

SCHEDULES

SCHEDULE 18

Amendments relating to Article 15(1) to (4) etc

PART 1

Acts of the Parliament of the United Kingdom

Extradition Act 2003

70.—(1) Amend the Extradition Act 2003(1) as follows.

(2) In sections 61 and 134 (costs where discharge ordered) after subsection (8) insert—

“(9) In relation to proceedings in Northern Ireland (including proceedings in the Supreme Court on an appeal, or on an application for leave to appeal, from proceedings in Northern Ireland)—

(a) subsection (5) has effect as if for “out of money provided by Parliament” there were substituted “by the Department of Justice in Northern Ireland”;

(b) the power to make regulations under subsection (8)(b) is exercisable by the Department of Justice in Northern Ireland (and not by the Lord Chancellor).”

(3) In sections 67(1)(c) and 139(1)(c) (appropriate judge) for “Lord Chancellor” substitute “Department of Justice in Northern Ireland”.

(4) In section 185(4) (free legal aid: supplementary) for “Lord Chancellor” substitute “Department of Justice in Northern Ireland”.

(5) In section 223 (orders and regulations)—

(a) in subsection (4) after “instrument” insert “(subject to subsection (10))”;

(b) after subsection (9) insert—

“(10) The power of the Department of Justice in Northern Ireland to make regulations under section 61(8)(b) or 134(8)(b) is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979(2).

(11) Regulations made by the Department of Justice are subject to negative resolution (within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954).”

Commencement Information

II Sch. 18 para. 70 in force at 12.4.2010, see [art. 1\(2\)](#)

- (1) [2003 c. 41](#). Sections 61 and 134 were amended by the Constitutional Reform Act [2005 \(c. 4\)](#), section 40, Schedule 9, paragraph 81. Sections 67 and 139 were amended by the Constitutional Reform Act [2005 \(c. 4\)](#), section 15, Schedule 4, paragraphs 353 and 354. Section 185 was prospectively repealed by [S.I. 2005/1965](#). There are other amendments to the Act, but none relevant.
- (2) [S.I. 1979/1573 \(N.I. 12\)](#).

Status: Point in time view as at 12/04/2010.

Changes to legislation: There are currently no known outstanding effects for the The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010, Cross Heading: Extradition Act 2003. (See end of Document for details)

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