



Extradition Act 2003

CHAPTER 41

EXTRADITION ACT 2003

PART 1

EXTRADITION TO CATEGORY 1 TERRITORIES

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PART 2

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Introduction

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- 70 Extradition request and certificate

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- 83C Prosecutor's certificates
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- 91 Physical or mental condition
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- 100 Information
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- 103 Appeal where case sent to Secretary of State
- 104 Court's powers on appeal under section 103
- 105 Appeal against discharge at extradition hearing
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- 112A Detention pending conclusion of appeal under section 110: Scotland
- 113 Appeal to High Court: time limit for start of hearing
- 114 Appeal to Supreme Court
- 115 Powers of Supreme Court on appeal under section 114
- 115A Detention pending conclusion of certain appeals under section 114
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- 116 Appeals: general

Time for extradition

- 117 Extradition where no appeal
- 118 Extradition following appeal
- 118A Judge informed after extradition order that person is charged with offence in United Kingdom
- 118B Judge informed after extradition order that person is serving sentence in United Kingdom
- 118C Judge informed after extradition order that person is charged with offence in United Kingdom
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- 119 Undertaking in relation to person serving sentence in United Kingdom
- 120 Extradition following deferral for competing claim
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Withdrawal of extradition request

- 122 Withdrawal of request before end of extradition hearing
- 123 Withdrawal of request after case sent to Secretary of State
- 124 Withdrawal of request while application or appeal to High Court pending
- 125 Withdrawal of request while appeal to Supreme Court pending

Competing extradition requests

- 126 Competing extradition requests

Consent to extradition

- 127 Consent to extradition: general
- 128 Consent to extradition before case sent to Secretary of State

Post-extradition matters

- 129 Consent to other offence being dealt with

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- 130 Consent to further extradition to category 2 territory
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- 132 Return of person to serve remainder of sentence

Costs

- 133 Costs where extradition ordered
- 134 Costs where discharge ordered
- 135 Costs where discharge ordered: supplementary
- 135A Appropriate amount: England and Wales
- 135B Legal costs: England and Wales

Repatriation cases

- 136 Persons serving sentences outside territory where convicted

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- 137 Extradition offences: person not sentenced for offence
- 138 Extradition offences: person sentenced for offence
- 139 The appropriate judge
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- 140A Unlawfully at large
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- 146 Dealing with person for other offences
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- 150 Dealing with person for other offences: Commonwealth countries etc.
- 151 Dealing with person for other offences: other category 2 territories

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- 151A Dealing with person for other offences
- 151B Detention of person for trial in England and Wales for other offences
- 152 Remission of punishment for other offences
- 153 Return of person acquitted or not tried
- 153A Undertaking in relation to person serving sentence
- 153B Return of person in pursuance of undertaking
- 153C Return to extraditing territory to serve sentence
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- 154 Restriction on bail where undertaking given by Secretary of State
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- 172 Delivery of seized property

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- 173 Codes of practice

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Legal aid

- 182 Legal advice, assistance and representation: England and Wales
- 183 Legal aid: Scotland
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- 193 Parties to international Conventions

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- 194 Special extradition arrangements

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- 195 Human rights: appropriate tribunal

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- 198 Bail: England and Wales
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- 200 Appeal against grant of bail
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- 206B Live links: supplementary
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- 207 Extradition for more than one offence
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SCHEDULES

SCHEDULE 1 — Re-extradition: modifications

Part 1 — CATEGORY 1 TERRITORIES

- 1 In section 11(1), omit paragraphs (c), (g) and (h).
- 2 Omit sections 14, 18 and 19.
- 3 In section 21(3) and section 21A(5), for “must” substitute “ may...”
- 4 In section 31(2), for paragraphs (a) and (b) substitute “...”
- 5 In section 39(2)(a), for “a certificate is issued under section...”
- 6 In section 44(2)(a), for “following his arrest under this Part”...
- 7 In section 45(1), for the words from “arrested” to “issued”...

Part 2 — CATEGORY 2 TERRITORIES

- 8 In section 78, omit subsections (2), (3), (5) and (8)....
- 9 In section 78, for subsection (4) substitute—
- 10 In section 78(6), for “any of the questions” substitute “...”
- 11 In section 78(7), for “those questions” substitute “ that question...”
- 12 In section 79(1), omit paragraph (c).
- 13 Omit section 82.
- 14 In section 87(3), for the words from “must send the...”
- 15 In section 87, after subsection (3) insert—

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- 16 In section 103(1)— (a) for the words from “sends a...
- 17 In section 103(2), for the words from “the person” to...
- 18 In section 103, omit subsections (3), (5), (6), (7) and...
- 19 In section 103(9), for the words from “the Secretary of...
- 20 In section 104, omit subsections (1)(b), (6) and (7).
- 21 In section 106, omit subsections (1)(b), (7) and (8).
- 22 In section 117(1)(a), for “the Secretary of State” substitute “...
- 23 In section 117(1)(b), for the words from “permitted period” to...
- 24 In section 117, after subsection (1) insert—
- 25 In section 117(2), for “the Secretary of State” substitute “...
- 26 In section 119(1)(a), for “the Secretary of State” substitute “...
- 27 In section 119, in subsections (2) to (6) and in...
- 28 In section 120, after subsection (1) insert—
- 29 In section 121(2)(a), for “a certificate is issued under section...
- 30 In section 127(1), for the words from “arrested” to “requested”...
- 31 In section 127(3), before paragraph (a) insert—
- 32 In section 127, omit subsections (4) and (5).
- 33 In section 128, after subsection (1) insert—
- 34 In section 128(4), for the words from “send the case”...
- 35 In section 128, after subsection (5) insert—
- 36 After section 128 insert— Extradition to category 2 territory following...

SCHEDULE 2 — European framework list

- 1 Participation in a criminal organisation.
- 2 Terrorism.
- 3 Trafficking in human beings.
- 4 Sexual exploitation of children and child pornography.
- 5 Illicit trafficking in narcotic drugs and psychotropic substances.
- 6 Illicit trafficking in weapons, munitions and explosives.
- 7 Corruption.
- 8 Fraud, including that affecting the financial interests of the European...
- 9 Laundering of the proceeds of crime.
- 10 Counterfeiting currency, including of the euro.
- 11 Computer-related crime.
- 12 Environmental crime, including illicit trafficking in endangered animal species and...
- 13 Facilitation of unauthorised entry and residence.
- 14 Murder, grievous bodily injury.
- 15 Illicit trade in human organs and tissue.
- 16 Kidnapping, illegal restraint and hostage-taking.
- 17 Racism and xenophobia.
- 18 Organised or armed robbery.
- 19 Illicit trafficking in cultural goods, including antiques and works of...
- 20 Swindling.
- 21 Racketeering and extortion.
- 22 Counterfeiting and piracy of products.
- 23 Forgery of administrative documents and trafficking therein.
- 24 Forgery of means of payment.
- 25 Illicit trafficking in hormonal substances and other growth promoters.
- 26 Illicit trafficking in nuclear or radioactive materials.
- 27 Trafficking in stolen vehicles.
- 28 Rape.
- 29 Arson.

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- 30 Crimes within the jurisdiction of the International Criminal Court.
- 31 Unlawful seizure of aircraft/ships.
- 32 Sabotage.

SCHEDULE 3 — Amendments

Introduction

- 1 The amendments specified in this Schedule shall have effect.

Parliamentary Commissioner Act 1967 (c. 13)

- 2 In Schedule 3 to the Parliamentary Commissioner Act 1967 (c....

Criminal Justice Act 1967 (c. 80)

- 3 Section 34 of the Criminal Justice Act 1967 (c. 80)...

Suppression of Terrorism Act 1978 (c. 26)

- 4 Sections 1 (offences not to be regarded as of a...
- 5 For section 5 of the Suppression of Terrorism Act 1978...

Criminal Justice (International Co-operation) Act 1990 (c. 5)

- 6 Section 22(1) of the Criminal Justice (International Co-operation) Act 1990...

Computer Misuse Act 1990 (c. 18)

- 7 Section 15 of the Computer Misuse Act 1990 (c. 18)...

Aviation and Maritime Security Act 1990 (c. 31)

- 8 Section 49 of the Aviation and Maritime Security Act 1990...

Criminal Justice Act 1991 (c. 53)

- 9 In section 47 of the Criminal Justice Act 1991 (c....

United Nations Personnel Act 1997 (c. 13)

- 10 Section 6(1) of the United Nations Personnel Act 1997 (c....

Terrorism Act 2000 (c. 11)

- 11 Section 64(5) of the Terrorism Act 2000 (c. 11) (offences...

International Criminal Court Act 2001 (c. 17)

- 12 Section 71 of the International Criminal Court Act 2001 (c....
- 13 (1) Part 2 of Schedule 2 to the International Criminal...

Enterprise Act 2002 (c. 40)

- 14 Section 191 of the Enterprise Act 2002 (c. 40) (offences...

SCHEDULE 4 — Repeals

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