

SCHEDULES

SCHEDULE 20

EXTRADITION

PART 3

DEVOLUTION ISSUES IN SCOTLAND

Extradition to category 2 territories

28 After section 118A (inserted by paragraph 27) insert—

“118B Scottish devolution issue: remand in custody or on bail

- (1) This section applies where, on an appeal to the Supreme Court against a determination of a devolution issue relating to a person’s extradition under this Part, the Supreme Court—
 - (a) remits the case to the High Court, or
 - (b) orders the person’s extradition.
- (2) The Supreme Court must remand the person in custody or on bail pending the person’s extradition.
- (3) If the Supreme Court remands the person in custody, the High Court may later grant bail.”