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STATUTORY INSTRUMENTS

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**2005 No. 384**

**The Criminal Procedure Rules 2005**

**PART 17**

**EXTRADITION**

**Consent to early removal to Republic of Ireland**

**17.5.**—(1) A notice given under section 3(1)(a) of the Backing of Warrants (Republic of Ireland) Act 1965<sup>(1)</sup> (consent to surrender earlier than is otherwise permitted) shall be signed in the presence of a justice of the peace or a justices' clerk.

(2) Any such notice given by a person in custody shall be delivered to the Governor of the prison in whose custody he is.

(3) If a person on bail gives such notice, he shall deliver it to, or send it by post in a registered letter or by recorded delivery service addressed to, the police officer in charge of the police station specified in his recognizance.

(4) Any such notice shall be attached to the warrant ordering the surrender of that person.

*[Note. Formerly rule 2 of the Magistrates' Courts (Backing of Warrants) Rules 1965<sup>(2)</sup>. This rule has effect only in proceedings where the request for extradition was received by the relevant authority in the United Kingdom on or before 31st December 2003.]*

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(1) 1965 c. 45; the whole Act was repealed by section 218(a) of, and Schedule 4 to, the Extradition Act 2003 (c. 41).

(2) S.I. 1965/1906; amending instruments relevant to this Part are S.I. 1989/1596 and 2001/615.