Draft Order laid before Parliament under section 141(5)(c) of the Nationality, Immigration and Asylum Act 2002 (c. 41), for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2024 No.

IMMIGRATION

The Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) (Amendment) Order 2024

Made - - - -

Coming into force - -

The Secretary of State makes this Order in exercise of the powers conferred by section 141 of the Nationality, Immigration and Asylum Act 2002(**a**) ("the 2002 Act").

The Secretary of State has consulted with such persons as appear to him to be appropriate in accordance with section 141(5)(b) of the 2002 Act.

A draft of this Order was laid before and approved by a resolution of each House of Parliament in accordance with section 141(5)(c) of the 2002 Act.

Citation, commencement and extent

1.—(1) This Order may be cited as the Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) (Amendment) Order 2024.

(2) This Order comes into force on the twenty-first day after the day on which it is made.

(3) This Order extends to England and Wales, Scotland and Northern Ireland.

Amendment of the Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) Order 2003

2.—(1) The Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) Order 2003(**b**) is amended as follows.

(2) After article 10 (provision of facilities for French officers), insert—

(**a**) 2002 c. 41; section 141 was amended by regulation 12(4) of S.I. 2019/745.
(**b**) S.I. 2003/2818; relevant amending instruments are S.I. 2006/1003, 2006/2908, 2011/1786, 2012/1547, 2013/3032, 2019/745 and 2021/311.

"Circulation Areas

10A—(1) In this article "Circulation Area" means the part of a port in the United Kingdom designated in Schedule 1 to this Order within which the officers belonging to the French Republic are authorised to travel between Control Zones.

(2) An officer belonging to the French Republic may escort a person detained under article 4 within a Circulation Area in order to access a Control Zone.

(3) Articles 6 and 8(1) and (2) of this Order apply to an officer belonging to the French Republic while escorting a person under paragraph (2) as if for "Control Zone", each time it occurs, there were substituted "Circulation Area".

(4) Articles 3(2) to (4), 7 and 9 of this Order apply to an officer belonging to the French Republic within a Circulation Area, as if—

(a) for "Control Zone", each time it occurs, there were substituted "Circulation Area";

(b) in article 3(2) to (4) (exercise of functions by French officers), for "carrying out his functions in accordance with paragraph (1)", each time it occurs, there were substituted "escorting a person under article 10A(2)";

(c) in article 7 (arrest of a French officer), for "in the exercise of his functions" in paragraph (2) there were substituted "escorting a person under article 10A(2)".".

Name
Minister of State
Home Office

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) Order 2003 (S.I. 2003/2818) to permit officers of the French Republic to escort detained persons between Control Zones at juxtaposed control sea ports via permitted Circulation Areas while exercising their official functions and to carry their service weapons while doing so.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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