



Extradition Act 2003

2003 CHAPTER 41

PART 3

EXTRADITION TO THE UNITED KINGDOM

Extradition from category 1 territories

143 Undertaking in relation to person serving sentence

- (1) This section applies if—
 - (a) a Part 3 warrant is issued in respect of a person;
 - (b) the person is serving a sentence of imprisonment or another form of detention in a category 1 territory;
 - (c) the person's extradition to the United Kingdom from the category 1 territory in pursuance of the warrant is made subject to a condition that an undertaking is given on behalf of the United Kingdom with regard to his treatment in the United Kingdom or his return to the category 1 territory (or both).
- (2) The Secretary of State may give an undertaking to a person acting on behalf of the category 1 territory with regard to either or both of these things—
 - (a) the treatment in the United Kingdom of the person in respect of whom the warrant is issued;
 - (b) the return of that person to the category 1 territory.
- (3) The terms which may be included by the Secretary of State in an undertaking given under subsection (2) in relation to a person accused in the United Kingdom of the commission of an offence include terms—
 - (a) that the person be kept in custody until the conclusion of the proceedings against him for the offence and any other offence in respect of which he is permitted to be dealt with in the United Kingdom;
 - (b) that the person be returned to the category 1 territory to serve the remainder of his sentence on the conclusion of those proceedings.

Status: This is the original version (as it was originally enacted).

- (4) The terms which may be included by the Secretary of State in an undertaking given under subsection (2) in relation to a person alleged to be unlawfully at large after conviction of an offence by a court in the United Kingdom include terms that the person be returned to the category 1 territory to serve the remainder of his sentence after serving any sentence imposed on him in the United Kingdom.
- (5) If the Part 3 warrant was issued by a sheriff, the preceding provisions of this section apply as if the references to the Secretary of State were to the Scottish Ministers.