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STATUTORY INSTRUMENTS

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**2003 No. 3107**

**EXTRADITION**

**The Extradition Act 2003 (Police Powers) (Northern Ireland) Order 2003**

<i>Made</i>	- - - -	<i>1st December 2003</i>
<i>Laid before Parliament</i>		<i>3rd December 2003</i>
<i>Coming into force</i>	- -	<i>1st January 2004</i>

The Secretary of State, in exercise of the powers conferred on him by section 171(2) and (4) of the Extradition Act 2003<sup>(1)</sup>, hereby makes the following Order:

1. This Order may be cited as the Extradition Act 2003 (Police Powers) (Northern Ireland) Order 2003 and shall come into force on 1st January 2004.

2.—(1) Articles 55, 56, 57 and 59 of the Police and Criminal Evidence (Northern Ireland) Order 1989<sup>(2)</sup> apply in the circumstances described in section 171(1) of the Extradition Act 2003 with the following modifications.

(2) In articles 55(4)(b) and 56(12)(b) for “an offence” there is substituted “a relevant offence (within the meaning of section 164(3) of the Extradition Act 2003)”.

(3) In articles 57(2)(a), 57(5)(a), 59(6)(a) and 59(8)(a) for “a serious arrestable offence” there is substituted “a relevant offence (within the meaning of section 164(3) of the Extradition Act 2003) that would be a serious arrestable offence if it had been committed in Northern Ireland”.

(4) Articles 56(5A), 56(5B), 58(8A) and 58(8B) are omitted.

Home Office  
1st December 2003

*Caroline Flint*  
Parliamentary Under-Secretary of State

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(1) 2003 c. 41.  
(2) S.I.1989/1341 (N.I. 12).

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

Part 4 of the Extradition Act 2003 (“the Act”) sets out powers available to the police in extradition cases. Article 2 of this Order applies articles 55, 56, 57 and 59 of the Police and Criminal Evidence (Northern Ireland) Order 1989 to extradition cases where the circumstances described in section 171(1) of the Act apply. This is where a person is arrested under an extradition arrest power and is detained at a police station.

The sections are modified to substitute “offence” with “relevant offence”. A relevant offence is the offence for which extradition is sought. Provisions in the Police and Criminal Evidence (Northern Ireland) Order 1989 relating to the proceeds of crime have been omitted.