



Policing and Crime Act 2009

2009 CHAPTER 26

PART 6

EXTRADITION

Deferral of extradition

71 Person charged with offence or serving sentence of imprisonment

- (1) The Extradition Act 2003 (c. 41) is amended as follows.
- (2) In section 22(3) (power to adjourn extradition hearing in Part 1 case) for “the sentence has been served” substitute “ the person is released from detention pursuant to the sentence (whether on licence or otherwise) ”.
- (3) In section 23 (person serving sentence in Part 1 case)—
 - (a) in subsection (1), after “issued is” insert “ in custody ”, and
 - (b) in subsection (2), for “the sentence has been served” substitute “ the person is released from detention pursuant to the sentence (whether on licence or otherwise) ”.
- (4) In section 88(3) (power to adjourn extradition hearing in Part 2 case) for “the sentence has been served” substitute “ the person is released from detention pursuant to the sentence (whether on licence or otherwise) ”.
- (5) In section 89 (person serving sentence in Part 2 case)—
 - (a) in subsection (1) after “person is” insert “ in custody ”, and
 - (b) in subsection (2) for “the sentence has been served” substitute “ the person is released from detention pursuant to the sentence (whether on licence or otherwise) ”.
- (6) In section 97(3) (power to defer decision on extradition) for “the sentence has been served” substitute “ the person is released from detention pursuant to the sentence (whether on licence or otherwise) ”.

Status: Point in time view as at 25/01/2010. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Policing and Crime Act 2009, Section 71. (See end of Document for details)

- (7) In section 98 (person serving sentence in Part 2 case: reference by judge)—
- (a) in subsection (1)(b) after “person is” insert “ in custody ”, and
 - (b) in subsection (2) for “the sentence has been served” substitute “ the person is released from detention pursuant to the sentence (whether on licence or otherwise) ”.
- (8) In section 102(3) (meaning of “appropriate day” where decision deferred) for the words from “until the person” to the end substitute “ , the appropriate day is the day on which the person is released from detention pursuant to the sentence (whether on licence or otherwise). ”
- (9) In section 197A (extradition of serving prisoner) after “a person who is” insert “ in custody ”.
- (10) In section 216 (interpretation) after subsection (6) insert—
- “(6A) References to releasing a person from detention pursuant to a sentence do not include releasing a person temporarily on licence pursuant to an intermittent custody order under section 183(1)(b) of the Criminal Justice Act 2003.”

Commencement Information

II S. 71 in force at 25.1.2010 by S.I. 2009/3096, art. 3(n) (with art. 4(1)(e))

Status:

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Changes to legislation:

There are currently no known outstanding effects for the Policing and Crime Act 2009, Section 71.