

## STATUTORY INSTRUMENTS

# 2019 No. 742

## The Law Enforcement and Security (Amendment) (EU Exit) Regulations 2019

### PART 14

#### Extradition

#### Interpretation

**52.** In this Part “the 2003 Act” means the Extradition Act 2003 <sup>M1</sup>.

#### Commencement Information

**I1** Reg. 52 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### Marginal Citations

**M1** [2003 c. 41](#).

#### Amendment of the 2003 Act

**53.**—(1) The 2003 Act is amended as follows.

(2) In section 204 (transmission of warrant by electronic means) <sup>M2</sup>—

(a) in subsection (1)—

(i) in paragraph (a), omit the words from “in a case” until the end;

(ii) in paragraph (b), for “and the alert are” substitute “ is ”;

(b) omit subsection (2);

(c) in subsection (5), omit paragraph (a);

(d) in subsection (6), omit paragraph (a) together with the word “and” immediately after it.

(3) Omit section 212 (article 95 alerts) <sup>M3</sup>.

(4) In section 215 (European framework list), omit subsections (2) and (3).

(5) In section 223 (orders and regulations) <sup>M4</sup>, in subsection (6)(a), omit “section 215(2)”.

#### Commencement Information

**I2** Reg. 53 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### Marginal Citations

- M2** Section 204 was amended by section 67 of the [Policing and Crime Act 2009 \(c. 26\)](#) and by section 170 of, and paragraph 120 of Schedule 11 to, the [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#).
- M3** Section 212 was amended by section 68 of the [Policing and Crime Act 2009 \(c. 26\)](#).
- M4** Section 223 was amended but the amendments are not relevant for the purposes of this instrument.

#### Amendment of the Anti-social Behaviour, Crime and Policing Act 2014

**54.** In section 157 of the Anti-social Behaviour, Crime and Policing Act 2014 (proportionality)<sup>M5</sup>, omit subsection (4).

#### Commencement Information

- I3** Reg. 54 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### Marginal Citations

- M5** [2014 c. 12](#).

#### Amendment of the Extradition Act 2003 (Designation of Part 1 Territories) Order 2003

**55.**—(1) The Extradition Act 2003 (Designation of Part 1 Territories) Order 2003<sup>M6</sup> is amended as follows.

(2) For article 2 (designated territories) substitute—

“Gibraltar is designated for the purposes of Part 1 of the Extradition Act 2003.”.

#### Commencement Information

- I4** Reg. 55 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### Marginal Citations

- M6** [S.I. 2003/3333](#), as amended by [S.I. 2004/1898](#), [2005/365](#), [2005/2036](#), [2006/3451](#), [2007/2238](#), and [2013/1583](#).

#### Amendment of the Extradition Act 2003 (Designation of Part 2 Territories) Order 2003

**56.**—(1) The Extradition Act 2003 (Designation of Part 2 Territories) Order 2003<sup>M7</sup> is amended as follows.

(2) In article 2(2) insert, in the appropriate places, the territories listed in paragraph (4).

(3) In article 3(2) insert, in the appropriate places, the territories listed in in paragraph (4).

(4) The territories are—

- Austria;
- Belgium;
- Bulgaria;
- Croatia;

Cyprus;  
Czech Republic;  
Denmark;  
Estonia;  
Finland;  
France;  
Germany;  
Greece;  
Hungary;  
[<sup>F1</sup>Iceland;]  
Ireland;  
Italy;  
Latvia;  
Lithuania;  
Luxembourg;  
Malta;  
The Netherlands;  
[<sup>F2</sup>Norway;]  
Poland;  
Portugal;  
Romania;  
Slovakia;  
Slovenia;  
Spain;  
Sweden.

#### Textual Amendments

- F1** Word in reg. 56(4) inserted (31.12.2020 immediately before IP completion day) by [The Law Enforcement and Security \(Separation Issues etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1408\)](#), regs. 1, **25(a)**
- F2** Word in reg. 56(4) inserted (31.12.2020 immediately before IP completion day) by [The Law Enforcement and Security \(Separation Issues etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1408\)](#), regs. 1, **25(b)**

#### Commencement Information

- I5** Reg. 56 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, [Sch. 5 para. 1\(1\)](#)), see reg. 1

#### Marginal Citations

- M7** [S.I. 2003/3334](#), as amended by section 43(1) of the [Police and Justice Act 2006 \(c. 48\)](#) and [S.I. 2004/1898](#), 2005/365, 2005/2036, 2006/3451, 2007/2238, 2008/1589, 2010/861, 2013/1583, and 2015/992.

### Transitional provision

**57.**—<sup>[F3]</sup>(1) Regulations 53(2), 55, and 56 do not apply in a case where, before commencement day—

- (a) a person has been arrested under a Part 1 warrant (within the meaning of the 2003 Act);
- (b) a person has been arrested under section 5 of the 2003 Act (provisional arrest)<sup>M8</sup>, or
- (c) a person has been extradited to or from the UK.

<sup>[F4]</sup>(2) See Article 62(1)(b) of the withdrawal agreement, Article 51 and Title IV of Part 3 of the EEA EFTA separation agreement and sections 7A to 7C of the Withdrawal Act.]

#### Textual Amendments

- F3** Reg. 57 renumbered as reg. 57(1) (31.12.2020 immediately before IP completion day) by [The Law Enforcement and Security \(Separation Issues etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1408\)](#), regs. 1, **26(a)**
- F4** Reg. 57(2) inserted (31.12.2020 immediately before IP completion day) by [The Law Enforcement and Security \(Separation Issues etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1408\)](#), regs. 1, **26(b)**

#### Commencement Information

- I6** Reg. 57 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

#### Marginal Citations

- M8** Section 5 was amended by section 378 of, and Schedule 16 to, the [Armed Forces Act 2006 \(c.52\)](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Law Enforcement and Security (Amendment) (EU Exit) Regulations 2019, PART 14.