



# Extradition Act 2003

## 2003 CHAPTER 41

### PART 3

#### EXTRADITION TO THE UNITED KINGDOM

##### *Extradition from category 1 territories*

#### **148 Extradition offences**

- (1) Conduct constitutes an extradition offence in relation to the United Kingdom if these conditions are satisfied—
  - (a) the conduct occurs in the United Kingdom;
  - (b) the conduct is punishable under the law of the relevant part of the United Kingdom with imprisonment or another form of detention for a term of 12 months or a greater punishment.
- (2) Conduct also constitutes an extradition offence in relation to the United Kingdom if these conditions are satisfied—
  - (a) the conduct occurs outside the United Kingdom;
  - (b) the conduct constitutes an extra-territorial offence punishable under the law of the relevant part of the United Kingdom with imprisonment or another form of detention for a term of 12 months or a greater punishment.
- (3) But subsections (1) and (2) do not apply in relation to conduct of a person if—
  - (a) he is alleged to be unlawfully at large after conviction by a court in the United Kingdom of the offence constituted by the conduct, and
  - (b) he has been sentenced for the offence.
- (4) Conduct also constitutes an extradition offence in relation to the United Kingdom if these conditions are satisfied—
  - (a) the conduct occurs in the United Kingdom;

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*Status: This is the original version (as it was originally enacted).*

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- (b) a sentence of imprisonment or another form of detention for a term of 4 months or a greater punishment has been imposed in the United Kingdom in respect of the conduct.
- (5) Conduct also constitutes an extradition offence in relation to the United Kingdom if these conditions are satisfied—
  - (a) the conduct occurs outside the United Kingdom;
  - (b) the conduct constitutes an extra-territorial offence;
  - (c) a sentence of imprisonment or another form of detention for a term of 4 months or a greater punishment has been imposed in the United Kingdom in respect of the conduct.
- (6) The relevant part of the United Kingdom is the part of the United Kingdom in which the relevant proceedings are taking place.
- (7) The relevant proceedings are the proceedings in which it is necessary to decide whether conduct constitutes an extradition offence.
- (8) Subsections (1) to (5) apply for the purposes of sections 142 to 147.