
STATUTORY INSTRUMENTS

2020 No. 916

**The Channel Tunnel (Arrangements with the
Kingdom of the Netherlands) Order 2020**

Application of criminal law

5.—(1) Any act or omission which—

- (a) takes place outside the United Kingdom in a control zone; and
- (b) would, if taking place in England, constitute an offence under a frontier control enactment,

shall be treated for the purposes of that enactment as taking place in England.

(2) Any act or omission which—

- (a) takes place inside the United Kingdom in a control zone and relates to an officer belonging to the Kingdom of the Netherlands; and
- (b) would constitute an offence under a frontier control enactment if it took place in relation to an officer belonging to the United Kingdom,

shall be treated for the purposes of that enactment as if it were an act or omission which had taken place in relation to an officer belonging to the United Kingdom.

(3) Section 22 of the UK Borders Act 2007⁽¹⁾ is modified for the purposes of paragraph (2) so that the reference in subsection (1) of that section to an immigration officer includes a reference to an officer belonging to the Kingdom of the Netherlands.

(4) Summary proceedings for anything that is by virtue of paragraph (1) or (2) an offence triable summarily or triable either way may be taken, and the offence may for all incidental purposes be treated as having been committed, in the county of Kent or in the area comprising the inner London boroughs.

(5) Any jurisdiction conferred by virtue of paragraphs (1) and (2) on any court is without prejudice to any jurisdiction exercisable apart from this article by that court or any other court.

(6) Where it is proposed to institute proceedings in respect of an alleged offence in any court and a question as to the court's jurisdiction arises under the international articles, it shall be presumed, unless the contrary is proved, that the court has jurisdiction under the international articles.