DRAFT STATUTORY INSTRUMENTS

2002 No.

EXTRADITION

European Union Extradition (Amendment) Regulations 2002

Made - - - -	*2002*
Coming into force - -	*2002*

Whereas these Regulations will amend provision made for the purposes set out in section 111 (1) of the Anti-terrorism, Crime and Security Act 2001(**1**) in respect of third pillar measures falling within section 111(2)(a) and (b) of that Act;

And whereas the Secretary of State is an authorised Minister for the purposes of section 111 (1) under section 112(1) and (3)(a) of that Act;

And whereas a draft of these Regulations has been laid before and approved by resolution of each House of Parliament;

Now, therefore, in exercise of the powers conferred on him by section 111 (1) and (3) of that Act, the Secretary of State hereby makes the following Regulations:

1. These Regulations may be cited as the European Union Extradition (Amendment) Regulations 2002 and shall come into force on the day after the day on which they are made.

2.—(1) Schedule 1A to the Extradition Act 1989 (application of the Act where 1995 or 1996 Convention applies)(**2**) is amended as follows.

(2) In section 14A(5), as inserted by paragraph 5 of Schedule 1A, for "magistrate" substitute "Senior District Judge (Chief Magistrate) or another District Judge (Magistrates' Courts) designated by him for the purposes of this Act".

(3) Omit paragraph 10(4) of Schedule 1A.

(4) After the subsection inserted by paragraph 11(3) of Schedule 1A insert:

> "(1B) Where the foreign state has made a declaration under Article 6(3) of the 1996 Convention, fiscal offences, other than those connected with excise, value added tax or customs, are excluded from paragraph (ba) to (bd) of subsection (1) above.".

(**1**) 2001 c. 24.

(**2**) 1989 c. 33; Schedule 1A was inserted by paragraph 5 of Schedule 9 to the European Union Extradition Regulations 2002 (S.I. 2002/419) and applies in the circumstances set out in section 34A of the Extradition Act 1989, as inserted by paragraph 3 of that Schedule.