



# Extradition Act 2003

## 2003 CHAPTER 41

### PART 5

#### MISCELLANEOUS AND GENERAL

##### *Other miscellaneous provisions*

#### **212 Article 95 alerts: transitional provision**

- (1) This section applies in a case where an article 95 alert is issued before 1 January 2004 by an authority of a category 1 territory.
- (2) In such a case, this Act applies as if—
  - (a) the alert were a Part 1 warrant issued by the authority;
  - (b) any information sent with the alert relating to the case were included in the warrant.
- (3) As applied by subsection (2), this Act has effect with these modifications—
  - (a) in sections 2(7) and (8), 28(1), 30(1) and (4)(d), 32(2)(b), 33(6)(b), 35(4)(b), 36(3)(b), 47(3)(b), 49(3)(b), 190(3) and 191(2)(a) for “authority which issued the Part 1 warrant” substitute “authority at the request of which the alert was issued”;
  - (b) omit section 5;
  - (c) in sections 33(4)(b), 42(2)(a), 43(2)(a) and (4) and 61(1)(d) and (e), for “authority which issued the warrant” substitute “authority at the request of which the alert was issued”;
  - (d) in section 66(2), for the words from “believes” to the end substitute “believes is the authority at the request of which the alert was issued”.
- (4) An article 95 alert is an alert issued pursuant to article 95 of the Convention implementing the Schengen agreement of 14th June 1985.