
Changes to legislation: There are currently no known outstanding effects for the Crime and Courts Act 2013, Paragraph 19. (See end of Document for details)

SCHEDULES

SCHEDULE 20

EXTRADITION

PART 3

DEVOLUTION ISSUES IN SCOTLAND

Extradition to category 1 territories

19 After section 33A insert—

“33B Detention pending conclusion of appeals relating to devolution issues

- (1) This section applies if immediately after the High Court orders the person's discharge the court is informed by the authority which issued the Part 1 warrant (“the issuing authority”) that it intends to bring an appeal to the Supreme Court against a determination of a relevant devolution issue (“the Supreme Court appeal”).
- (2) The High Court must remand the person in custody or on bail while the Supreme Court appeal is pending.
- (3) If the court remands the person in custody it may later grant bail.
- (4) The Supreme Court appeal ceases to be pending at the earliest of these times—
 - (a) the end of the period of 28 days starting with the day when the High Court orders the person's discharge (unless, within that period, an application is made to the High Court for permission to make the Supreme Court appeal);
 - (b) the end of the period of 28 days starting with the day when the High Court refuses permission to make the Supreme Court appeal (unless, within that period, an application is made to the Supreme Court for permission to make the Supreme Court appeal);
 - (c) the end of the period of 28 days starting with the day on which permission is given to bring the Supreme Court appeal (unless the appeal is brought within that period);
 - (d) the time when the proceedings on the Supreme Court appeal are abandoned;
 - (e) the time when there is no further step that can be taken in relation to the Supreme Court appeal by the issuing authority (ignoring any power of a court to grant permission to take a step out of time).

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(5) In this section “relevant devolution issue” means a devolution issue relating to the person's extradition.

(6) This section applies only to Scotland.”

Commencement Information

II Sch. 20 para. 19 in force at 29.7.2013 by S.I. 2013/1682, art. 2(1)(b) (with art. 4(3))

Changes to legislation:

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