



Criminal Justice Act 1988

1988 CHAPTER 33

PART I

EXTRADITION

Treatment of persons returned from foreign states

16 Restrictions upon proceedings for other offences

- (1) Where any person is returned to the United Kingdom by a foreign state in pursuance of general or special extradition arrangements, he shall not, unless he has first been restored or had an opportunity of leaving the United Kingdom, be triable or tried for any offence committed prior to the surrender in any part of the United Kingdom, other than—
 - (a) an offence in respect of which he was returned; or
 - (b) any offence disclosed by the particulars furnished to the foreign state on which his return is grounded; or
 - (c) any other offence in respect of which the foreign state may consent to his being tried.
- (2) Where any person returned to the United Kingdom in pursuance of general or special extradition arrangements has been convicted before his return of an offence for which his return was not granted, any punishment for that offence shall by operation of this section be remitted; but his conviction for it shall be treated as a conviction for all other purposes.

17 Restoration of persons not tried or acquitted

- (1) This section applies to any person accused of an offence under the law of the United Kingdom who is returned to the United Kingdom in pursuance of general or special extradition arrangements.
- (2) If in the case of a person to whom this section applies either—

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (a) proceedings against him for the offence for which he was returned are not begun within the period of six months beginning with the day of his arrival in the United Kingdom on being returned; or
- (b) on his trial for that offence, he is acquitted or discharged under any of the following provisions—
 - (i) section 7(1) of the Powers of Criminal Courts Act 1973;
 - (ii) section 182 or 383 of the Criminal Procedure (Scotland) Act 1975;
 - (iii) section 5(1) of the Probation Act (Northern Ireland) 1950,the Secretary of State may, if he thinks fit, on the request of that person, arrange for him to be sent back free of charge and with as little delay as possible to the foreign state from which he was returned.