



# Extradition Act 2003

## 2003 CHAPTER 41

### PART 1

#### EXTRADITION TO CATEGORY 1 TERRITORIES

##### *Time for extradition*

### **38 Extradition following deferral for competing claim**

- (1) This section applies if—
  - (a) an order is made under this Part for a person to be extradited to a category 1 territory in pursuance of a Part 1 warrant;
  - (b) before the person is extradited to the territory an order is made under section 44(4)(b) or 179(2)(b) for the person's extradition in pursuance of the warrant to be deferred;
  - (c) the appropriate judge makes an order under section 181(2) for the person's extradition in pursuance of the warrant to cease to be deferred.
- (2) But this section does not apply if the order for the person's extradition is made under section 46 or 48.
- (3) In a case where section 35 applies, the required period for the purposes of section 35(3) is 10 days starting with the day on which the order under section 181(2) is made.
- (4) In a case where section 36 applies, the required period for the purposes of section 36(2) is 10 days starting with the day on which the decision of the relevant court on the appeal becomes final (within the meaning of that section) or (if later) the day on which the order under section 181(2) is made.