

Draft Order laid before Parliament under section 223(5) of the Extradition Act 2003, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2003 No.

EXTRADITION

Extradition Act 2003 (Part 3 Designation) Order 2003

Made - - - - 2003
Coming into force - - 1st January 2004

Whereas a draft of this Order has been approved by each House of Parliament;
Now, therefore, the Secretary of State, in exercise of the powers conferred on him by section 142(9) of the Extradition Act 2003(1), hereby makes the following Order:

1. This Order may be cited as the Extradition Act 2003 (Part 3 Designation) Order 2003 and shall come into force on 1st January 2004.

2.—(1) A person of a description specified in paragraph (2) is an appropriate person for the purposes of section 142 of the Extradition Act 2003.

(2) Those persons are—

- (a) any Inland Revenue officer, of grade B1 or above, attached to the Inland Revenue Extradition Group;
- (b) any member of the Serious Fraud Office designated by the Director of the Serious Fraud Office under section 1(7) of the Criminal Justice Act 1987(2);
- (c) the Director of Public Prosecutions, any Crown Prosecutor and any counsel or solicitor instructed by the Crown Prosecution Service for the purposes of the case concerned;
- (d) the Commissioners of Customs and Excise.

Home Office
2003

Parliamentary Under-Secretary of State

(1) 2003 c. 41.
(2) 1987 c. 38.

EXPLANATORY NOTE

(This note is not part of the Order)

Part 3 of the Extradition Act 2003 sets out the procedures for making outgoing extradition requests from the United Kingdom. A Part 3 warrant is an extradition request made to a category 1 territory. Section 142 allows a judge to issue a Part 3 warrant on application by a constable or an appropriate person. Article 2 specifies descriptions of persons who are “appropriate persons” for these purposes.