



Extradition Act 2003

2003 CHAPTER 41

PART 3

EXTRADITION TO THE UNITED KINGDOM

General

[^{F1}153A Undertaking in relation to person serving sentence

- (1) This section applies if—
 - (a) a person is accused in the United Kingdom of the commission of an offence or has been convicted of an offence by or before a court in the United Kingdom;
 - (b) a Part 3 warrant is issued in respect of the person or the Secretary of State makes a request for the extradition of the person;
 - (c) the person is serving a sentence of imprisonment or another form of detention in a territory;
 - (d) the person's extradition to the United Kingdom from the territory in pursuance of the warrant or request is made subject to a condition that an undertaking is given by or on behalf of the United Kingdom with regard to the person's treatment in the United Kingdom or return to the territory (or both).
- (2) The Secretary of State may give an undertaking to a person acting on behalf of the 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 or the request for extradition is made;
 - (b) the return of that person to the 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 the person for the offence and any other offence in respect of which the person is permitted to be dealt with in the United Kingdom;

Changes to legislation: There are currently no known outstanding effects for the Extradition Act 2003, Section 153A. (See end of Document for details)

- (b) that the person be returned to the territory to serve the remainder of the sentence on the conclusion of those proceedings.
- (4) The terms which may be included by the Secretary of State in an undertaking given under subsection (2) in relation to a person who has been convicted of an offence by or before a court in the United Kingdom include terms that the person be returned to the territory to serve the remainder of the sentence after the person would otherwise be released from detention pursuant to the sentence imposed in the United Kingdom (whether or not on licence).
- (5) If a person is to be returned to a territory by virtue of an undertaking given under subsection (2), the undertaking is sufficient authority for a constable—
 - (a) to remove the person from any prison or other institution where the person is detained;
 - (b) to keep the person in custody until returned;
 - (c) to convey the person to the territory.]

Textual Amendments

F1 Ss. 153A-153D inserted (25.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), [ss. 74\(3\)](#), 116; S.I. 2009/3096, [art. 3\(q\)](#)

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