
STATUTORY INSTRUMENTS

2005 No. 384

The Criminal Procedure Rules 2005

PART 17

EXTRADITION

Notice of waiver

17.2.—(1) A notice given under section 14 of, or paragraph 9 of Schedule 1 to, the Extradition Act 1989⁽¹⁾ (notice of waiver under the simplified procedure) shall be in the form set out in the Practice Direction or a form to the like effect.

(2) Such a notice shall be signed in the presence of the Senior District Judge (Chief Magistrate) or another District Judge (Magistrates' Courts) designated by him for the purposes of the Act, a justice of the peace or a justices' clerk.

(3) Any such notice given by a person in custody shall be delivered to the Governor of the prison in whose custody he is.

(4) If a person on bail gives such notice he shall deliver it to, or send it by post in a registered letter or by recorded delivery service addressed to, the Under Secretary of State, Home Office, London SW1H 9AT.

[Note. Formerly rule 5 of the Magistrates' Courts (Extradition) Rules 1989. This rule has effect only in proceedings where the request for extradition was received by the relevant authority in the United Kingdom on or before 31st December 2003.]

(1) Section 14 was amended by section 109(1) of, and paragraph 328 of Schedule 8 to, the Courts Act 2003 (c. 39); paragraph 9 of Schedule 1 was amended by section 109(1) of, and paragraph 329 of Schedule 8 to, the Courts Act 2003 (c. 39).