



Repatriation of Prisoners Act 1984

1984 CHAPTER 47

[^{F1}Supplementary and general provisions]

8 Interpretation and certificates. U.K.

(1) In this Act, except in so far as the context otherwise requires—

^{F1}“enactment” includes an enactment comprised in, or in an instrument under, an Act of the Scottish Parliament;

^{F2}...

“order” includes any sentence, direction, warrant or other means of giving effect to the decision of a court or tribunal; and

“the prisoner” has the meaning given by section 1(1)(b) above^{F3}; and

“the relevant person” has the meaning given by section 4A(5)(b).]

(2) In this Act a reference to criminal jurisdiction, in relation to a court or tribunal in a country or territory outside the British Islands, includes a reference to any jurisdiction which would be a criminal jurisdiction but for the age or incapacity of the persons in respect of whom it is exercised.

^{F4}(2A) In this Act—

(a) “international arrangements” includes any arrangements between the United Kingdom and a British overseas territory, and

(b) references to a country or territory being a party to international arrangements include references to the country or territory being required to comply with provisions of a Framework Decision of the Council of the European Union (and references to international arrangements are to be construed accordingly).]

(3) In any proceedings, the certificate of the ^{F5}relevant Minister]—

(a) that a particular country or territory is a party to any such international arrangements as are mentioned in section 1(1)(a) ^{F6}or 4A(5)(a) above,

(b) that the appropriate authority of a country or territory which is ^{F7}a party to such international arrangements as are mentioned in section 1(1)(a) has

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agreed to the transfer of a particular person in accordance with any such arrangements,

[^{F8}(ba) that the appropriate authority of a country or territory which is a party to such international arrangements as are mentioned in section 4A(5)(a) has agreed to the transfer of responsibility for the detention and release of a particular person in accordance with those arrangements,] or

(c) that, for the purposes of any provision of this Act, a particular person is or represents the appropriate authority of any country or territory,

shall be conclusive of the matter certified.

[^{F9}(4) In subsection (3) above, “relevant Minister” means—

(a) the Scottish Ministers where the proceedings relate to a transfer which they have the responsibility under this Act to make or consider making; ^{F10} ...

[^{F11}(aa) the Department of Justice in Northern Ireland where the proceedings relate to a transfer which it has the responsibility under this Act to make or consider making; and]

(b) the Secretary of State in any other case.]

Textual Amendments

- F1** Words in s. 8(1) inserted (14.7.2008) by Criminal Justice and Immigration Act 2008 (c. 4), **ss. 96(3), 153(7)**; S.I. 2008/1586, art. 2(1), Sch. 1 para. 40
- F2** Words in s. 8(1) omitted (3.12.2014) by virtue of The Criminal Justice and Data Protection (Protocol No. 36) Regulations 2014 (S.I. 2014/3141), regs. 1(b), **114(7)(a)**
- F3** Words in s. 8(1) inserted (14.7.2008) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 26 para. 18(2)**; S.I. 2008/1586, art. 2(1), Sch. 1 para. 48(g)
- F4** S. 8(2A) inserted (3.12.2014) by The Criminal Justice and Data Protection (Protocol No. 36) Regulations 2014 (S.I. 2014/3141), regs. 1(b), **114(7)(b)**
- F5** Words in s. 8(3) substituted (1.7.1999) by S.I. 1999/1820, art. 4, **Sch. 2 Pt. 1 para. 75(9)(a)**
- F6** Words in s. 8(3)(a) inserted (14.7.2008) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 26 para. 18(3)(a)**; S.I. 2008/1586, art. 2(1), Sch. 1 para. 48(g)
- F7** Words in s. 8(3)(b) substituted (14.7.2008) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 26 para. 18(3)(b)**; S.I. 2008/1586, art. 2(1), Sch. 1 para. 48(g)
- F8** S. 8(3)(ba) inserted (14.7.2008) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 26 para. 18(3)(c)**; S.I. 2008/1586, art. 2(1), Sch. 1 para. 48(g)
- F9** S. 8(4) inserted (1.7.1999) by S.I. 1999/1820, art. 4, **Sch. 2 Pt. 1 para. 75(9)(b)**
- F10** Word in s. 8(4)(a) omitted (12.4.2010) by virtue of The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 8 para. 13(a)** (with arts. 28-31)
- F11** S. 8(4)(aa) inserted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 8 para. 13(b)** (with arts. 28-31)

Modifications etc. (not altering text)

- C1** Ss. 1-8: certain functions made exercisable in or as regards Scotland (30.6.1999) by S.I. 1999/1748, arts. 4(1), 8(1), **Sch. 2 para. 1(10)**

Changes to legislation:

There are currently no known outstanding effects for the Repatriation of Prisoners Act 1984, Section 8.