



Extradition Act 2003

2003 CHAPTER 41

PART 5

MISCELLANEOUS AND GENERAL

[^{F1}Non-UK extradition: transit through the United Kingdom

[^{F1}189D Codes of practice

- (1) The Secretary of State must issue a code of practice in connection with—
 - (a) the exercise of extradition transit powers;
 - (b) the retention, use and return of anything seized under a relevant search power.
- (2) If the Secretary of State proposes to issue a code of practice under this section the Secretary of State must—
 - (a) publish a draft of the code;
 - (b) consider any representations made to the Secretary of State about the draft;
 - (c) if the Secretary of State thinks it appropriate, modify the draft in the light of any such representations.
- (3) The Secretary of State must lay the code before Parliament.
- (4) After doing so the Secretary of State may bring the code into operation by order.
- (5) The Secretary of State may revise the whole or any part of a code issued under this section and issue the code as revised; and subsections (2) to (4) apply to such a revised code as they apply to the original code.
- (6) A failure by an authorised officer to comply with a provision of a code issued under this section does not of itself make the authorised officer liable to criminal or civil proceedings.
- (7) A code issued under this section is admissible in evidence in any proceedings and must be taken into account by a court in determining any question to which it appears to the court to be relevant.

Changes to legislation: There are currently no known outstanding effects for the Extradition Act 2003, Section 189D. (See end of Document for details)

- (8) If the Secretary of State publishes a draft code of practice in connection with a matter specified in subsection (1) before the date on which this section comes into force—
- (a) the draft is as effective as one published under subsection (2) on or after that date;
 - (b) representations made to the Secretary of State about the draft before that date are as effective as such representations made after that date;
 - (c) modifications made by the Secretary of State to the draft in the light of any such representations before that date are as effective as any such modifications made on or after that date.]

Textual Amendments

- F1** Ss. 189A-189E and cross-heading inserted (1.5.2021) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), **ss. 168**, 185(1) (with [ss. 21, 33, 42, 58, 75, 93](#)); S.I. 2021/532, art. 3

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