



Extradition Act 2003

2003 CHAPTER 41

PART 3

EXTRADITION TO THE UNITED KINGDOM

Extradition from category 2 territories

Commencement Information

- II** Act wholly in force at 1.1.2004, see s. 221 and [S.I. 2003/3103, art. 2](#) (subject to [arts. 3-5](#)) (as amended by [S.I. 2003/3258](#) art. 2(2) and [S.I. 2003/3312](#) art. 2(2))

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- (1) This section applies if—
- (a) a person is extradited to the United Kingdom from a category 2 territory under law of the territory corresponding to Part 2 of this Act, and
 - (b) the territory is a Commonwealth country, a British overseas territory or the Hong Kong Special Administrative Region of the People's Republic of China.
- (2) The person may be dealt with in the United Kingdom for an offence committed before his extradition only if—
- (a) the offence is one falling within subsection (3), or
 - (b) the condition in subsection (6) is satisfied.

[^{F1}This is subject to section 151B.]

- (3) The offences are—
- (a) the offence in respect of which the person is extradited;
 - (b) a lesser offence disclosed by the information provided to the category 2 territory in respect of that offence;
 - (c) an offence in respect of which consent to the person being dealt with is given by or on behalf of the relevant authority.

Changes to legislation: There are currently no known outstanding effects for the Extradition Act 2003, Cross Heading: Extradition from category 2 territories. (See end of Document for details)

- (4) An offence is a lesser offence in relation to another offence if the maximum punishment for it is less severe than the maximum punishment for the other offence.
- (5) The relevant authority is—
- (a) if the person has been extradited from a Commonwealth country, the government of the country;
 - (b) if the person has been extradited from a British overseas territory, the person administering the territory;
 - (c) if the person has been extradited from the Hong Kong Special Administrative Region of the People’s Republic of China, the government of the Region.
- (6) The condition is that the protected period has ended.
- (7) The protected period is 45 days starting with the first day after his extradition to the United Kingdom on which the person is given an opportunity to leave the United Kingdom.
- (8) A person is dealt with in the United Kingdom for an offence if—
- (a) he is tried there for it;
 - (b) he is detained with a view to trial there for it.

Textual Amendments

- F1** Words in s. 150(2) inserted (E.W.) (21.7.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), [ss. 166\(1\)](#), [185\(1\)](#) (with [ss. 21](#), [33](#), [42](#), [58](#), [75](#), [93](#)); [S.I. 2014/1916](#), [art. 2\(l\)](#)

Commencement Information

- I2** Act wholly in force at 1.1.2004, see s. 221 and [S.I. 2003/3103](#), [art. 2](#) (subject to [arts. 3-5](#)) (as amended by [S.I. 2003/3258](#) [art. 2\(2\)](#) and [S.I. 2003/3312](#) [art. 2\(2\)](#))

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Textual Amendments

- F2** S. 151 repealed (25.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), [ss. 76\(2\)](#), [112](#), [116](#), [Sch. 8 Pt. 6](#); [S.I. 2009/3096](#), [art. 3\(s\)\(y\)](#) (with [art. 4](#))

Changes to legislation:

There are currently no known outstanding effects for the Extradition Act 2003, Cross Heading:
Extradition from category 2 territories.