



Extradition Act 2003

2003 CHAPTER 41

PART 1

EXTRADITION TO CATEGORY 1 TERRITORIES

Repatriation cases

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—
 - (a) 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
 - (b) 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
 - (c) 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 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”;

Changes to legislation: There are currently no known outstanding effects for the Extradition Act 2003, Section 63. (See end of Document for details)

- (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 ”.

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))

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