



Extradition Act 2003

2003 CHAPTER 41

PART 2

EXTRADITION TO CATEGORY 2 TERRITORIES

Interpretation

139 The appropriate judge

- (1) The appropriate judge is—
- (a) in England and Wales, a District Judge (Magistrates' Courts) designated for the purposes of this Part [^{F1}by the Lord Chief Justice of England and Wales after consulting the Lord Chancellor]^{F1};
 - (b) in Scotland, the sheriff of Lothian and Borders;
 - (c) in Northern Ireland, such county court judge or resident magistrate as is designated for the purposes of this Part by the [^{F2}Lord Chief Justice of Northern Ireland after consulting the [^{F3}Department of Justice in Northern Ireland]]^{F3F2}.
- (2) A designation under subsection (1) may be made for all cases or for such cases (or cases of such description) as the designation stipulates.
- (3) More than one designation may be made under subsection (1).
- [^{F4}(3A) The use of the expression “the judge” in a section containing a previous reference to “the appropriate judge” or “the judge” does not in itself require both references to be read as referring to the same individual.]
- ^{F4}(4) This section applies for the purposes of this Part.
- [^{F5}(5) The Lord Chief Justice of England and Wales may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (1)(a).

*Changes to legislation: There are currently no known outstanding effects
for the Extradition Act 2003, Section 139. (See end of Document for details)*

- (6) The Lord Chief Justice of Northern Ireland may nominate any of the following to exercise his functions under subsection (1)(c)—
- (a) the holder of one of the offices listed in Schedule 1 to the Justice (Northern Ireland) Act 2002;
 - (b) a Lord Justice of Appeal (as defined in section 88 of that Act).]^{F5}

Textual Amendments

- F1** Words in s. 139(1)(a) substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 148, [Sch. 4 para. 354\(2\)](#); S.I. 2006/1014, [art. 2\(a\)](#) Sch. 1 paras. 10, 11(cc)
- F2** Words in s. 139(1)(c) substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 148, [Sch. 4 para. 354\(3\)](#); S.I. 2006/1014, [art. 2\(a\)](#) Sch. 1 paras. 10, 11(cc)
- F3** Words in s. 139(1)(c) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), arts. 1(2), 15(5), [Sch. 18 para. 70\(3\)](#) (with arts. 28-31); S.I. 2010/977, [art. 1\(2\)](#)
- F4** S. 139(3A) inserted (15.1.2007) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 42, 53, [Sch. 13 para. 15\(1\)](#); S.I. 2006/3364, [art. 2\(d\)\(e\)](#)
- F5** S. 139(5)(6) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 148, [Sch. 4 para. 354\(4\)](#); S.I. 2006/1014, [art. 2\(a\)](#) Sch. 1 paras. 10, 11(cc)

Commencement Information

- I1** Act wholly in force at 1.1.2004, see s. 221 and S.I. 2003/3103, [art. 2](#) (subject to [arts. 3-5](#)) (as amended by S.I. 2003/3258 art. 2(2) and S.I. 2003/3312 art. 2(2))

Changes to legislation:

There are currently no known outstanding effects for the Extradition Act 2003, Section 139.