



Extradition Act 2003

2003 CHAPTER 41

PART 2

EXTRADITION TO CATEGORY 2 TERRITORIES

[^{F1}Provisional arrest without warrant

[^{F1}74C Section 74B supplementary: valid requests for arrest

- (1) For the purposes of section 74B a request for a person's arrest is valid if it is made in the approved way and it contains—
 - (a) the statement referred to in subsection (2) and the information referred to in subsection (3), or
 - (b) the statement referred to in subsection (4) and the information referred to in subsection (5).
- (2) The statement is one that—
 - (a) the person is accused in the category 2 territory of the commission of an offence specified in the request, and
 - (b) the request is made with a view to the arrest and extradition of the person to the category 2 territory for the purpose of being prosecuted for the offence.
- (3) The information is—
 - (a) particulars of the person's identity;
 - (b) particulars of the circumstances in which the person is alleged to have committed the offence, including the conduct alleged to constitute the offence, the time and place at which the person is alleged to have committed the offence and any provision of the law of the category 2 territory under which the conduct is alleged to constitute an offence;
 - (c) particulars of the sentence which may be imposed under the law of the category 2 territory in respect of the offence if the person is convicted of it.
- (4) The statement is one that—

Changes to legislation: There are currently no known outstanding effects for the Extradition Act 2003, Section 74C. (See end of Document for details)

- (a) the person has been convicted of an offence specified in the request by a court in the category 2 territory, and
 - (b) the request is made with a view to the arrest and extradition of the person to the category 2 territory for the purpose of being sentenced for the offence or of serving a sentence of imprisonment or another form of detention imposed in respect of the offence.
- (5) The information is—
- (a) particulars of the person's identity;
 - (b) particulars of the conviction;
 - (c) particulars of the sentence which may be imposed under the law of the category 2 territory in respect of the offence, if the person has not been sentenced for the offence;
 - (d) particulars of the sentence which has been imposed under the law of the category 2 territory in respect of the offence, if the person has been sentenced for the offence.
- (6) A request is made in the approved way for the purposes of this section if it is made by an authority of the category 2 territory which the designated authority believes has the function of making such requests in that territory.]

Textual Amendments

- F1** Ss. 74A-74E and cross-heading inserted (31.12.2020) by [Extradition \(Provisional Arrest\) Act 2020](#) (c. 18), s. 2(4), **Sch. para. 2** (with Sch. para. 6); S.I. 2020/1652, reg. 2(1)(b)

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