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*Status: Point in time view as at 26/06/2002. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Extradition Act 1989 (repealed), Paragraph 10. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 1A

#### THE 1995 CONVENTION AND THE 1996 CONVENTION

#### PART 2

#### THE 1996 CONVENTION

- 10 (1) Section 6 is amended as follows.
- (2) In subsection (1), omit paragraph (a).
- (3) In subsection (4) after paragraph (a) insert—
- “(“ an offence which is not punishable with imprisonment or any other form of detention;
  - (ab) an offence in respect of which he will not be detained in connection with his trial, sentence or appeal;
  - (ac) an offence in respect of which an appropriate authority is satisfied that a sentence of imprisonment or any other form of detention will be imposed only if he has specifically waived the right which (but for this paragraph) he would have not to be dealt with for the offence;”.
- (4) <sup>F1</sup> .....
- (5) After subsection (6) insert—
- “(6A) Subsection (4) above does not apply if
  - (a) the relevant foreign state has made a declaration under Article 11 of the 1996 Convention, and
  - (b) no indication has been given by the Secretary of State or the Scottish Ministers that consent should not be deemed to have been given in the person’s case.”.

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#### Textual Amendments

- F1** Sch. 1A para. 10(4) omitted (26.6.2002) by virtue of [The European Union Extradition \(Amendment\) Regulations 2002 \(S.I. 2002/1662\)](#), [reg. 2\(3\)](#)

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