
STATUTORY INSTRUMENTS

2021 No. 1196

The Channel Tunnel (International Arrangements and Miscellaneous Provisions) (Amendment) Order 2021

Amendment of the Channel Tunnel (International Arrangements) Order 1993

2.—(1) Schedule 3 to the Channel Tunnel (International Arrangements) Order 1993⁽¹⁾ is amended as follows.

(2) In paragraph 1—

- (a) in sub-paragraph (2)(b), for “34(2) to (7), (8) and (9)” substitute “34(2) to (9)”;
- (b) in sub-paragraph (3), for “a serious arrestable offence” substitute “an indictable offence”.

(3) In paragraph 2—

- (a) in sub-paragraph (1)(a), after the words “conferred by”, in the second place they appear, insert “section 24 of”;
- (b) in sub-paragraph (2)(c), for “section 38(1) of the Drug Trafficking Offences Act 1986” substitute “paragraphs 1 and 10 of Schedule 2 to the Proceeds of Crime Act 2002⁽²⁾”;
- (c) in sub-paragraph (4), for “sections 24 and 25” substitute “section 24”.

(4) In paragraph 3—

- (a) in sub-paragraph (2)—
 - (i) for “Subject to sub-paragraphs (3) and (4), the” substitute “The”;
 - (ii) for “63” substitute “64A”;
 - (iii) omit “, or where the arrest was made by a customs officer, a customs office,”;
 - (iv) for “or customs office designated under section 35 of the 1984 Act⁽³⁾” substitute “designated under section 35 of the 1984 Act, and section 34(1) to (5E) of the 1984 Act⁽⁴⁾ shall also apply in such a case.”;
- (b) after sub-paragraph (2), insert—

“(2A) Subject to sub-paragraph (3), the person arrested, where the arrest was made by a customs officer, shall be treated as if the place where the person is held were for the purposes of the provisions mentioned in paragraph 1(2)(b) above and those of sections 61 to 63 and 63D of the 1984 Act⁽⁵⁾ a customs office in England, not being a customs office designated under section 35 of the 1984 Act.”.

(1) S.I. 1993/1813; relevant amendments were made by S.I. 1994/1405, 2001/178, 2001/1544, 2005/3389, 2012/1264 and 2015/856.

(2) 2002 c. 29.

(3) Section 35 of the Police and Criminal Evidence Act 1984 (c. 60) was amended by paragraph 12 of Schedule 7 to the Anti-terrorism, Crime and Security Act 2001 (c. 24) and by paragraph 6 of Schedule 1 to the Criminal Justice Act 2003 (c. 44).

(4) Amendments were made by sections 54(2) and (3) and 66(2) of the Policing and Crime Act 2017 (c. 3).

(5) Amendments were made by paragraph 27(4) of Schedule 3 to the Road Traffic (Consequential Provisions) Act 1988 (c. 54), section 54(2) to (4) of, and paragraph 24 of Schedule 9, paragraphs 56 and 58 of Schedule 10 and Schedule 11 to, the Criminal Justice and Public Order Act 1994 (c. 33), section 64 of the Criminal Procedure and Investigations Act 1996 (c. 25), section 3 of the Criminal Evidence (Amendment) Act 1997 (c. 17), paragraph 97 of Schedule 9 to the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6), paragraph 5(7) to (9) of Schedule 15 to the Terrorism Act 2000 (c. 11), section 57(2) and (3)(a) of, and paragraph 78 of Schedule 7 to, the Criminal Justice and Court Services Act 2000 (c. 43), sections 78(3) and (4), 80(1)

- (c) in sub-paragraph (3)—
 - (i) after “54,” insert “54A,”;
 - (ii) for “64(1) to (6)” substitute “63D”;
 - (iii) for “34(2) to (7), (8) and (9)” substitute “34(2) to (9)”.
- (5) In paragraph 4(6)(c), for “41(1)”, substitute “41(2)”.
- (6) In paragraph 5(9)(c), for “41(1)”, substitute “41(2)”.
- (7) In paragraph 6(9)(c), for “41(1)”, substitute “41(2)”.

and (3) and 81(1) and (2) of the Criminal Justice and Police Act 2001 (c. 16), sections 53(2) and 54(1) of, and paragraph 9(4) and (5) of Schedule 7 to, the Police Reform Act 2002 (c. 30), sections 169(3) and (4) of the Extradition Act 2003 (c. 41), sections 5(3)(b) to (d), 9(2) to (4) and 10(2) and (3) of, and paragraph 56(2)(b) of Schedule 3 and Parts 1 and 4 of Schedule 37 to, the Criminal Justice Act 2003 (c. 44), Part 4 of Schedule 5 to the Children Act 2004 (c. 31), sections 59, 117(2), (5)(a) and (5)(b), 118(2), (3)(a) and (b)(i) to (iv) and 178 of, and paragraph 64 of Schedule 4 to, the Serious Organised Crime and Police Act 2005 (c. 15), sections 7(2) to (11) of, and paragraph 4 of Schedule 1 to, the Drugs Act 2005 (c. 17), paragraph 11 of Schedule 14 to the Police and Justice Act 2006 (c. 48), paragraph 100 of Schedule 16 and Schedule 17 to the Armed Forces Act 2006 (c. 52), Part 13 of Schedule 8 to the Policing and Crime Act 2009 (c. 26), sections 2(1) to (8)(b), 3(1) to (4), 4(1) to (5), 4(7) and (8), 5(1), 6(1) and 14 of the Crime and Security Act 2010 (c. 17), sections 1 to 17, 23 and 24 of, and paragraph 3(2) of Schedule 9 and Part 1 of Schedule 10 to, the Protection of Freedoms Act 2012 (c. 9), paragraph 186 of Schedule 8 to the Crime and Courts Act 2013 (c. 22), paragraphs 7(2) and (3), 8(2) and (3), 9, 10 and 13 of Schedule 24 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), paragraph 4 of Schedule 11 to, the Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), sections 59(2), 70(2) to (11) and 73(3) of, and paragraph 7(3) of Schedule 12 to, the Policing and Crime Act 2017 (c. 3), paragraph 18(5) to (8) of Schedule 4 to the Counter-Terrorism and Border Security Act 2019 (c. 3) and S.I. 2013/602.