



Extradition Act 2003

2003 CHAPTER 41

PART 3

EXTRADITION TO THE UNITED KINGDOM

General

[^{F1}153C Return to extraditing territory to serve sentence

- (1) This section applies if—
 - (a) a person is extradited to the United Kingdom from a territory for the purposes of being prosecuted for an offence;
 - (b) the person's extradition is made subject to a condition that an undertaking is given by or on behalf of the United Kingdom as to the person's return to the territory.
- (2) The Secretary of State may give an undertaking to a person acting on behalf of the territory as to the person's return to the territory.
- (3) The terms which may be included by the Secretary of State in an undertaking given under subsection (2) in relation to a person include terms that if the person is convicted of the offence and a sentence of imprisonment or another form of detention is imposed in respect of it, the person is to be returned to the territory to serve the sentence.
- (4) A person who is to be returned to a territory by virtue of an undertaking given under subsection (2) must be returned as soon as is reasonably practicable after the sentence is imposed and any other proceedings in respect of the offence are concluded.
- (5) If subsection (4) is complied with the sentence for the offence is treated as served but the person's conviction for the offence must be treated as a conviction for all other purposes.
- (6) The sentence for the offence is treated as served under subsection (5) only in so far as it consists of the sentence of imprisonment or another form of detention mentioned in subsection (3).

Status: Point in time view as at 25/01/2010.

Changes to legislation: There are currently no known outstanding effects for the Extradition Act 2003, Section 153C. (See end of Document for details)

- (7) Subsection (8) applies if—
- (a) subsection (4) is not complied with, and
 - (b) the person applies to the court which imposed the sentence to expedite return to the territory.
- (8) The court must order return by such date as is specified in the order unless reasonable cause is shown for the delay.
- (9) If a person is to be returned by virtue of an undertaking given under subsection (2), a constable may—
- (a) remove the person from any prison or other institution where the person is detained;
 - (b) keep the person in custody until returned;
 - (c) convey the person to the territory to which the person is to be returned.]

Textual Amendments

- F1** Ss. 153A-153D inserted (25.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), [ss. 74\(3\)](#), 116; S.I. [2009/3096](#), [art. 3\(q\)](#)

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