



Extradition Act 2003

2003 CHAPTER 41

PART 4

POLICE POWERS

General

174 Interpretation

- (1) Subsections (2) to (8) apply for the purposes of this Part.
- (2) Each of these is an extradition arrest power—
 - (a) a Part 1 warrant in respect of which a certificate under section 2 has been issued;
 - (b) section 5;
 - (c) a warrant issued under section 71;
 - (d) a provisional warrant;
 - [^{F1}(e) section 74A.]
- (3) “Excluded material”—
 - (a) in England and Wales, has the meaning given by section 11 of the 1984 Act;
 - (b) in Northern Ireland, has the meaning given by Article 13 of the 1989 Order.
- (4) “Items subject to legal privilege”—
 - (a) in England and Wales, has the meaning given by section 10 of the 1984 Act;
 - (b) in Scotland, has the meaning given by section 412 of the 2002 Act;
 - (c) in Northern Ireland, has the meaning given by Article 12 of the 1989 Order.
- (5) “Premises”—
 - (a) in England and Wales, has the meaning given by section 23 of the 1984 Act;
 - (b) in Scotland, has the meaning given by section 412 of the 2002 Act;
 - (c) in Northern Ireland, has the meaning given by Article 25 of the 1989 Order.

Changes to legislation: There are currently no known outstanding effects for the Extradition Act 2003, Section 174. (See end of Document for details)

- (6) “Special procedure material”—
- (a) in England and Wales, has the meaning given by section 14 of the 1984 Act;
 - (b) in Northern Ireland, has the meaning given by Article 16 of the 1989 Order.
- (7) The expressions in subsection (8) have the meanings given—
- (a) in England and Wales, by section 65 of the 1984 Act;
 - (b) in Northern Ireland, by Article 53 of the 1989 Order.
- (8) The expressions are—
- (a) appropriate consent;
 - (b) fingerprints;
 - (c) intimate search;
 - (d) non-intimate sample.
- (9) The 1984 Act is the Police and Criminal Evidence Act 1984 (c. 60).
- (10) The 1989 Order is the Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12)).
- (11) The 2002 Act is the Proceeds of Crime Act 2002 (c. 29).

Textual Amendments

- F1** S. 174(2)(e) inserted (31.12.2020) by [Extradition \(Provisional Arrest\) Act 2020 \(c. 18\)](#), s. 2(4), [Sch. para. 19](#); S.I. 2020/1652, reg. 2(1)(b)

Commencement Information

- I1** Act wholly in force at 1.1.2004, see s. 221 and [S.I. 2003/3103](#), [art. 2](#) (subject to [arts. 3-5](#)) (as amended by [S.I. 2003/3258](#) art. 2(2) and [S.I. 2003/3312](#) art. 2(2))

Changes to legislation:

There are currently no known outstanding effects for the Extradition Act 2003, Section 174.