
Changes to legislation: There are currently no known outstanding effects for the Police and Justice Act 2006, Paragraph 17. (See end of Document for details)

SCHEDULES

SCHEDULE 13

EXTRADITION

PART 1

AMENDMENTS TO THE EXTRADITION ACT 2003

Extradition to category 2 territories: requests and certificates

- 17 (1) Section 70 (extradition request and certificate) is amended as follows.
- (2) In subsection (1)—
- (a) after “must” there is inserted “ (subject to subsection (2)) ”;
 - (b) for the words after “extradition” there is substituted “ of a person to a category 2 territory ”.
- (3) For subsection (2) there is substituted—
- “(2) The Secretary of State may refuse to issue a certificate under this section if—
- (a) he has power under section 126 to order that proceedings on the request be deferred,
 - (b) the person whose extradition is requested has been recorded by the Secretary of State as a refugee within the meaning of the Refugee Convention, or
 - (c) the person whose extradition is requested has been granted leave to enter or remain in the United Kingdom on the ground that it would be a breach of Article 2 or 3 of the Human Rights Convention to remove him to the territory to which extradition is requested.
- (2A) In subsection (2)—
- “Refugee Convention” has the meaning given by section 167(1) of the Immigration and Asylum Act 1999;
- “Human Rights Convention” has the meaning given to “the Convention” by section 21(1) of the Human Rights Act 1998.”
- (4) In subsection (8)—
- (a) the words after “must” become paragraph (a) of that subsection;
 - (b) at the end of that paragraph there is inserted “, and
 - (b) identify the order by which the territory in question is designated as a category 2 territory.”
- (5) In subsection (9), for the words after “send” there is substituted “ the request and the certificate to the appropriate judge ”.

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Commencement Information

II Sch. 13 para. 17 in force at 15.1.2007 by [S.I. 2006/3364](#), **art. 2(e)**

Changes to legislation:

There are currently no known outstanding effects for the Police and Justice Act 2006, Paragraph 17.