



Extradition Act 2003

2003 CHAPTER 41

PART 1

EXTRADITION TO CATEGORY 1 TERRITORIES

Competing Part 1 warrants

44 Competing Part 1 warrants

- (1) This section applies if at any time in the relevant period the conditions in subsection (3) are satisfied in relation to a person in respect of whom a Part 1 warrant has been issued.
- (2) The relevant period is the period—
 - (a) starting when the person is first brought before the appropriate judge following his arrest under this Part;
 - (b) ending when the person is extradited in pursuance of the warrant or discharged.
- (3) The conditions are that—
 - (a) the judge is informed that another Part 1 warrant has been issued in respect of the person;
 - (b) the other warrant falls to be dealt with by the judge or by a judge who is the appropriate judge in another part of the United Kingdom;
 - (c) the other warrant has not been disposed of.
- (4) The judge may—
 - (a) order further proceedings on the warrant under consideration to be deferred until the other warrant has been disposed of, if the warrant under consideration has not been disposed of;
 - (b) order the person's extradition in pursuance of the warrant under consideration to be deferred until the other warrant has been disposed of, if an order for his extradition in pursuance of the warrant under consideration has been made.

Status: Point in time view as at 15/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Extradition Act 2003, Section 44. (See end of Document for details)

- (5) If the judge makes an order under subsection (4) and the person is not already remanded in custody or on bail, the judge must remand the person in custody or on bail.
- (6) [^{F1}If the person is remanded in custody, the appropriate judge may]^{F1} later grant bail.
- (7) In applying subsection (4) the judge must take account in particular of these matters—
- (a) the relative seriousness of the offences concerned;
 - (b) the place where each offence was committed (or was alleged to have been committed);
 - (c) the date on which each warrant was issued;
 - (d) whether, in the case of each offence, the person is accused of its commission (but not alleged to have been convicted) or is alleged to be unlawfully at large after conviction.

Textual Amendments

- F1** Words in s. 44(6) substituted (15.1.2007) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 42, 53, [Sch. 13 para. 16](#); [S.I. 2006/3364](#), [art. 2\(d\)\(e\)](#)

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))

Status:

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