
Changes to legislation: There are currently no known outstanding effects for the Crime and Courts Act 2013, Cross Heading: Extradition to category 2 territories. (See end of Document for details)

SCHEDULES

SCHEDULE 20

EXTRADITION

PART 2

HUMAN RIGHTS ISSUES

Extradition to category 2 territories

- 10 Part 2 of the Extradition Act 2003 (extradition to category 2 territories) is amended as follows.

Commencement Information

- I1** Sch. 20 para. 10 in force at 29.7.2013 for E.W. by S.I. 2013/1682, art. 2(2)(b)
I2 Sch. 20 para. 10 in force at 14.10.2013 for N.I. by S.I. 2013/2349, art. 2(4)
I3 Sch. 20 para. 10 in force at 17.9.2021 in so far as not already in force by S.I. 2021/1018, art. 3

- 11 In section 70 (extradition request and certificate), after subsection (9) insert—
- “(10) Subsection (11) applies at all times after the Secretary of State issues a certificate under this section.
- (11) The Secretary of State is not to consider whether the extradition would be compatible with the Convention rights within the meaning of the Human Rights Act 1998.”.

Commencement Information

- I4** Sch. 20 para. 11 in force at 29.7.2013 for E.W. by S.I. 2013/1682, art. 2(2)(b)
I5 Sch. 20 para. 11 in force at 14.10.2013 for N.I. by S.I. 2013/2349, art. 2(4)
I6 Sch. 20 para. 11 in force at 17.9.2021 in so far as not already in force by S.I. 2021/1018, art. 3

- 12 In section 108 (appeal against extradition order) after subsection (4) insert—
- “(5) But notice of an appeal under this section may be given after the end of the permitted period if it is an appeal on human rights grounds.
- (6) Notice of any such appeal must be given in accordance with rules of court at a time before the person is extradited to the category 2 territory in accordance with section 117.
- (7) Where notice of an appeal is given in accordance with subsections (5) and (6), the High Court is to consider the appeal only if it appears to the High Court that—

Changes to legislation: There are currently no known outstanding effects for the Crime and Courts Act 2013, Cross Heading: Extradition to category 2 territories. (See end of Document for details)

- (a) the appeal is necessary to avoid real injustice, and
- (b) the circumstances are exceptional and make it appropriate to consider the appeal.

(8) In this section “appeal on human rights grounds” means an appeal against the order for the person's extradition on the grounds (and only on the grounds) that the extradition would not be compatible with the Convention rights within the meaning of the Human Rights Act 1998.”

Commencement Information

- I7** Sch. 20 para. 12 in force at 29.7.2013 for E.W. by S.I. 2013/1682, art. 2(2)(b)
- I8** Sch. 20 para. 12 in force at 14.10.2013 for N.I. by S.I. 2013/2349, art. 2(4)
- I9** Sch. 20 para. 12 in force at 17.9.2021 in so far as not already in force by S.I. 2021/1018, art. 3

13 In section 117 (extradition where no appeal), after subsection (4) insert—

“(5) If a person brings an appeal under section 108 by virtue of subsection (5) of that section, this section ceases to apply (but section 118 applies instead).”

Commencement Information

- I10** Sch. 20 para. 13 in force at 29.7.2013 for E.W. by S.I. 2013/1682, art. 2(2)(b)
- I11** Sch. 20 para. 13 in force at 14.10.2013 for N.I. by S.I. 2013/2349, art. 2(4)
- I12** Sch. 20 para. 13 in force at 17.9.2021 in so far as not already in force by S.I. 2021/1018, art. 3

Changes to legislation:

There are currently no known outstanding effects for the Crime and Courts Act 2013, Cross
Heading: Extradition to category 2 territories.