Extradition Act 2003

2003 CHAPTER 41

PART 2

EXTRADITION TO CATEGORY 2 TERRITORIES

The extradition hearing

[F176A   Person charged with offence in United Kingdom before extradition hearing

(1) This section applies if—

   (a)   a person has been brought before the appropriate judge under section 72(3)
         [F2, 74(3) or 74A(3)] but the extradition hearing has not begun; and

   (b)   the judge is informed that the person is charged with an offence in the United
         Kingdom.

(2) The judge must order further proceedings in respect of the extradition to be adjourned
    until one of these occurs—

   (a)   the charge is disposed of;

   (b)   the charge is withdrawn;

   (c)   proceedings in respect of the charge are discontinued;

   (d)   an order is made for the charge to lie on the file, or in relation to Scotland, the
         diet is deserted *pro loco et tempore* .

(3) If a sentence of imprisonment or another form of detention is imposed in respect of the
    offence charged, the judge may order further proceedings in respect of the extradition
    to be adjourned until the person is released from detention pursuant to the sentence
    (whether on licence or otherwise).]

Textual Amendments

   F1   Ss. 76A, 76B inserted (25.1.2010) by Policing and Crime Act 2009 (c. 26), **ss. 70**, 116; S.I. 2009/3096,
            art. 3(m) (with art. 4)

F2   Words in s. 76A(1)(a) substituted (31.12.2020) by Extradition (Provisional Arrest) Act 2020 (c. 18), s. 2(4), **Sch. para. 12**; S.I. 2020/1652, reg. 2(1)(b)

Modifications etc. (not altering text)
C1   S. 76A(2) modified (10.11.2016) by The Extradition Act 2003 (Overseas Territories) Order 2016 (S.I. 2016/990), arts. 1(1), 6(3), **Sch. 3**

Changes to legislation:
There are currently no known outstanding effects for the Extradition Act 2003, Section 76A.