Extradition Act 2003

2003 CHAPTER 41

PART 5

MISCELLANEOUS AND GENERAL

General

223 Orders and regulations

(1) References in this section to subordinate legislation are to—
   (a) an order of the Secretary of State under this Act (other than an order within subsection (2));
   (b) an order of the Treasury under this Act;
   (c) regulations under this Act.

(2) The orders referred to in subsection (1)(a) are—
   (a) an order for a person's extradition or discharge;
   (b) an order deferring proceedings on a warrant or request;
   (c) an order deferring a person's extradition in pursuance of a warrant or request.

(3) Subordinate legislation—
   (a) may make different provision for different purposes;
   (b) may include supplementary, incidental, saving or transitional provisions.

(4) A power to make subordinate legislation is exercisable by statutory instrument.

(5) No order mentioned in subsection (6) may be made unless a draft of the order has been laid before Parliament and approved by a resolution of each House.

(6) The orders are—
   (a) an order under any of these provisions—
       section 1(1);
       section 69(1);

section 71(4);
section 73(5);
section 74(11)(b);
section 84(7);
section 86(7);
section 142(9);
section 173(4);
section 215(2);

    (b)   an order under section 219(2) which contains any provision (whether alone or with other provisions) amending or repealing any Act or provision of an Act.

(7) A statutory instrument is subject to annulment in pursuance of a resolution of either House of Parliament if it contains subordinate legislation other than an order mentioned in subsection (6) or an order under section 221.

(8) A territory may be designated by being named in an order made by the Secretary of State under this Act or by falling within a description set out in such an order.

(9) An order made by the Secretary of State under section 1(1) or 69(1) may provide that this Act has effect in relation to a territory designated by the order with specified modifications.