
STATUTORY INSTRUMENTS

1994 No. 1405

The Channel Tunnel (Miscellaneous Provisions) Order 1994

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) Summary proceedings for anything that is by virtue of paragraph (1) 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 inner London area as defined in section 2(1)(a) of the Justices of the Peace Act 1979⁽¹⁾.

(3) 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 or any other court.

(4) 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 Article 11(2) of the Part I provisions, it shall be presumed, unless the contrary is proved, that the court has jurisdiction by virtue of that Article.

(1) 1979 c. 55; section 2 was repealed in part by the Local Government Act 1985 (c. 51), section 102 and Schedule 17.