



Anti-social Behaviour, Crime and Policing Act 2014

2014 CHAPTER 12

PART 12

EXTRADITION

Amendments of the Extradition Act 2003

162 Asylum etc

(1) In section 39 of the Extradition Act 2003 (asylum claim: extradition to category 1 territory)—

- (a) subsections (1) and (2) are repealed;
- (b) in subsection (3), for “The person” there is substituted “If—
 - (a) an order is made under this Part for a person to be extradited in pursuance of a Part 1 warrant, and
 - (b) the person has made an asylum claim (whether before or after the issue of the warrant),

the person”.

(2) In section 121 of that Act (asylum claim: extradition to category 2 territory)—

- (a) subsections (1) and (2) are repealed;
- (b) in subsection (3), for “The person” there is substituted “If—
 - (a) an order is made under this Part for a person to be extradited in pursuance of a request, and
 - (b) the person has made an asylum claim (whether before or after the making of the request),

the person”.

Status: This is the original version (as it was originally enacted).

- (3) In section 93 of that Act (Secretary of State’s consideration of case)—
- (a) in subsection (4)(c), after “he orders the person’s discharge” there is inserted “under subsection (6A) or”;
 - (b) after subsection (6) there is inserted—
 - “(6A) The Secretary of State may order the person’s discharge if the person—
 - (a) has been recorded by the Secretary of State as a refugee within the meaning of the Refugee Convention, or
 - (b) has been granted leave to enter or remain in the United Kingdom on the ground that it would be a breach of Article 2 or 3 of the Human Rights Convention to remove the person to the territory to which extradition is requested.”