

STATUTORY INSTRUMENTS

2020 No. 916

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

Application of enactments

4.—(1) For the purpose of enabling officers belonging to the United Kingdom to carry out frontier controls, all frontier control enactments extend to the Netherlands within a control zone.

(2) The Equality Act 2010^{M1} applies to the carrying out by immigration officers of their functions in a control zone in the Netherlands as it applies to the carrying out of their functions within the United Kingdom.

(3) For the purposes of [F1Article 3 of the UK GDPR and] section 207 of the Data Protection Act 2018^{M2} (“the 2018 Act”), data which is processed within a control zone in the Netherlands in connection with the carrying out of frontier controls by an officer belonging to the United Kingdom shall be treated as processed by a controller established in the United Kingdom in the context of the activities of that establishment (and [F2the GDPR and the 2018 Act apply] in respect of such data).

(4) For the purposes of [F3Article 3 of the UK GDPR and] section 207 of the 2018 Act, data which is processed within a control zone in the United Kingdom in connection with the carrying out of frontier controls by an officer belonging to the Kingdom of the Netherlands shall be treated as processed by a controller established in the Kingdom of the Netherlands in the context of the activities of that establishment (and accordingly [F4the GDPR and the 2018 Act do] not apply in respect of such data).

[F5(5) In this article, “the UK GDPR” has the meaning given in section 3(10) of the 2018 Act.]

F1 Words in art. 4(3) inserted (31.12.2020) by [The Channel Tunnel \(Arrangements with the Kingdom of the Netherlands\) Order 2020 \(S.I. 2020/916\)](#), arts. 1(2)(a), **8(a)(i)**

F2 Words in art. 4(3) substituted (31.12.2020) by virtue of [The Channel Tunnel \(Arrangements with the Kingdom of the Netherlands\) Order 2020 \(S.I. 2020/916\)](#), arts. 1(2)(a), **8(a)(ii)**

F3 Words in art. 4(4) inserted (31.12.2020) by [The Channel Tunnel \(Arrangements with the Kingdom of the Netherlands\) Order 2020 \(S.I. 2020/916\)](#), arts. 1(2)(a), **8(b)(i)**

F4 Words in art. 4(4) substituted (31.12.2020) by [The Channel Tunnel \(Arrangements with the Kingdom of the Netherlands\) Order 2020 \(S.I. 2020/916\)](#), arts. 1(2)(a), **8(b)(ii)**

F5 Art. 4(5) inserted (31.12.2020) by [The Channel Tunnel \(Arrangements with the Kingdom of the Netherlands\) Order 2020 \(S.I. 2020/916\)](#), arts. 1(2)(a), **8(c)**

Commencement Information

I1 Art. 4 in force at 30.9.2020, see art. 1(2)(b)

Marginal Citations

M1 2010 c.15.

M2 2018 c.12.

Changes to legislation:

There are currently no known outstanding effects for the The Channel Tunnel (Arrangements with the Kingdom of the Netherlands) Order 2020, Section 4.