# EXPLANATORY MEMORANDUM TO THE EXTRADITION ACT 2003 (PARTIES TO INTERNATIONAL CONVENTIONS) ORDER 2005

## 2005 No.46

**1.** This explanatory memorandum is laid before Parliament by Command of Her Majesty.

## 2. Description

The above instrument is made in order to designate territories under Section 193 of the Extradition Act 2003 ("the Act").

## 3. Matters of special interest to the Joint Committee on Statutory Instruments:

None.

## 4. Legislative Background:

Section 193 of the Act allows for the designation of those territories who are party to certain international conventions to which the United Kingdom is also a party. A number of international Conventions give rise to extradition relations with other parties to the convention in questions, even if the United Kingdom has no bilateral relations with them. Territories designated under an Order made under section 193 of the Act are treated as Category 2 territories for the purposes of the offences specified in the Order.

## 5. Extent

The designations have effect for the whole of the United Kingdom.

## 6. European Convention on Human Rights

It is our view that the provisions of the Extradition Act 2003 (Parties to International Conventions) Order 2005 are compatible with the Convention Rights.

## 7. Policy background:

Section 193 of the Act allows territories to be designated so that any extradition requests for conduct covered by the international convention in question can be considered under the provisions of the Act. A territory can only be designated under this section of the Act if it has not already been designated as a Category One or Category Two territory. An extradition request from a territory designated by this Order will be considered under the Act as if the territory in question were a Category Two territory.

This Order lists the territories that are designated for the purposes of Section 193 of the Act , The second column of the Order lists the international conventions which apply to that particular country followed by a third column that specifies the conduct covered by the Order. Extradition requests from these territories for conduct other than those listed in column three cannot be considered under the Act.

**8. Impact:**

No Regulatory Impact Assessment has been prepared because no impact on the private or voluntary sector is foreseen.

**9. Contact:**

Karen Townsend
Judicial Co-operation Unit
Room 462
50 Queen Anne's Gate
London SW1H 9AT

☎: 020 7273 4550
✉: Karen.Townsend@homeoffice.gsi.gov.uk