



# Extradition Act 2003

## 2003 CHAPTER 41

### PART 2

#### EXTRADITION TO CATEGORY 2 TERRITORIES

##### *The extradition hearing*

#### **90 Competing extradition claim**

- (1) This section applies if at any time in the extradition hearing the judge is informed that the conditions in subsection (2) or (3) are met.
- (2) The conditions are that—
  - (a) the Secretary of State has received another valid request for the person's extradition to a category 2 territory;
  - (b) the other request has not been disposed of;
  - (c) the Secretary of State has made an order under section 126(2) for further proceedings on the request under consideration to be deferred until the other request has been disposed of.
- (3) The conditions are that—
  - (a) a certificate has been issued under section 2 in respect of a Part 1 warrant issued in respect of the person;
  - (b) the warrant has not been disposed of;
  - (c) the Secretary of State has made an order under section 179(2) for further proceedings on the request to be deferred until the warrant has been disposed of.
- (4) The judge must remand the person in custody or on bail.
- (5) [<sup>F1</sup>If the person is remanded in custody, the appropriate judge may]<sup>F1</sup> later grant bail.

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*Changes to legislation: There are currently no known outstanding effects  
for the Extradition Act 2003, Section 90. (See end of Document for details)*

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#### **Textual Amendments**

- F1** Words in s. 90(5) substituted (15.1.2007) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 42, 53, [Sch. 13 para. 16](#); [S.I. 2006/3364](#), [art. 2\(d\)\(e\)](#)
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#### **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 90.