

SCHEDULES

SCHEDULE 3

EXTRA-TERRITORIAL OFFENCES

Right of accused to opt for trial in Republic of Ireland

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- (1) If a person is accused of an extra-territorial offence, and a judge of the High Court, or the court of trial, is satisfied that a warrant has been duly issued in the Republic of Ireland on an information laid by a member of the police force (Garda Síochána) in the Republic of Ireland for his arrest for the corresponding offence in respect of the same act or omission, the judge or court shall, if the accused so requests, issue an order directing—

(a) that the accused be delivered as soon as may be at some convenient point of departure from Northern Ireland into the custody of a member of the said police force in the Republic of Ireland, and

(b) that he be kept in custody in Northern Ireland until so delivered.

[^{F1}(2) If the accused is serving a sentence imposed for any other offence, the order under this paragraph shall not take effect until service of the sentence is completed.]

[^{X1}(2) If at the time when the order under this paragraph is made the accused stands charged with or convicted of an offence other than the extra-territorial offence, so much of the order as directs him to be delivered as aforesaid shall not take effect until the conclusion of the proceedings (including any appeal or retrial) in respect of that other offence and of any sentence of imprisonment or detention imposed in those proceedings.]

(3) An order may be made under this paragraph at any time before entry of the plea of the accused on arraignment on the indictment for the extra-territorial offence.

Editorial Information

X1 Sch. 3 para. 2(2) beginning with the words “If at the time ...” substituted (N.I) for para. 2(2) by Suppression of Terrorism Act 1978 (c. 26, SIF 48), s. 6

Textual Amendments

F1 Sch. 3 para. 2(2) beginning with the words “If at the time ...” substituted (N.I) for para. 2(2) substituted by Suppression of Terrorism Act 1978 (c. 26, SIF 48), s. 6

Changes to legislation:

There are currently no known outstanding effects for the Criminal Jurisdiction Act 1975, Paragraph 2.