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**Changes to legislation:** Constitutional Reform Act 2005, Cross Heading: Extradition Act 2003 (c. 41) is up to date with all changes known to be in force on or before 27 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## SCHEDULES

### SCHEDULE 4

#### OTHER FUNCTIONS OF THE LORD CHANCELLOR AND ORGANISATION OF THE COURTS

##### PART 1

##### AMENDMENTS

###### *Extradition Act 2003 (c. 41)*

- 352 The Extradition Act 2003 is amended as follows.
- 353 (1) Section 67 (the appropriate judge) is amended as follows.
- (2) In subsection (1)(a) for “by the Lord Chancellor” substitute “ by the Lord Chief Justice of England and Wales after consulting the Lord Chancellor ”.
- (3) In subsection (1)(c) for “by the Lord Chancellor” substitute “ by the Lord Chief Justice of Northern Ireland after consulting the Lord Chancellor ”.
- (4) After subsection (4) insert—
- “(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).
- (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).”
- 354 (1) Section 139 (the appropriate judge) is amended as follows.
- (2) In subsection (1)(a) for “by the Lord Chancellor” substitute “ by the Lord Chief Justice of England and Wales after consulting the Lord Chancellor ”.
- (3) In subsection (1)(c) for “Lord Chancellor” substitute “ Lord Chief Justice of Northern Ireland after consulting the Lord Chancellor ”.
- (4) After subsection (4) insert—
- “(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).
- (6) The Lord Chief Justice of Northern Ireland may nominate any of the following to exercise his functions under subsection (1)(c)—

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- (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).”
- 355 In section 185 (free legal aid: supplementary), in subsection (6) (meaning of appropriate judge)—
  - (a) in paragraph (a) for “by the Lord Chancellor” substitute “ under section 67 ”;
  - (b) in paragraph (b) for “by the Lord Chancellor” substitute “ under section 139 ”.

**Changes to legislation:**

Constitutional Reform Act 2005, Cross Heading: Extradition Act 2003 (c. 41) is up to date with all changes known to be in force on or before 27 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 132(4A) words substituted by [2015 c. 2 s. 83\(1\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(2\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(3\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(4\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(6\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(8\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(9\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(10\)\(a\)](#)
- Sch. 7 para. 4Pt. A words substituted by [2007 c. 15 s. 144\(10\)\(b\)](#)