



# European Union (Future Relationship) Act 2020

## 2020 CHAPTER 29

### PART 1

#### SECURITY

#### *Extradition*

#### **11 Member States to remain category 1 territories**

(1) In the Extradition Act 2003 (Designation of Part 1 Territories) Order 2003 (S.I. 2003/3333) after Article 1 insert—

“1A The following territories are designated for the purposes of Part 1 of the Extradition Act 2003—

Austria,  
Belgium,  
Bulgaria,  
Croatia,  
Cyprus,  
Czech Republic,  
Denmark,  
Estonia,  
Finland,  
France,  
Germany,  
Greece,  
Hungary,  
Ireland,

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**Changes to legislation:** There are currently no known outstanding effects for the European Union (Future Relationship) Act 2020, Cross Heading: Extradition. (See end of Document for details)

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Italy,  
 Latvia,  
 Lithuania,  
 Luxembourg,  
 Malta,  
 The Netherlands,  
 Poland,  
 Portugal,  
 Romania,  
 Slovakia,  
 Slovenia,  
 Spain,  
 Sweden.”

- (2) In Article 2(2) and Article 3(2) of the Extradition Act 2003 (Designation of Part 2 Territories) Order 2003 (S.I. 2003/3334) omit the entry for each territory that is designated for the purposes of Part 1 of the Extradition Act 2003 by reason of subsection (1) of this section.

#### Commencement Information

**II** S. 11 in force at 31.12.2020 by [S.I. 2020/1662](#), [reg. 2\(j\)](#)

## 12 Dual criminality

- (1) The Extradition Act 2003 is amended as follows.
- (2) In section 64 (extradition offence: persons not sentenced for offence)—
- (a) in subsection (2), for “, (4) or (5)” substitute “ or (4) ”, and
  - (b) omit subsection (5).
- (3) In section 65 (extradition offence: persons sentenced for offence)—
- (a) in subsection (2), for “, (4) or (5)” substitute “ or (4) ”, and
  - (b) omit subsection (5).
- (4) In section 142 (issue of Part 3 warrant)—
- (a) in subsection (6)(a), for “European framework” substitute “ Trade and Cooperation Agreement ”, and
  - (b) in subsection (7), in the words before paragraph (a), for “European framework” substitute “ Trade and Cooperation Agreement ”.
- (5) In section 215 (European framework list)—
- (a) in the heading, for “European framework” substitute “ Trade and Cooperation Agreement ”, and
  - (b) in subsection (1), for “European framework” substitute “ Trade and Cooperation Agreement ”.
- (6) In Schedule 2 (European framework list)—
- (a) in the heading, for “European framework” substitute “ Trade and Cooperation Agreement ”,

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- (b) in paragraph 7, after “Corruption” insert “, including bribery”, and
- (c) in paragraph 31, for “aircraft/ships” substitute “ aircraft/ships/spacecraft ”.

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**Commencement Information**

**I2** S. 12 in force at 31.12.2020 by S.I. 2020/1662, reg. 2(k)

**13 Category 1 territories not applying Trade and Cooperation Agreement to old cases**

- (1) Section 155A of the Extradition Act 2003 (category 1 territories not applying framework decision to old cases) is amended as follows.
- (2) In the heading, for “framework decision” substitute “ Trade and Cooperation Agreement ”.
- (3) In subsection (1)—
  - (a) for “European extradition requests” substitute “ requests for extradition made by the United Kingdom ”, and
  - (b) for “the European framework decision” substitute “ Title VII of Part 3 of the Trade and Cooperation Agreement ”.
- (4) In subsection (4)—
  - (a) omit the definitions of “European extradition request” and “European framework decision”, and
  - (b) at the end insert—

““the Trade and Cooperation Agreement” has the same meaning as in the European Union (Future Relationship) Act 2020 (see section 37 of that Act).”

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**Commencement Information**

**I3** S. 13 in force at 31.12.2020 by S.I. 2020/1662, reg. 2(l)

**Changes to legislation:**

There are currently no known outstanding effects for the European Union (Future Relationship) Act 2020, Cross Heading: Extradition.