



Extradition Act 2003

2003 CHAPTER 41

PART 5

MISCELLANEOUS AND GENERAL

Re-extradition

188 Re-extradition to category 1 territories

- (1) If this section applies, this Act applies as it would if—
 - (a) a Part 1 warrant had been issued in respect of the person;
 - (b) the warrant contained a statement that—
 - (i) the person [F¹had been convicted]F¹ of the relevant offence, and
 - (ii) the warrant was issued with a view to the person's arrest and extradition to the territory for the purpose of serving a sentence imposed in respect of the relevant offence;
 - (c) the warrant were issued by the authority of the territory which issued the certificate referred to in section 186(5);
 - (d) the relevant offence were specified in the warrant;
 - (e) the judge were the appropriate judge for the purposes of Part 1;
 - (f) the hearing at which the judge is to make the decision referred to in section 187(1) were the extradition hearing;
 - (g) the proceedings before the judge were under Part 1.
- (2) As applied by subsection (1) this Act has effect with the modifications set out in Part 1 of Schedule 1.
- (3) The relevant offence is the offence in respect of which the overseas sentence is imposed.

*Changes to legislation: There are currently no known outstanding effects
for the Extradition Act 2003, Section 188. (See end of Document for details)*

Textual Amendments

- F1** Words in s. 188(1)(b)(i) substituted (15.1.2007) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 42, 53, [Sch. 13 para. 2\(8\)](#); [S.I. 2006/3364](#), [art. 2\(d\)\(e\)](#)

Commencement Information

- I1** 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 188.