

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

2008 No.

EXTRADITION

**The Extradition Act 2003 (Amendment
to Designations) Order 2008**

Made - - - -

Coming into force in accordance with article 1

A draft of this Order has been approved by each House of Parliament in accordance with section 223(5) of the Extradition Act 2003⁽¹⁾.

The Secretary of State, in exercise of the powers conferred upon her by sections 69(1) and 74(11) (b) of the Extradition Act 2003, makes the following Order:

1. This Order may be cited as the Extradition Act 2003 (Amendment to Designations) Order 2008 and shall come into force on the expiry of one week beginning with the day on which it is made.

2. Article 2(2) of the Extradition Act 2003 (Designation of Part 2 Territories) Order 2003⁽²⁾ is amended by inserting “The United Arab Emirates,” below “Uruguay,”.

3. Article 4(2) of the same Order is amended by inserting “The United Arab Emirates (65 days)” below “Thailand (65 days)”.

Home Office
2008

Parliamentary Under Secretary of State

(1) 2003 c.41.

(2) S.I. 2003/3334; to which there have been amendments not relevant to the subject matter of this instrument.

EXPLANATORY NOTE

(This note is not part of the Order)

Instruments of ratification of a new extradition treaty between the United Kingdom and the United Arab Emirates were exchanged on 3rd March 2008. Article 2 of the Order amends article 2(2) of the Extradition Act 2003 (Designation of Part 2 Territories) Order 2003 ('the 2003 Order') and thereby designates The United Arab Emirates as a category 2 territory for the purposes of the Extradition Act 2003 ('the 2003 Act'). The effect of designation as a category 2 territory is that extradition requests made by the United Arab Emirates to the United Kingdom will fall to be considered under Part 2 of the 2003 Act.

Article 3 of the Order also amends article 4(2) of the 2003 Order so as to add The United Arab Emirates to the list of territories designated for the purpose of section 74(11)(b) of the 2003 Act. The effect of this designation is to allow 65 days from the date on which someone is arrested under a provisional warrant for the documents required under section 70(9) of the 2003 Act to be provided to the appropriate judge. This time limit reflects the fact that the extradition treaty between the United Kingdom and the United Arab Emirates requires the United Arab Emirates to provide these documents to the Secretary of State within 60 days and allows a further 5 days in order to enable the Secretary of State to provide these documents to the appropriate judge.