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STATUTORY INSTRUMENTS

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**2003 No. 3258 (C. 128)**

**EXTRADITION**

**The Extradition Act 2003 (Commencement and Savings)  
(Amendment) Order 2003**

*Made - - - - - 11th December 2003*

The Secretary of State, in exercise of the powers conferred on him by sections 221 and 223(3) of the Extradition Act 2003(a), hereby makes the following Order:

1. This Order may be cited as the Extradition Act 2003 (Commencement and Savings) (Amendment) Order 2003.

2.—(1) The Extradition Act 2003 (Commencement and Savings) Order 2003(b) is amended as follows.

(2) For article 5 substitute—

“5. The coming into force of the repeal of the Extradition Act 1989(c) by section 218(b) of, and Schedule 4 to, the Act shall not apply for the purposes of—

- (a) the Bailiwick of Jersey;
- (b) the Bailiwick of Guernsey;
- (c) the Isle of Man;

(d) any of the British overseas territories with the exception of Gibraltar, until such time as any provision which is made for (or by) the dependency or territory in question (whether under section 177, 178 or 222 of the Act or otherwise) and which has the effect of replacing the provisions of the Extradition Act 1989 comes into force.”.

Home Office  
11th December 2003

*Caroline Flint*  
Parliamentary Under-Secretary of State

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(a) 2003 c. 41.  
(b) S.I. 2003/3103 (C. 122).  
(c) 1989 c. 33.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Extradition Act 2003 (Commencement and Savings) Order 2003 by replacing article 5 of that Order. Under article 5, as substituted, the Extradition Act 1989 continues to have effect in the Crown dependencies and British overseas territories (with the exception of Gibraltar) until the coming into force of provisions which replace that Act in the dependency or territory in question. The provision might be passed by the legislature of the dependency or territory or be included in an Order in Council under sections 177 and 178 of the Extradition Act 2003 in the case of a territory or an Order in Council under section 222 of that Act in the case of a dependency.

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