



House of Commons

NOTICES OF AMENDMENTS

given up to and including

Friday 3 July 2020

New Amendments handed in are marked thus ★

☆ *Amendments which will comply with the required notice period at their next appearance*

Amendments tabled since the last publication: 1 to 6

COMMITTEE OF THE WHOLE HOUSE

EXTRADITION (PROVISIONAL ARREST) BILL [*LORDS*]

NOTE

This document includes all amendments tabled to date and includes any withdrawn amendments at the end. The amendments have been arranged in the order in which they relate to the Bill.

Sir Iain Duncan Smith

1

★ Clause 1, page 1, line 6, at end insert—

“() Nothing in this Act changes the effect of any rule of law or any enactment in force before the date on which this Act is passed in relation to extradition requests by or on behalf of—

- (a) the People’s Republic of China, or
- (b) the Hong Kong Special Administrative Region of the People’s Republic of China.”

Member’s explanatory statement

This amendment is intended to ensure the provisional arrest arrangements proposed under this Bill do not apply to extradition requests from China and/or Hong Kong.

 Extradition (Provisional Arrest) Bill [*Lords*], *continued*

Sir Iain Duncan Smith

2

★ Clause 1, page 1, line 6, at end insert—

“() The power to make further amendments under this Act may not be used to make any provision in relation to—

(a) the People’s Republic of China, or

(b) the Hong Kong Special Administrative Region of the People’s Republic of China.”

Member’s explanatory statement

This amendment would prevent the power to make amendments under this Bill being used in relation to China and/or Hong Kong.

Sir Iain Duncan Smith

3

★ Clause 2, page 1, line 13, at end insert “except in relation to extradition requests by or on behalf of—

(a) the People’s Republic of China, or

(b) the Hong Kong Special Administrative Region of the People’s Republic of China.”

Member’s explanatory statement

This amendment would preclude the exercise in respect of China and /or Hong Kong of the powers under the Extradition Act 2003 in relation to British overseas territories, the Channel Islands or the Isle of Man, in relation to any changes made by this Bill.

Sir Iain Duncan Smith

4

★ Schedule, page 3, line 36, at end insert—

“() Regulations under subsection (7) may not add the People’s Republic of China and the Hong Kong Special Administrative Region of the People’s Republic of China as a specified category 2 territory.”

Member’s explanatory statement

This amendment would preclude the exercise in respect of China and Hong Kong of the proposed power under section 75B(7) of the Extradition Act 2003 to add to the list of specified category 2 territories under Schedule A1 on whose authority a valid extradition request may be made.

Sir Iain Duncan Smith

5

★ Schedule, page 7, line 24, at end insert—

“(8A) Section 70(6) is repealed.”

Member’s explanatory statement

This amendment would repeal section 70(6) of the Extradition Act 2003, which provides that a request for extradition to a category 2 territory which is the Hong Kong Special Administrative Region of the People’s Republic of China is made in the approved way if it is made by or on behalf of the government of the Region.

Extradition (Provisional Arrest) Bill [Lords], continued

Sir Iain Duncan Smith

6

★ Schedule, page 9, line 39, at end insert—

“24A(1) The Extradition Act 2003 (Designation of Part 2 Territories) Order 2003 is amended as follows.

(2) In Article 1(2) (the list of territories designated for the purposes of Part 2 of the Extradition Act 2003), omit “Hong Kong Special Administrative Region”.

(3) Omit Article 2(3) (designation of Hong Kong Special Administrative Region purposes of section 71(4) and 73(5) of the Extradition Act 2003).”

Member’s explanatory statement

This amendment is intended to remove Hong Kong from the list of Extradition Act category 2 territories (which include, for example, India, Russia and South Africa as well as those category 2 territories proposed to be specified under this Bill) as countries on whose behalf provisional arrest warrants may be issued.

ORDER OF THE HOUSE [22 JUNE 2020]

That the following provisions shall apply to the Extradition (Provisional Arrest) Bill [Lords]:

Committal

1. The Bill shall be committed to a Committee of the whole House.

Proceedings in Committee, on Consideration and up to and including Third Reading

2. Proceedings in Committee, any proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which proceedings in Committee are commenced.
3. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
4. Standing Order No. 83B (Programming committees) shall not apply to proceedings in Committee of the whole House, to any proceedings on Consideration or to other proceedings up to and including Third Reading.

Other proceedings

5. Any other proceedings on the Bill may be programmed.
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