



Extradition Act 2003

2003 CHAPTER 41

PART 5

MISCELLANEOUS AND GENERAL

Re-extradition

186 Re-extradition: preliminary

- (1) Section 187 applies in relation to a person if the conditions in subsections (2) to (6) are satisfied.
- (2) The first condition is that the person was extradited to a territory in accordance with Part 1 or Part 2.
- (3) The second condition is that the person was serving a sentence of imprisonment or another form of detention in the United Kingdom (the UK sentence) before he was extradited.
- (4) The third condition is that—
 - (a) if the person was extradited in accordance with Part 1, the Part 1 warrant in pursuance of which he was extradited contained a statement that it was issued with a view to his extradition for the purpose of being prosecuted for an offence;
 - (b) if the person was extradited in accordance with Part 2, the request in pursuance of which the person was extradited contained a statement that the person was accused of the commission of an offence.
- (5) The fourth condition is that a certificate issued by a judicial authority of the territory shows that—
 - (a) a sentence of imprisonment or another form of detention for a term of 4 months or a greater punishment (the overseas sentence) was imposed on the person in the territory;
 - (b) the overseas sentence was imposed on him in respect of—

*Changes to legislation: There are currently no known outstanding effects
for the Extradition Act 2003, Section 186. (See end of Document for details)*

- (i) the offence specified in the warrant or request, or
 - (ii) any other offence committed before his extradition in respect of which he was permitted to be dealt with in the territory.
- (6) The fifth condition is that before serving the overseas sentence the person was returned to the United Kingdom to serve the remainder of the UK sentence.

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))

Changes to legislation:

There are currently no known outstanding effects for the Extradition Act 2003, Section 186.