



Anti-social Behaviour, Crime and Policing Act 2014

2014 CHAPTER 12

PART 12

EXTRADITION

Time spent in custody awaiting extradition to the United Kingdom

172 Discount on sentence for time spent in custody awaiting extradition: Scotland

(1) Section 210 of the Criminal Procedure (Scotland) Act 1995 (consideration of time spent in custody) is amended as follows.

(2) In subsection (1)—

- (a) in paragraph (a), after “United Kingdom” there is inserted “ otherwise than from a category 1 territory ”;
- (b) in paragraph (c)(ii), for “for the purposes of this section” there is substituted “ who was extradited to the United Kingdom otherwise than from a category 1 territory ”.

(3) After subsection (1) there is inserted—

“(1A) Subsection (1B) applies where—

- (a) a court is passing a sentence of imprisonment or detention on a person for an offence, and
- (b) the person is an extradited prisoner who was extradited to the United Kingdom from a category 1 territory.

(1B) The court shall specify—

- (a) the period of time spent in custody awaiting extradition, and
- (b) the date of commencement of the sentence in accordance with subsection (1C).

Changes to legislation: *Anti-social Behaviour, Crime and Policing Act 2014, Section 172 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(1C) The date of commencement of the sentence is to be a date the relevant number of days earlier than the date the sentence would have commenced had the person not spent time in custody awaiting extradition.

(1D) In subsection (1C), “the relevant number of days” means the number of days in the period specified under subsection (1B)(a).”

(4) After subsection (2) there is inserted—

“(2A) In this section, “category 1 territory” means a territory designated under the Extradition Act 2003 for the purposes of Part 1 of that Act.”

(5) Subsection (3) is repealed.

Commencement Information

II [S. 172](#) in force at 21.7.2014 by [S.I. 2014/1916](#), [art. 2\(q\)](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 102(2)(ba) inserted by [2022 c. 32 Sch. 11 para. 35\(2\)\(a\)](#)