



# Extradition Act 2003

## 2003 CHAPTER 41

### PART 1

#### EXTRADITION TO CATEGORY 1 TERRITORIES

##### *Repatriation cases*

#### **Commencement Information**

- II** Act wholly in force at 1.1.2004, see [s. 221](#) and [S.I. 2003/3103, art. 2](#) (subject to [arts. 3-5](#)) (as amended by [S.I. 2003/3258 art. 2\(2\)](#) and [S.I. 2003/3312 art. 2\(2\)](#))

#### **63 Persons serving sentences outside territory where convicted**

- (1) This section applies if an arrest warrant is issued in respect of a person by an authority of a category 1 territory and the warrant contains the statement referred to in subsection (2).
- (2) The statement is one that—
- the person is alleged to be unlawfully at large from a prison in one territory (the imprisoning territory) in which he was serving a sentence after conviction of an offence specified in the warrant by a court in another territory (the convicting territory), and
  - the person was serving the sentence in pursuance of international arrangements for prisoners sentenced in one territory to be repatriated to another territory in order to serve their sentence, and
  - the warrant is issued with a view to his arrest and extradition to the category 1 territory for the purpose of serving a sentence or another form of detention imposed in respect of the offence.
- (3) If the category 1 territory is either the imprisoning territory or the convicting territory, section 2(2)(b) has effect as if the reference to the statement referred to

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*Changes to legislation: There are currently no known outstanding effects for the Extradition Act 2003, Cross Heading: Repatriation cases. (See end of Document for details)*

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in subsection (5) of that section were a reference to the statement referred to in subsection (2) of this section.

- (4) If the category 1 territory is the imprisoning territory—
- (a) section 2(6)(e) has effect as if “the category 1 territory” read “ the convicting territory ”;
  - (b) section 10(2) has effect as if “an extradition offence” read “ an extradition offence in relation to the convicting territory ”;
  - (c) section 20(5) has effect as if after “entitled” there were inserted “ in the convicting territory ”;
  - (d) section 37(5) has effect as if “a category 1 territory” read “ the convicting territory ” and as if “the category 1 territory” in both places read “ the convicting territory ”;
  - (e) section 52(4) has effect as if “a category 1 territory” read “ the convicting territory ” and as if “the category 1 territory” in both places read “ the convicting territory ”;
  - (f) section 65(1) has effect as if “a category 1 territory” read “ the convicting territory ”;
  - (g) section 65(2) has effect as if “the category 1 territory” in the opening words and paragraphs (a) and (c) read “ the convicting territory ” and as if “the category 1 territory” in paragraph (b) read “ the imprisoning territory ”;
  - (h) in section 65, subsections (3), (4), (5), (6) and (8) have effect as if “the category 1 territory” in each place read “ the convicting territory ”.

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**Commencement Information**

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