possible to examine such persons in a Control Zone then the power conferred by sub-paragraph (1) shall apply.”;

[^{F1}(ca) after paragraph 2A(1) insert—

“(1a) This paragraph also applies to a person who seeks to arrive in the United Kingdom and is in a Control Zone.”;]

(d) after paragraph 8(1) insert—

“(1A) Where a person seeking to arrive in the United Kingdom is refused leave to enter and is then in a Control Zone, an immigration officer may request the competent French authorities to secure that the person is taken out of the Control Zone.”;

(e) in paragraph 9(1) for the words after “an immigration officer” substitute

“may—

(a) if the illegal entrant has arrived in the United Kingdom, give such directions in respect of him as in a case within sub-paragraph (1) of paragraph 8 above are authorised by that sub-paragraph, or

(b) if the illegal entrant is in a Control Zone, make such requests in respect of him as in a case within sub-paragraph (1A) of paragraph 8 above are authorised by that sub-paragraph.”;

(f) in paragraph 16—

Changes to legislation: There are currently no known outstanding effects for the *The Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) Order 2003, SCHEDULE 2*. (See end of Document for details)

- (a) in sub-paragraph (2) for the words “his removal in pursuance of” substitute “the taking of any action in respect of him pursuant to any request made to the competent French authorities authorised under paragraph 8(1A)”,
- (b) after sub-paragraph (3) insert—
 - “(3A) A person may under the authority of an immigration officer be removed for detention under this paragraph from a vehicle in a Control Zone.”; and
- (g) for paragraph 26(2) and (3) there is substituted—
 - “(2) The Secretary of State may from time to time give written notice to the owners or agents of ships designating control areas for the embarkation of passengers in a Control Zone and specifying the conditions and restrictions (if any) to be observed in any control area; and where by notice given to any owners or agents a control area is for the time being designated for the embarkation of passengers in a Control Zone, the owners or agents shall take all reasonable steps to secure that, in the case of their ships, passengers do not embark in the Control Zone outside the control area and that any conditions or restrictions notified to them are observed.
 - (3) The Secretary of State may also from time to time give to any persons concerned with the management of a port in a Control Zone written notice designating control areas in the Control Zone and specifying conditions or restrictions to be observed in any control area; and any such person shall take all reasonable steps to secure that any conditions or restrictions as notified to him are observed.”.

Textual Amendments

- F1** Sch. 2 para. 1(3)(ca) inserted (31.3.2021) by [The Nationality, Immigration and Asylum Act 2002 \(Juxtaposed Controls\) \(Amendment\) Order 2021 \(S.I. 2021/311\)](#), arts. 1(2), **2(7)(a)**

Commencement Information

- I1** Sch. 2 para. 1 comes into force in accordance with [art. 1](#)

[^{F2}Immigration and Asylum Act 1999 **U.K.**

- 1A.** In the Immigration and Asylum Act 1999 in section 141 (fingerprinting)—
- (a) in subsection (7)(a) for “on his arrival in the United Kingdom” substitute “in a Control Zone”
 - (b) in subsection (9)(b) for “his removal or deportation from the United Kingdom” substitute “his leaving a Control Zone”.]

Textual Amendments

- F2** Sch. 2 para. 1A inserted (18.11.2006) by [The Nationality, Immigration and Asylum Act 2002 \(Juxtaposed Controls\) \(Amendment\) Order 2006 \(S.I. 2006/2908\)](#), arts. 1, **2(c)**

The Terrorism Act 2000 **U.K.**

- 2.—**(1) In Schedule 7 to the Terrorism Act 2000—
- (a) in paragraph 1—
 - (i) in sub-paragraph (1)(a), insert at the beginning “subject to sub-paragraph (1A),”,
 - (ii) omit sub-paragraph (1)(c),

- (iii) after sub-paragraph (1) insert—
 - “(1A) A constable shall only exercise the powers in this Schedule in a Control Zone where an immigration officer has made a request to a police officer of the rank of sergeant or above in the same police force of which the constable is a member, for assistance in exercising the powers in question in a particular case, and any such request shall be recorded in writing at the time it is made or as soon as practicable afterwards.”,
- (iv) for sub-paragraph (2) substitute—
 - “In this Schedule “Control Zone” means a Control Zone in France in which immigration officers exercise immigration control pursuant to 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.”, and
- (v) omit sub-paragraph (3);
- (b) in paragraph 2—
 - (i) for sub-paragraph (2) substitute “This paragraph applies to a person if he is in a Control Zone.”, and
 - (ii) omit sub-paragraph (3);
- (c) omit paragraphs 3 and 4;
- (d) in paragraph 5 omit the words “or 3”;
- [^{F3}(da) in paragraph 5A omit the words “or 3”];
- (e) in paragraph 6, omit the words “or 3” and in sub-paragraph (2) the word “aircraft”;
- [^{F4}(ea) in paragraph 6A omit the words “or 3” in each place where they occur];
- (f) in paragraph 7, omit the words “or aircraft” in each place where they occur;
- (g) in paragraph 8, in sub-paragraph (1) omit the words “or aircraft” in each place where they occur and [^{F5}omit sub-paragraphs (2), (6)(c) and the “and” preceding (6)(c)];
- (h) in paragraph 9—
 - (i) for sub-paragraph (2) substitute “This paragraph applies to goods which have arrived in or are about to leave a Control Zone on a ship or in a vehicle.”, ^{F6}...
- [^{F7}(ii) omit sub-paragraphs (2A), (2B), (2D) and (2E);
- (iii) in sub-paragraph (2C), omit paragraphs (b), (c) and (d);
- (iv) in sub-paragraph (3), omit paragraphs (a), (c) and (d);
- (v) in paragraph (4)(a), omit the words “or aircraft”;
- (vi) in sub-paragraph (4), omit paragraphs (c), (d) and (e); and]
- (i) omit paragraphs 12 to 17 and the Table of Designated Ports at the end of the Schedule”.
- (2) In Schedule 8 to the Terrorism Act 2000—
 - (a) in paragraph 1—
 - (i) in sub-paragraph (1), omit the words “or section 41”, and
 - (ii) omit sub-paragraphs (2), (4) and (6);
 - (b) in paragraph 2, omit sub-paragraph (2)(b) and (c); and
 - (c) omit paragraphs 3, 4 [^{F8}, 10 to 20J and 21 to 38];

Changes to legislation: There are currently no known outstanding effects for the *The Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) Order 2003, SCHEDULE 2.* (See end of Document for details)

- [^{F9}(d) in paragraph 6, for the words “or section 41 at a place in England, Wales or Northern Ireland” substitute “ in a Control Zone ”;
- (e) in paragraph 7, for the words “or section 41 in England, Wales or Northern Ireland” substitute “ in a Control Zone ”;
- (f) in paragraph 7A, omit the words “or 3” both times they occur;
- (g) in paragraph 8—
- (i) in sub-paragraph (1), omit the words “Subject to sub-paragraph (2),”;
- (ii) omit sub-paragraph (2);
- (h) in sub-paragraph (7) of paragraph 20K, omit paragraph (c) and the “and” preceding it.]
- (3) In Schedule 14 to the Terrorism Act 2000—
- (a) in paragraph 1, omit sub-paragraph (a);
- (b) in paragraph 2, after the word “may” insert “in a Control Zone (as defined in Schedule 7)” and omit “(within the meaning of section 121)”; and
- (c) in paragraph 3, omit the words “and 3”.

Textual Amendments

- F3** Sch. 2 para. 2(1)(da) inserted (31.3.2021) by [The Nationality, Immigration and Asylum Act 2002 \(Juxtaposed Controls\) \(Amendment\) Order 2021](#) (S.I. 2021/311), arts. 1(2), **2(7)(b)(i)(aa)**
- F4** Sch. 2 para. 2(1)(ea) inserted (31.3.2021) by [The Nationality, Immigration and Asylum Act 2002 \(Juxtaposed Controls\) \(Amendment\) Order 2021](#) (S.I. 2021/311), arts. 1(2), **2(7)(b)(i)(bb)**
- F5** Words in Sch. 2 para. 2(1)(g) substituted (31.3.2021) by [The Nationality, Immigration and Asylum Act 2002 \(Juxtaposed Controls\) \(Amendment\) Order 2021](#) (S.I. 2021/311), arts. 1(2), **2(7)(b)(i)(cc)**
- F6** Word in Sch. 2 para. 2(1)(h)(i) omitted (31.3.2021) by virtue of [The Nationality, Immigration and Asylum Act 2002 \(Juxtaposed Controls\) \(Amendment\) Order 2021](#) (S.I. 2021/311), arts. 1(2), **2(7)(b)(i)(dd)**
- F7** Sch. 2 para. 2(1)(h)(ii)-(vi) substituted for Sch. 2 para. 2(1)(h)(ii) (31.3.2021) by [The Nationality, Immigration and Asylum Act 2002 \(Juxtaposed Controls\) \(Amendment\) Order 2021](#) (S.I. 2021/311), arts. 1(2), **2(7)(b)(i)(ee)**
- F8** Words in Sch. 2 para. 2(2)(c) substituted (31.3.2021) by [The Nationality, Immigration and Asylum Act 2002 \(Juxtaposed Controls\) \(Amendment\) Order 2021](#) (S.I. 2021/311), arts. 1(2), **2(7)(b)(ii)**
- F9** Sch. 2 para. 2(2)(d)-(h) inserted (31.3.2021) by [The Nationality, Immigration and Asylum Act 2002 \(Juxtaposed Controls\) \(Amendment\) Order 2021](#) (S.I. 2021/311), arts. 1(2), **2(7)(b)(iii)**

Commencement Information

- I2** Sch. 2 para. 2 comes into force in accordance with [art. 1](#)

The Code of Practice for examining officers under the Terrorism Act 2000 **U.K.**

[^{F10}**3.** In the Code of Practice entitled “Examining Officers and Review Officers under Schedule 7 to the Terrorism Act 2000” published on 13th August 2020—

- (a) in paragraph 1, after “at a port or the border area in Northern Ireland” insert “ or in a Control Zone ”;
- (b) after paragraph 8, insert—

“**8A.** For the purposes of this code, “Control Zone” means a Control Zone in France in which immigration officers exercise immigration control in pursuance of the Treaty between the Government of the United Kingdom of Great Britain and Northern Ireland

Changes to legislation: There are currently no known outstanding effects for the *The Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) Order 2003, SCHEDULE 2*. (See end of Document for details)

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.”;

- (c) in paragraph 9, after “at ports or in the border area” insert “ or in a Control Zone ”;
- (d) in paragraph 27, after “at a port or in the border area in Northern Ireland” insert “ or in a Control Zone ”;
- (e) in the heading immediately before paragraph 92, after the words “Northern Ireland” insert “ or in a Control Zone ”;
- (f) in paragraph 136, at the end insert— “ In respect of goods which have arrived in or are about to leave a Control Zone on a ship or in a vehicle ”;
- (g) in paragraph 137, after the words “at a port”, insert “ or in a Control Zone ”;]

Textual Amendments

F10 Sch. 2 para. 3 substituted (31.3.2021) by *The Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) (Amendment) Order 2021 (S.I. 2021/311)*, arts. 1(2), 2(7)(c)

The Immigration (Leave to Enter and Remain) Order 2000 **U.K.**

4. In the Immigration (Leave to Enter and Remain) Order 2000—

- (a) in article 1(3), after the definition of “control port” insert—

““Control Zone” means a Control Zone in France in which immigration officers exercise immigration control in pursuance of the Treaty between 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;”;

- (b) in article 4(2)—

- (i) after the words “arrives in the United Kingdom”, insert “or enters a Control Zone”,
- (ii) after the words “before arrival”, insert “or entry into the Control Zone”, and
- (iii) after the words “date of arrival”, insert “or entry into the Control Zone”;

- [^{F11}(ba) in article 4(2B)—

- (i) after the words “on arrival in the United Kingdom”, insert “ or entry into a Control Zone ”,
- (ii) after the words “before arrival”, insert “ or entry into a Control Zone ”,
- (iii) after the words “arrives in the United Kingdom”, insert “ or enters a Control Zone ”;

- (bb) in article 4(2D)—

- (i) after the words “on arrival in the United Kingdom”, insert “ or entry into a Control Zone ”,
- (ii) after the words “before arrival”, insert “ or entry into a Control Zone ”,
- (iii) after the words “date of arrival”, insert “ or entry into the Control Zone ”;]

- (c) in article 4(3)—

- (i) after the words “on arrival in the United Kingdom”, insert “or entry into a Control Zone”, and
- (ii) after the words “before arrival”, insert “or entry into the Control Zone”;

- [^{F12}(ca) in article 4(3B)—

Changes to legislation: There are currently no known outstanding effects for the *The Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) Order 2003, SCHEDULE 2*. (See end of Document for details)

- (i) after the words “on arrival in the United Kingdom”, insert “ or entry into a Control Zone ”,
- (ii) after the words “before arrival”, insert “ or entry into a Control Zone ”,
- (iii) after the words “arrives in the United Kingdom”, insert “ or enters a Control Zone ”;
- (cb) in article 4(5)—
 - (i) after the words “arrival in the United Kingdom”, insert “ or entry into a Control Zone ”;
- (d) in article 6(2)(a) after the words “arrives in the United Kingdom”, insert “or enters a Control Zone”; and
- [^{F13}(e) in article 13(5)—
 - (i) after the words “arrival in the United Kingdom”, insert “ or entry into a Control Zone ”,
 - (ii) after the words “before his arrival”, insert “ or entry into a Control Zone ”.]

Textual Amendments

- F11** Sch. 2 para. 4(ba)(bb) inserted (31.3.2021) by [The Nationality, Immigration and Asylum Act 2002 \(Juxtaposed Controls\) \(Amendment\) Order 2021 \(S.I. 2021/311\)](#), arts. 1(2), **2(7)(d)(i)**
- F12** Sch. 2 para. 4(ca)(cb) inserted (31.3.2021) by [The Nationality, Immigration and Asylum Act 2002 \(Juxtaposed Controls\) \(Amendment\) Order 2021 \(S.I. 2021/311\)](#), arts. 1(2), **2(7)(d)(ii)**
- F13** Sch. 2 para. 4(e) inserted (31.3.2021) by [The Nationality, Immigration and Asylum Act 2002 \(Juxtaposed Controls\) \(Amendment\) Order 2021 \(S.I. 2021/311\)](#), arts. 1(2), **2(7)(d)(iii)**

Commencement Information

- I3** Sch. 2 para. 4 comes into force in accordance with [art. 1](#)

[^{F14}The UK Borders Act 2007 **U.K.**

- 4A.** In section 2 of the UK Borders Act 2007 (detention)—
- (a) in subsection (1)—
 - (i) omit “in England, Wales or Northern Ireland”;
 - (ii) in paragraph (a) omit “or Article 26(1)” to the end;
 - (iii) after paragraph (aa), insert—
 - “(ab) may be liable to arrest by a constable under section 24(1), (2) or (3) of the Police and Criminal Evidence Act 1984 if the act or omission had taken place in England, or”;
 - (b) omit subsection (1A);
 - (c) in subsection (2)(a) after “constable” insert “or an officer belonging to the French Republic”;
 - (d) in subsection (2)(d) after “constable”, in each place where it appears, insert “or an officer belonging to the French Republic”;
 - (e) omit subsection (5).]

Changes to legislation: There are currently no known outstanding effects for the The Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) Order 2003, SCHEDULE 2. (See end of Document for details)

Textual Amendments

- F14** Sch. 2 para. 4A inserted (7.7.2021) by The Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) (Amendment) (No. 2) Order 2021 (S.I. 2021/784), arts. 1(2), 3

The Immigration (European Economic Area) Regulations [^{F15}2006] **U.K.**

^{F16}5.

Textual Amendments

- F15** Word in Sch. 2 para. 5 heading substituted (1.1.2014) by The Immigration (European Economic Area) (Amendment) (No. 2) Regulations 2013 (S.I. 2013/3032), reg. 2(1), **Sch. 2 para. 2(a)**
- F16** Sch. 2 para. 5 omitted (31.12.2020) by virtue of The Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) (EU Exit) Regulations 2020 (S.I. 2020/1309), regs. 1(2), **29(3)** (with reg. 29(4)(5)); and Sch. 2 para. 5 (in so far it continues to have effect in relation to a person who has a right of admission to the United Kingdom under the Immigration (European Economic Area) Regulations 2016 as they continue to have effect by virtue of the Citizens' Rights (Application Deadline and Temporary Protection) (EU Exit) Regulations 2020) amended (31.3.2021) by The Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) (Amendment) Order 2021 (S.I. 2021/311), arts. 1(2), **2(7)(e)**

Changes to legislation:

There are currently no known outstanding effects for the The Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) Order 2003, SCHEDULE 2.