

*These notes refer to the Policing and Crime Act 2009  
(c.26) which received Royal Assent on 12 November 2009*

# **POLICING AND CRIME ACT 2009**

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## **EXPLANATORY NOTES**

### **TERRITORIAL EXTENT AND APPLICATION**

#### **Part 6 – Extradition**

##### **Alerts**

##### *Section 68 – Article 95 Alerts*

343. Section 212 of the Extradition Act 2003 previously allowed article 95 alerts issued before 1 January 2004 to be dealt with as if they were Part 1 warrants. Section 68 amends these provisions so that *all* article 95 alerts issued at the request of an authority of a category 1 territory fall to be regarded as arrest warrants issued by that authority. This will ensure that information contained in an article 95 alert (together with any information transmitted with it) will fall to be considered by the designated authority in determining whether it amounts to a Part 1 warrant which may be certified under section 2 of the Extradition Act 2003. This will allow the UK to meet its obligation to validate existing article 95 alerts prior to the UK beginning to send and receive data via SIS II.