



# Extradition Act 2003

## 2003 CHAPTER 41

### PART 1

#### EXTRADITION TO CATEGORY 1 TERRITORIES

##### *Post-extradition matters*

#### **59 Return of person to serve remainder of sentence**

- (1) This section applies if—
  - (a) a person who is serving a sentence of imprisonment or another form of detention in the United Kingdom is extradited to a category 1 territory in accordance with this Part;
  - (b) the person is returned to the United Kingdom to serve the remainder of his sentence.
- (2) The person is liable to be detained in pursuance of his sentence.
- (3) If he is at large he must be treated as being unlawfully at large.
- (4) Time during which the person was not in the United Kingdom as a result of his extradition does not count as time served by him as part of his sentence.
- (5) But subsection (4) does not apply if—
  - (a) the person was extradited for the purpose of being prosecuted for an offence, and
  - (b) the person has not been convicted of the offence or of any other offence in respect of which he was permitted to be dealt with in the category 1 territory.
- (6) In a case falling within subsection (5), time during which the person was not in the United Kingdom as a result of his extradition counts as time served by him as part of his sentence if (and only if) it was spent in custody in connection with the offence or any other offence in respect of which he was permitted to be dealt with in the territory.