

2013 No. 1682 (C. 67)

EXTRADITION

NATIONAL CRIME AGENCY

POLICE

**The Crime and Courts Act 2013 (Commencement No. 2 and
Saving Provision) Order 2013**

Made - - - -

4th July 2013

The Secretary of State, in exercise of the powers conferred by sections 60 and 61(2) of the Crime and Courts Act 2013(a), makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Crime and Courts Act 2013 (Commencement No. 2 and Saving Provision) Order 2013.

(2) In this Order—

“the Act” means the Crime and Courts Act 2013;

“the 2003 Act” means the Extradition Act 2003(b);

“High Court” has the same meaning as in section 216(9) of the 2003 Act.

Provisions coming into force on 29th July 2013

2.—(1) The day appointed for the coming into force of the following provisions of the Act is 29th July 2013—

(a) section 50 for the purposes of sub-paragraph (b) of this paragraph; and

(b) paragraphs 16 to 29 of Schedule 20.

(2) The day appointed for the coming into force in England and Wales of the following provisions of the Act is 29th July 2013—

(a) section 50 for the purposes of sub-paragraph (b) of this paragraph; and

(b) paragraphs 10 to 15 of Schedule 20.

Provisions coming into force on 7th October 2013

3. The day appointed for the coming into force of the following provisions of the Act is 7th October 2013—

(a) 2013 c. 22.

(b) 2003 c. 41.

- (a) section 1(3) to (11);
- (b) section 1(12) together with Schedule 1, to the extent not already in force;
- (c) section 2;
- (d) section 4(1);
- (e) section 4(10) together with Schedule 2, to the extent not already in force;
- (f) section 5(1) to (9), (11) and (12);
- (g) section 5(10) together with Schedule 3, to the extent not already in force;
- (h) section 6(1), (3) and (4);
- (i) section 7;
- (j) section 8(1) to (5);
- (k) section 8(6) together with Schedule 4, to the extent not already in force;
- (l) section 9(1) to (3) and (5) to (8);
- (m) section 9(4) together with Schedule 5, to the extent not already in force;
- (n) section 10;
- (o) sections 11(1) to (5), (7) and (8);
- (p) section 11(6) to the extent not already in force;
- (q) section 11(9) together with Schedule 6, to the extent not already in force;
- (r) section 12 together with Schedule 7;
- (s) section 13;
- (t) section 15(1) and (2);
- (u) section 15(3) for the purposes of sub-paragraph (v) of this article; and
- (v) paragraphs 6 to 10, 12 to 100, and 104 to 190 of Schedule 8.

Saving provision

4.—(1) The commencement of paragraph 17 of Schedule 20 to the Act is of no effect where a person's discharge at an extradition hearing, within the meaning given in section 68 of the 2003 Act, is ordered before 29th July 2013.

(2) The commencement of paragraph 18 of Schedule 20 to the Act is of no effect where the hearing of an appeal to the Supreme Court commences before 29th July 2013.

(3) The commencement of paragraph 19 of Schedule 20 to the Act is of no effect where a person's discharge is ordered by the High Court before 29th July 2013.

(4) The commencement of paragraph 21 of Schedule 20 to the Act is of no effect where the hearing of an appeal to the High Court, brought under section 26 of the 2003 Act, commences before 29th July 2013.

(5) The commencement of paragraph 23 of Schedule 20 to the Act is of no effect where a person's discharge at an extradition hearing, within the meaning given in section 140 of the 2003 Act, is ordered before 29th July 2013.

(6) The commencement of paragraph 24 of Schedule 20 to the Act is of no effect where a person's discharge is ordered by the Scottish Ministers under section 101 of the 2003 Act before 29th July 2013.

(7) The commencement of paragraph 25 of Schedule 20 to the Act is of no effect where a person's discharge by the High Court on an appeal under section 103 or 108 of the 2003 Act is ordered before 29th July 2013.

(8) The commencement of paragraph 27 of Schedule 20 to the Act is of no effect where the hearing of an appeal to the High Court, brought under section 103, 108 or 110 of the 2003 Act, commences before 29th July 2013.

(9) The commencement of paragraph 28 of Schedule 20 to the Act is of no effect where the hearing of an appeal to the Supreme Court commences before 29th July 2013.

Home Office
4th July 2013

Jeremy Browne
Minister of State

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of this Order brings into force, on 29th July 2013, parts of Schedule 20 to the Crime and Courts Act 2013 (“the Act”), which deals with extradition. It brings into force Part 3 of that Schedule, which relates to devolution issues in Scotland. It also brings into force, for England and Wales, Part 2 of that Schedule, which relates to human rights issues.

Article 3 of this Order brings into force, on 7th October 2013, Part 1 of the Act, together with the related Schedules, except for paragraph 11 of Schedule 8 and those provisions that are already in force. Part 1 of the Act abolishes the Serious Organised Crime Agency and the National Policing Improvement Agency and establishes the National Crime Agency.

Article 4 of this Order makes saving provision in relation to extradition proceedings in Scotland.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|---------------------------------------|-----------------------------|-----------------|
| Section 5(10) (partially) | 8th May 2013 | 2013/1042 |
| Section 8(6) (partially) | 8th May 2013 | 2013/1042 |
| Section 9(4) (partially) | 8th May 2013 | 2013/1042 |
| Section 11(6) (partially) | 8th May 2013 | 2013/1042 |
| Section 11(9) (partially) | 8th May 2013 | 2013/1042 |
| Section 14 | 8th May 2013 | 2013/1042 |
| Section 15(3) (partially) | 8th May 2013 | 2013/1042 |
| Section 16 | 8th May 2013 | 2013/1042 |
| Section 51 | 8th May 2013 | 2013/1042 |
| Section 1(1) and (2) | 27th May 2013 | 2013/1042 |
| Section 1(12) (partially) | 27th May 2013 | 2013/1042 |
| Section 3 | 27th May 2013 | 2013/1042 |
| Section 4(2) to (9) | 27th May 2013 | 2013/1042 |
| Section 4(10) (partially) | 27th May 2013 | 2013/1042 |
| Section 6(2) | 27th May 2013 | 2013/1042 |
| Section 9(4) (partially) | 27th May 2013 | 2013/1042 |
| Section 15(3) (partially) | 27th May 2013 | 2013/1042 |
| Section 53 | 25th June 2013 | 2013/1042 |
| Section 54 | 25th June 2013 | 2013/1042 |
| Section 55(1) to (2) | 25th June 2013 | 2013/1042 |
| Section 55(3)(partially) | 25th June 2013 | 2013/1042 |
| Section 55(5) | 25th June 2013 | 2013/1042 |
| Section 55(6) to (13) | 25th June 2013 | 2013/1042 |
| Section 55(14) (partially) | 25th June 2013 | 2013/1042 |
| Schedule 3, paragraph 34 | 8th May 2013 | 2013/1042 |
| Schedule 4, paragraph 1 | 8th May 2013 | 2013/1042 |
| Schedule 5, paragraphs 5 and 27 to 30 | 8th May 2013 | 2013/1042 |
| Schedule 6, paragraph 5(5) and (6) | 8th May 2013 | 2013/1042 |
| Schedule 8, paragraphs 1 to 5 and 13 | 8th May 2013 | 2013/1042 |
| Schedule 1, paragraph 7 | 27th May 2013 | 2013/1042 |
| Schedule 2, paragraphs 1, 4 and 5 | 27th May 2013 | 2013/1042 |

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|---|----------------|-----------|
| Schedule 5, paragraph 4 | 27th May 2013 | 2013/1042 |
| Schedule 8, paragraphs 101 to 103 | 27th May 2013 | 2013/1042 |
| Schedule 21, paragraphs 1 to 13 | 25th June 2013 | 2013/1042 |
| Schedule 21, paragraph 14 (partially) | 25th June 2013 | 2013/1042 |
| Schedule 21, paragraphs 19 and 30 to 38 | 25th June 2013 | 2013/1042 |
| Schedule 21, paragraphs 39 to 50 | 25th June 2013 | 2013/1042 |

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