

*These notes refer to the Extradition Act 2003 (c.41)
which received Royal Assent on 20th November 2003*

EXTRADITION ACT 2003

EXPLANATORY NOTES

TERRITORIAL APPLICATION: WALES

Part 5

Miscellaneous and General Provisions

Section 194: Special extradition arrangements

553. This section provides for special extradition arrangements to be made with a country which is not an extradition partner with the United Kingdom. Where the Secretary of State believes that such arrangements have been made and that the country is neither a category 1 nor a category 2 territory, he may issue a certificate to that effect, in relation to the extradition of a person (*subsections (1) and (2)*).
554. *Subsection (3)* provides that, in this situation, Part 2 procedures would apply in respect of a request made by the relevant country. *Subsection (4)* provides that the following provisions of Part 2 do not apply in respect of such a request:
- sections 71(4), 73(5), 84(7) and 86(7) – possibility of being designated with the effect of providing "information" in place of "evidence";
 - section 74(11)(b) – possibility of the 45-day period, within which a full extradition request is required following arrest under a provisional warrant, being extended.
555. In addition, any further modifications may be specified in the certificate issued by the Secretary of State. Such a certificate is to be treated as conclusive evidence of the fact that the appropriate conditions, set out in subsection (1), are met.