
EXPLANATORY NOTE

(This note is not part of the Order)

This Order, made under the Channel Tunnel Act 1987, affects legislation relating to fire services, immigration and prevention of terrorism in its application to the Channel Tunnel system.

The Order ensures that the provisions of the Fire Services Act 1947 extend to the Channel Tunnel system beyond the frontier for the purpose of enabling functions to be exercised under that Act; that arrangements for mutual assistance can be made with, and functions can be exercised by, French fire authorities under that Act in relation to the Channel Tunnel system; and that firefighters travelling to or from that system outside the United Kingdom are treated as members of a brigade employed by a fire authority outside its area under the 1947 Act.

Schedule 1 contains amendments of the Immigration Act 1971 to give an immigration officer the power to examine people entering or leaving the United Kingdom by the Channel Tunnel system in accordance with his powers under the 1971 Act. If a person who has arrived through the Channel Tunnel system is refused leave to enter the United Kingdom or is an illegal entrant, he may be removed from the United Kingdom. The immigration officer may also detain a person who has arrived in this way pending a decision to give or refuse leave to enter or his removal from the United Kingdom. The amendments of the 1971 Act also provide for immigration control areas for entry into and departure from the United Kingdom through the Channel Tunnel system. A person who intends to enter the United Kingdom by the Channel Tunnel system may also be examined for immigration purposes before arrival as a result of an amendment of the Immigration Act 1988.

The amendments of the Prevention of Terrorism (Temporary Provisions) Act 1989 contained in Schedule 2 to this Order give examining officers for the purposes of that Act the power to examine any person who has arrived in, or is seeking to leave, the United Kingdom through the Channel Tunnel system. In addition, an examining officer may search any vehicle, in connection with travel through the Channel Tunnel system, for the purposes set out in paragraph 4(1) and (2) of Schedule 5 to the 1989 Act. The amendments also provide for control areas to be designated by the Secretary of State for entry into, and departure from, the United Kingdom through the Channel Tunnel system.