

Draft Order laid before Parliament under section 223(5) of the Extradition Act 2003, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2004 No.

EXTRADITION

Extradition Act 2003 (Amendment to Designations) Order 2004

<i>Made</i>	- - - -	2004
<i>Coming into force</i>	- -	2004

Whereas a draft of this Order has been approved by each House of Parliament:

Now, therefore, the Secretary of State, in exercise of the powers conferred upon him by sections 1, 69(1), 71(4), 73(5), 74(11)(b), 84(7) and 86(7) of the Extradition Act 2003(1) hereby makes the following Order:

1. This Order may be cited as the Extradition Act 2003 (Amendment to Designations) Order 2004 and shall come into force on the expiry of one week beginning with the day on which it was made.

2.—(1) Articles 2(2) and 3(2) of the Extradition Act 2003 (Designation of Part 2 Territories) Order 2003(2) are amended by omitting the territories listed in paragraph (3).

(2) Article 2(2) of the Extradition Act 2003 (Designation of Part 1 Territories) Order 2003(3) is amended by inserting (in the appropriate place) the territories listed in paragraph (3).

(3) Those territories are:

Austria;
Cyprus;
France;
Hungary;
Latvia;
Lithuania;
Luxembourg;
Malta;
The Netherlands;

(1) [2003 c. 41.](#)
(2) [S.I.2003/3334.](#)
(3) [S.I. 2003/3333.](#)

Poland;
Slovenia.

3. The entry in respect of Chile in article 4(2) of the Extradition Act 2003 (Designation of Part 2 Territories) Order 2003 is amended by substituting the words “(95 days)” for “(90 days)”.

Home Office
2004

Parliamentary Under-Secretary of State

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of this Order amends the Extradition Act 2003 (Designation of Part 1 Territories) Order 2003 and the Extradition Act 2003 (Designation of Part 2 Territories) Order 2003 by omitting the territories listed in article 2(3) from the latter Order and adding them to the former Order. The effect of this is that the territories become category 1 territories for the purposes of the Extradition Act 2003 so that Part 1 of that Act applies to them.

Article 3 of this Order amends article 4(2) of the Extradition Act 2003 (Designation of Part 2 Territories) Order 2003 to replace the 90 day limit relating to Chile with a 95 day limit. This is the time limit within which relevant documents have to be received by the judge when a person is arrested under a provisional warrant.