
STATUTORY INSTRUMENTS

2003 No. 120

**The Proceeds of Crime Act 2002 (Commencement
No. 4, Transitional Provisions and Savings) Order 2003**

Transitional provision in relation to the Extradition Act 1989

7. Notwithstanding paragraph 18 of Schedule 11 to the Act (which amends the Extradition Act 1989(1)), section 22(4)(h)(2) of, and paragraph 15 of Schedule 1(3) to, the Extradition Act 1989 shall have effect as if they continued to contain references to—

- (a) an offence under section 49, 50 or 51 of the Drug Trafficking Act 1994;
- (b) an offence under section 14 of the Criminal Justice (International Co-operation) Act 1990;
- (c) an offence under section 37 or 38 of the Criminal Law (Consolidation) (Scotland) Act 1995; and
- (d) an offence under article 45, 46 or 47 of the Proceeds of Crime (Northern Ireland) Order 1996(4),

where the conduct constituting such offences occurred before 24th February 2003 or constituted an offence by virtue of articles 3 to 5 of this Order.

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- (1) 1989 c. 33.
 - (2) Section 22(4)(h) was inserted by section 22(3) of the Criminal Justice (International Co-operation) Act 1990 (c. 5) and amended by article 38 of and Schedule 2 to the Criminal Justice (Confiscation) (Northern Ireland) Order 1990 (S.I. 1990/2588 (N.I. 17)), section 65 of and Schedule 1 to the Drug Trafficking Act 1994 (c. 37), and article 57 of and Schedule 3 to the Proceeds of Crime (Northern Ireland) Order 1996 (S.I. 1996/1299 (N.I. 9)).
 - (3) The relevant provisions of paragraph 15 of Schedule 1 were amended by section 22(3) of the Criminal Justice (International Co-operation) Act 1990 (c. 5), article 38 of and Schedule 2 to the Criminal Justice (Confiscation) (Northern Ireland) Order 1990 (S.I. 1990/2588 (N.I. 17)), section 65 of and Schedule 1 to the Drug Trafficking Act 1994 (c. 37), and article 57 of and Schedule 3 to the Proceeds of Crime (Northern Ireland) Order 1996 (S.I. 1996/1299 (N.I. 9)).
 - (4) The offences in the Criminal Justice (International Co-operation) Act 1990 and the Drug Trafficking Act 1994 are referred to in the existing provisions by virtue of being drug trafficking offences within the meaning of the Drug Trafficking Act 1994. The offences in the Proceeds of Crime (Northern Ireland) Order 1996 are referred to in the existing provision by virtue of being drug trafficking offences within the meaning of that Order. The offences in the Criminal Law (Consolidation) (Scotland) Act 1995 are referred to in the existing provisions by virtue of being offences to which section 1 of the Criminal Justice (Scotland) Act 1987 (c. 41) relates (this is because section 2(4) of the Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 (c. 40) has the effect that the references to section 42A and 43 of the Criminal Justice (Scotland) Act 1987 in section 1 of that Act are to be read as references to sections 37 and 38 of the Criminal Law (Consolidation) (Scotland) Act 1995).