

2005 No. 2036

EXTRADITION

**The Extradition Act 2003 (Amendment to Designations) (No.2)
Order 2005**

Made - - - - - *21st July 2005*

Coming into force - - - - - *28th July 2005*

The Secretary of State, in exercise of the powers conferred upon him by sections 1, 69(1), 71(4), 73(5), 84(7) and 86(7) of the Extradition Act 2003^(a) hereby makes the following Order (a draft of which has been approved by each House of Parliament):

1.—(1) This Order may be cited as the Extradition Act 2003 (Amendment to Designations) (No.2) Order 2005 and, subject to paragraph (2), shall come into force on the expiry of one week beginning with the day on which it was made.

(2) The coming into force of article 2 shall not apply to a request in respect of which—

- (a) the Secretary of State has issued a certificate under section 70 of the Extradition Act 2003, or
- (b) a person has been arrested under a provisional warrant issued under section 73(3) of the Extradition Act 2003,

before the coming into force of this Order.

2.—(1) Articles 2(2) and 3(2) of the Extradition Act 2003 (Designation of Part 2 Territories) Order 2003^(b) are amended by omitting “Italy”.

(2) Article 2(2) of the Extradition Act 2003 (Designation of Part 1 Territories) Order 2003^(c) is amended by inserting “Italy” after “Ireland”.

Home Office
21st July 2005

Andy Burnham
Parliamentary Under Secretary of State

(a) 2003 c.41.

(b) S.I. 2003/3334; to which there have been amendments not relevant to the subject matter of this instrument.

(c) S.I. 2003/3333; to which there have been amendments not relevant to the subject matter of this instrument.

EXPLANATORY NOTE

(This note is not part of the Order)

Italy was designated as a category 2 territory, for the purposes of the Extradition Act 2003, by the Extradition Act 2003 (Designation of Part 2 Territories) Order 2003. This Order removes that designation and re-designates Italy as a category 1 territory by adding them to the list of category 1 territories designated in the Extradition Act 2003 (Designation of Part 1 Territories) Order 2003.

The effect of this is that once this Order is in force Italy will be a category 1 territory for the purposes of the Extradition Act 2003 and Part 1 of that Act will apply to Italy.

Article 1(2) of this Order is a transitional provision, which ensures that the change in designation does not apply where extradition proceedings have already begun.

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