
DRAFT STATUTORY INSTRUMENTS

2019 No.

**The Law Enforcement and Security
(Amendment) (EU Exit) Regulations 2019**

PART 14

Extradition

Interpretation

52. In this Part “the 2003 Act” means the Extradition Act 2003⁽¹⁾.

Amendment of the 2003 Act

53.—(1) The 2003 Act is amended as follows.

(2) In section 204 (transmission of warrant by electronic means)⁽²⁾—

(a) in subsection (1)—

(i) in paragraph (a), omit the words from “in a case” until the end;

(ii) in paragraph (b), for “and the alert are” substitute “is”;

(b) omit subsection (2);

(c) in subsection (5), omit paragraph (a);

(d) in subsection (6), omit paragraph (a) together with the word “and” immediately after it.

(3) Omit section 212 (article 95 alerts)⁽³⁾.

(4) In section 215 (European framework list), omit subsections (2) and (3).

(5) In section 223 (orders and regulations)⁽⁴⁾, in subsection (6)(a), omit “section 215(2)”.

Amendment of the Anti-social Behaviour, Crime and Policing Act 2014

54. In section 157 of the Anti-social Behaviour, Crime and Policing Act 2014 (proportionality)⁽⁵⁾, omit subsection (4).

Amendment of the Extradition Act 2003 (Designation of Part 1 Territories) Order 2003

55.—(1) The Extradition Act 2003 (Designation of Part 1 Territories) Order 2003⁽⁶⁾ is amended as follows.

(1) 2003 c. 41.

(2) Section 204 was amended by section 67 of the Policing and Crime Act 2009 (c. 26) and by section 170 of, and paragraph 120 of Schedule 11 to, the Anti-social Behaviour, Crime and Policing Act 2014 (c. 12).

(3) Section 212 was amended by section 68 of the Policing and Crime Act 2009 (c. 26).

(4) Section 223 was amended but the amendments are not relevant for the purposes of this instrument.

(5) 2014 c. 12.

(6) S.I. 2003/3333, as amended by S.I. 2004/1898, 2005/365, 2005/2036, 2006/3451, 2007/2238, and 2013/1583.

(2) For article 2 (designated territories) substitute—
“Gibraltar is designated for the purposes of Part 1 of the Extradition Act 2003.”.

Amendment of the Extradition Act 2003 (Designation of Part 2 Territories) Order 2003

56.—(1) The Extradition Act 2003 (Designation of Part 2 Territories) Order 2003(7) is amended as follows.

- (2) In article 2(2) insert, in the appropriate places, the territories listed in paragraph (4).
- (3) In article 3(2) insert, in the appropriate places, the territories listed in in paragraph (4).
- (4) The territories are—

- Austria;
- Belgium;
- Bulgaria;
- Croatia;
- Cyprus;
- Czech Republic;
- Denmark;
- Estonia;
- Finland;
- France;
- Germany;
- Greece;
- Hungary;
- Ireland;
- Italy;
- Latvia;
- Lithuania;
- Luxembourg;
- Malta;
- The Netherlands;
- Poland;
- Portugal;
- Romania;
- Slovakia;
- Slovenia;
- Spain;
- Sweden.

(7) [S.I. 2003/3334](#), as amended by section 43(1) of the Police and Justice Act 2006 (c. 48) and [S.I. 2004/1898](#), [2005/365](#), [2005/2036](#), [2006/3451](#), [2007/2238](#), [2008/1589](#), [2010/861](#), [2013/1583](#), and [2015/992](#).

Transitional provision

57. Regulations 53(2), 55, and 56 do not apply in a case where, before commencement day—
- (a) a person has been arrested under a Part 1 warrant (within the meaning of the 2003 Act);
 - (b) a person has been arrested under section 5 of the 2003 Act (provisional arrest)**(8)**, or
 - (c) a person has been extradited to or from the UK.

(8) Section 5 was amended by section 378 of, and Schedule 16 to, the Armed Forces Act 2006 (c.52).