



# Extradition Act 2003

## 2003 CHAPTER 41

### PART 5

#### MISCELLANEOUS AND GENERAL

##### *Custody and bail*

#### **200 Appeal against grant of bail**

- (1) Section 1 of the Bail (Amendment) Act 1993 (c. 26) (prosecution right of appeal against grant of bail) is amended as follows.
- (2) After subsection (1) insert—

“(1A) Where a magistrates' court grants bail to a person in connection with extradition proceedings, the prosecution may appeal to a judge of the Crown Court against the granting of bail.”
- (3) In subsection (3) for “Such an appeal” substitute “ An appeal under subsection (1) or (1A) ”.
- (4) In subsection (4)—
  - <sup>F1</sup>(a) .....
  - (b) for “magistrates' court” substitute “ court which has granted bail ”;
  - (c) omit “such”.
- (5) In subsection (5) for “magistrates' court” substitute “ court which has granted bail ”.
- (6) In subsection (6) for “magistrates' court” substitute “ court which has granted bail ”.
- (7) In subsection (8)—
  - <sup>F2</sup>(a) .....
  - (b) omit “magistrates”.

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*Status: Point in time view as at 10/11/2016.*

*Changes to legislation: There are currently no known outstanding effects for the Extradition Act 2003, Section 200. (See end of Document for details)*

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(8) In subsection (10)(b) for “reference in subsection (5) above to remand in custody is” substitute “references in subsections (6) and (9) above to remand in custody are”.

(9) After subsection (11) insert—

“(12) In this section—

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

“magistrates' court” and “court” in relation to extradition proceedings means a District Judge (Magistrates' Courts) designated for the purposes of Part 1 or Part 2 of the Extradition Act 2003 by the Lord Chancellor;

“prosecution” in relation to extradition proceedings means the person acting on behalf of the territory to which extradition is sought.”

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#### **Textual Amendments**

**F1** S. 200(4)(a) omitted (3.12.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 11 para. 35](#); S.I. 2012/2906, art. 2(i)

**F2** S. 200(7)(a) omitted (3.12.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 11 para. 35](#); S.I. 2012/2906, art. 2(i)

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#### **Commencement Information**

**I1** 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))

**Status:**

Point in time view as at 10/11/2016.

**Changes to legislation:**

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