



Extradition Act 2003

2003 CHAPTER 41

PART 5

MISCELLANEOUS AND GENERAL

Conduct of extradition proceedings

190 Crown Prosecution Service: role in extradition proceedings

- (1) The Prosecution of Offences Act 1985 (c. 23) is amended as follows.
- (2) In section 3 (functions of the Director) in subsection (2) after paragraph (e) insert—
 - “(ea) to have the conduct of any extradition proceedings;
 - (eb) to give, to such extent as he considers appropriate, and to such persons as he considers appropriate, advice on any matters relating to extradition proceedings or proposed extradition proceedings;”.
- (3) In section 3 after subsection (2) insert—

“(2A) Subsection (2)(ea) above does not require the Director to have the conduct of any extradition proceedings in respect of a person if he has received a request not to do so and—

 - (a) in a case where the proceedings are under Part 1 of the Extradition Act 2003, the request is made by the authority which issued the Part 1 warrant in respect of the person;
 - (b) in a case where the proceedings are under Part 2 of that Act, the request is made on behalf of the territory to which the person’s extradition has been requested.”
- (4) In section 5(1) (conduct of prosecutions on behalf of Crown Prosecution Service) after “criminal proceedings” insert “or extradition proceedings”.
- (5) In section 14 (control of fees and expenses etc paid by the Service) in subsection (1)
 - (a) after “criminal proceedings” insert “or extradition proceedings”.

Status: This is the original version (as it was originally enacted).

(6) In section 15(1) (interpretation of Part 1) in the appropriate place insert—

““extradition proceedings” means proceedings under the Extradition Act 2003;”.