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DRAFT STATUTORY INSTRUMENTS

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**2017 No.**

**The Criminal Justice (Scotland) Act 2016  
(Consequential Provisions) Order 2017**

*Extradition*

**Persons arrested in connection with extradition proceedings**

9.—(1) Schedule 5 modifies the Criminal Procedure (Scotland) Act 1995<sup>(1)</sup> (“the 1995 Act”) and the 2016 Act as they apply in relation to persons arrested in connection with extradition proceedings.

(2) Paragraph (3) makes transitional provision in relation to section 18H of the 1995 Act (which is inserted by paragraph 1 of Schedule 5).

(3) Where—

- (a) relevant data or relevant samples were taken, or provided, in connection with extradition proceedings; and
- (b) before this article comes into force those proceedings were finally determined (within the meaning of section 18H(4) of the 1995 Act),

section 18H applies in relation to the data, the samples and any information derived from the samples subject to the modification that the reference in subsection (2) to the final determination of the extradition proceedings is to be read as a reference to the coming into force of this article.

(4) In paragraph (3)—

- “relevant data” means physical data to which section 18H of the 1995 Act applies; and
- “relevant samples” means samples to which that section applies.