



# Extradition Act 2003

## 2003 CHAPTER 41

### PART 5

#### MISCELLANEOUS AND GENERAL

##### *General*

#### **217 Form of documents**

The Secretary of State may by regulations prescribe the form of any document required for the purposes of this Act.

#### **218 Existing legislation on extradition**

These Acts shall cease to have effect—

- (a) the Backing of Warrants (Republic of Ireland) Act 1965 (c. 45);
- (b) the Extradition Act 1989 (c. 33).

#### **219 Amendments**

- (1) Schedule 3 contains miscellaneous and consequential amendments.
- (2) The Secretary of State may by order make—
  - (a) any supplementary, incidental or consequential provision, and
  - (b) any transitory, transitional or saving provision,which he considers necessary or expedient for the purposes of, in consequence of, or for giving full effect to any provision of this Act.
- (3) An order under subsection (2) may, in particular—
  - (a) provide for any provision of this Act which comes into force before another such provision has come into force to have effect, until that other provision has come into force, with such modifications as are specified in the order, and

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*Status: This is the original version (as it was originally enacted).*

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(b) amend, repeal or revoke any enactment other than one contained in an Act passed in a Session after that in which this Act is passed.

(4) The amendments that may be made under subsection (3)(b) are in addition to those made by or under any other provision of this Act.

## **220 Repeals**

Schedule 4 contains repeals.

## **221 Commencement**

The preceding provisions of this Act come into force in accordance with provision made by the Secretary of State by order.

## **222 Channel Islands and Isle of Man**

An Order in Council may provide for this Act to extend to any of the Channel Islands or the Isle of Man with the modifications (if any) specified in the Order.

## **223 Orders and regulations**

(1) References in this section to subordinate legislation are to—

- (a) an order of the Secretary of State under this Act (other than an order within subsection (2));
- (b) an order of the Treasury under this Act;
- (c) regulations under this Act.

(2) The orders referred to in subsection (1)(a) are—

- (a) an order for a person's extradition or discharge;
- (b) an order deferring proceedings on a warrant or request;
- (c) an order deferring a person's extradition in pursuance of a warrant or request.

(3) Subordinate legislation—

- (a) may make different provision for different purposes;
- (b) may include supplementary, incidental, saving or transitional provisions.

(4) A power to make subordinate legislation is exercisable by statutory instrument.

(5) No order mentioned in subsection (6) may be made unless a draft of the order has been laid before Parliament and approved by a resolution of each House.

(6) The orders are—

- (a) an order under any of these provisions—
  - section 1(1);
  - section 69(1);
  - section 71(4);
  - section 73(5);
  - section 74(11)(b);
  - section 84(7);
  - section 86(7);

section 142(9);

section 173(4);

section 215(2);

- (b) an order under section 219(2) which contains any provision (whether alone or with other provisions) amending or repealing any Act or provision of an Act.
- (7) A statutory instrument is subject to annulment in pursuance of a resolution of either House of Parliament if it contains subordinate legislation other than an order mentioned in subsection (6) or an order under section 221.
- (8) A territory may be designated by being named in an order made by the Secretary of State under this Act or by falling within a description set out in such an order.
- (9) An order made by the Secretary of State under section 1(1) or 69(1) may provide that this Act has effect in relation to a territory designated by the order with specified modifications.

## **224 Orders in Council**

- (1) An Order in Council under section 177 or 178 is subject to annulment in pursuance of a resolution of either House of Parliament.
- (2) An Order in Council under this Act—
  - (a) may make different provision for different purposes;
  - (b) may include supplementary, incidental, saving or transitional provisions.

## **225 Finance**

The following are to be paid out of money provided by Parliament—

- (a) any expenditure incurred by the Lord Chancellor under this Act;
- (b) any increase attributable to this Act in the sums payable out of money provided by Parliament under any other enactment.

## **226 Extent**

- (1) Sections 157 to 160, 166 to 168, 171, 173 and 205 do not extend to Scotland.
- (2) Sections 154, 198, 200 and 201 extend to England and Wales only.
- (3) Sections 183 and 199 extend to Scotland only.
- (4) Sections 184 and 185 extend to Northern Ireland only.

## **227 Short title**

This Act may be cited as the Extradition Act 2003.