



# Extradition Act 2003

## 2003 CHAPTER 41

### PART 2

#### EXTRADITION TO CATEGORY 2 TERRITORIES

##### *The extradition hearing*

#### [<sup>F1</sup>83E Interpretation of sections 83A to 83D

- (1) This section applies for the purposes of sections 83A to 83D (and this section).
- (2) These expressions have the meanings given—
  - “D” has the meaning given in section 83A(1);
  - “designated prosecutor” means—
    - (a) a member of the Crown Prosecution Service, or
    - (b) any other person who—
      - (i) is a prosecutor designated for the purposes of this section by order made by the Secretary of State, or
      - (ii) is within a description of prosecutors so designated;
  - “extradition offence” means the offence specified in the request for extradition (including the conduct that constitutes the extradition offence);
  - “forum proceedings” has the meaning given in section 83B(1);
  - “part of the United Kingdom” means—
    - (a) England and Wales;
    - (b) Scotland;
    - (c) Northern Ireland;
  - “prosecutor” means a person who has responsibility for prosecuting offences in any part of the United Kingdom (whether or not the person also has other responsibilities);
  - “prosecutor’s certificate” has the meaning given in section 83C(1);
  - “responsible prosecutor”, in relation to a prosecutor’s certificate, means—

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*Changes to legislation: There are currently no known outstanding effects for the Extradition Act 2003, Section 83E. (See end of Document for details)*

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- (a) the designated prosecutor giving the certificate, or
  - (b) another designated prosecutor.
- (3) In determining for any purpose whether an offence corresponds to the extradition offence, regard must be had, in particular, to the nature and seriousness of the two offences.
- (4) A reference to a formal decision as to the prosecution of D for an offence is a reference to a decision (made after complying with, in particular, any applicable requirement concerning a code of practice) that D should, or should not, be prosecuted for the offence.]

#### **Textual Amendments**

- F1** Ss. 83A-83E inserted (18.9.2013 for specified purposes, 14.10.2013 for E.W.N.I. in so far as not already in force) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), [Sch. 20 para. 6](#) (with [Sch. 20 para. 78](#)); S.I. 2013/2349, art. 2(2)(3)

**Changes to legislation:**

There are currently no known outstanding effects for the Extradition Act 2003, Section 83E.