



Extradition Act 2003

2003 CHAPTER 41

PART 5

MISCELLANEOUS AND GENERAL

Conduct of extradition proceedings

190 Crown Prosecution Service: role in extradition proceedings

- (1) The Prosecution of Offences Act 1985 (c. 23) is amended as follows.
- (2) In section 3 (functions of the Director) in subsection (2) after paragraph (e) insert—
 - “(ea) to have the conduct of any extradition proceedings;
 - (eb) to give, to such extent as he considers appropriate, and to such persons as he considers appropriate, advice on any matters relating to extradition proceedings or proposed extradition proceedings;”.
- (3) In section 3 after subsection (2) insert—

“(2A) Subsection (2)(ea) above does not require the Director to have the conduct of any extradition proceedings in respect of a person if he has received a request not to do so and—

 - (a) in a case where the proceedings are under Part 1 of the Extradition Act 2003, the request is made by the authority which issued the Part 1 warrant in respect of the person;
 - (b) in a case where the proceedings are under Part 2 of that Act, the request is made on behalf of the territory to which the person’s extradition has been requested.”
- (4) In section 5(1) (conduct of prosecutions on behalf of Crown Prosecution Service) after “criminal proceedings” insert “ or extradition proceedings ”.
- (5) In section 14 (control of fees and expenses etc paid by the Service) in subsection (1)
 - (a) after “criminal proceedings” insert “ or extradition proceedings ”.

*Changes to legislation: There are currently no known outstanding effects
for the Extradition Act 2003, Section 190. (See end of Document for details)*

(6) In section 15(1) (interpretation of Part 1) in the appropriate place insert—

““extradition proceedings” means proceedings under the Extradition Act 2003;”.

Commencement Information

- II** Act wholly in force at 1.1.2004, see s. 221 and [S.I. 2003/3103, art. 2](#) (subject to [arts. 3-5](#)) (as amended by [S.I. 2003/3258 art. 2\(2\)](#) and [S.I. 2003/3312 art. 2\(2\)](#))

Changes to legislation:

There are currently no known outstanding effects for the Extradition Act 2003, Section 190.