



# Anti-social Behaviour, Crime and Policing Act 2014

## 2014 CHAPTER 12

### PART 12

#### EXTRADITION

##### *Amendments of the Extradition Act 2003*

#### **162 Asylum etc**

(1) In section 39 of the Extradition Act 2003 (asylum claim: extradition to category 1 territory)—

- (a) subsections (1) and (2) are repealed;
- (b) in subsection (3), for “The person” there is substituted “If—
  - (a) an order is made under this Part for a person to be extradited in pursuance of a Part 1 warrant, and
  - (b) the person has made an asylum claim (whether before or after the issue of the warrant),

the person ”.

(2) In section 121 of that Act (asylum claim: extradition to category 2 territory)—

- (a) subsections (1) and (2) are repealed;
- (b) in subsection (3), for “The person” there is substituted “If—
  - (a) an order is made under this Part for a person to be extradited in pursuance of a request, and
  - (b) the person has made an asylum claim (whether before or after the making of the request),

the person ”.

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*Status: Point in time view as at 07/02/2023.*

**Changes to legislation:** *Anti-social Behaviour, Crime and Policing Act 2014, Section 162 is up to date with all changes known to be in force on or before 10 August 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)*

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- (3) In section 93 of that Act (Secretary of State's consideration of case)—
- (a) in subsection (4)(c), after “he orders the person's discharge” there is inserted “ under subsection (6A) or ”;
  - (b) after subsection (6) there is inserted—
    - “(6A) The Secretary of State may order the person's discharge if the person—
    - (a) has been recorded by the Secretary of State as a refugee within the meaning of the Refugee Convention, or
    - (b) has been granted leave to enter or remain in the United Kingdom on the ground that it would be a breach of Article 2 or 3 of the Human Rights Convention to remove the person to the territory to which extradition is requested.”

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**Commencement Information**

**II** S. 162 in force at 21.7.2014 by S.I. 2014/1916, art. 2(h)

**Status:**

Point in time view as at 07/02/2023.

**Changes to legislation:**

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