

## EXPLANATORY NOTE

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

Instruments of ratification of a new extradition treaty between the United Kingdom and the People's Democratic Republic of Algeria were exchanged on February 25 2007. Algeria is therefore now being designated, by article 2(1), as a category 2 territory for the first time.

Gibraltar is a party to Council Framework Decision 2002/584/JHA<sup>(1)</sup>. It has now passed its own law implementing that Framework Decision and therefore now needs to be designated as a category 1 territory. This is done by article 3 of this Order.

Bosnia and Herzegovina were designated in article 3(2) of the Extradition Act 2003 (Designation of Part 2 Territories) Order 2003, as amended, for the purposes of sections 71(4), 73(5), 84(7) and 86(7) of the Extradition Act 2003. This was as a result of their ratification of the European Convention on Extradition. That Convention only allows a person to be held in provisional detention, pending the receipt of an extradition request, for a period of 40 days. Article 2(2) of this Order therefore has the effect of bringing that provision into effect.

Article 1(2) of this Order is a transitional provision, which ensures that the change in designation does not apply where a person has already been provisionally arrested in respect of a request from Bosnia and Herzegovina.

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(1) OJ No L 190, 18.7.2002, p1.