
S T A T U T O R Y I N S T R U M E N T S

2021 No. 530

EXTRADITION

The Extradition Act 2003 (Codes of Practice and Transit Code of Practice) Order 2021

Made - - - -

28th April 2021

Coming into force - -

1st May 2021

The Secretary of State makes the following Order in exercise of the power conferred by sections 173(4) and 189D(4) of the Extradition Act 2003(a) (“the Act”).

(1) Under section 173(1) of the Act, the Secretary of State is required to issue codes of practice (“the Police Powers Codes”) in connection with—

- (a) the exercise of the powers conferred by Part 4 of the Act;
- (b) the retention, use and return of anything seized or produced under Part 4 of the Act;
- (c) access to and the taking of photographs and copies of anything so seized or produced;
- (d) the retention, use, disclosure and destruction of fingerprints, a sample or a photograph taken under Part 4.

(2) In accordance with section 173(2) of the Act, the Secretary of State has published a draft of the revised Police Powers Codes, has considered representations made about the draft and modified the draft of the codes in the light of the representations.

(3) In accordance with section 173(3) of the Act the Secretary of State has laid the revised Police Powers Codes before Parliament.

(4) Under section 189D(1)(b) of the Act, the Secretary of State is required to issue a code of practice (“the Transit Code”) in connection with—

- (a) the exercise of extradition transit powers;
- (b) the retention, use and return of anything seized under a relevant search power.

(5) In accordance with section 189D(2) and (8) of the Act, the Secretary of State has published a draft of the Transit Code, has considered representations made about the draft and modified the draft of the code in the light of the representations.

(6) In accordance with section 189D(3) of the Act the Secretary of State has laid the Transit Code before Parliament.

In accordance with section 223(5)(c) of the Act, a draft of this Order has been laid before Parliament and approved by a resolution of each House of Parliament.

(a) 2003 c.41

(b) Section 189D was inserted by section 168 of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 12)

(c) The effect of section 223(5) was modified by paragraph 122 of Schedule 11 to the Anti-social Behaviour, Crime and Policing Act 2014.