

SCHEDULE

POWER OF ARREST FOR EXTRADITION PURPOSES

PART 2

CONSEQUENTIAL AMENDMENTS

Extradition Act 2003

- 15 (1) Section 136 (persons serving sentences outside territory where convicted) is amended as follows.
- (2) In subsection (1)—
- (a) in paragraph (a) omit “or” at the end;
 - (b) in paragraph (b), at the end insert “, or
 - (c) a request for the person’s arrest is made by an authority of a specified category 2 territory (within the meaning of section 74B(7)) and the request contains the statement referred to in subsection (2).”
- (3) In subsection (3)—
- (a) in paragraph (b), after “subsection (1)(b)” insert “or (c) (as the case may be)”;
 - (b) after paragraph (b) insert—
 - “(c) section 74C(1)(b) has effect as if the reference to the statement referred to in subsection (4) of that section were a reference to the statement in subsection (2) of this section;
 - (d) section 74C(5) has effect as if paragraph (c) were omitted and as if in paragraph (d)—
 - (i) “the category 2 territory” read “the convicting territory”;
 - (ii) “if the person has been sentenced for the offence” were omitted.”
- (4) In subsection (4)—
- (a) after paragraph (a) insert—
 - “(aa) section 74(7)(a) has effect as if “accused of the commission of an offence in a category 2 territory or that he is alleged to be unlawfully at large after conviction of an offence by a court in a category 2 territory” read “alleged to be unlawfully at large from a prison in the imprisoning territory after conviction of an offence in the convicting territory”;
 - (b) after paragraph (c) insert—
 - “(ca) section 74B(1)(b) has effect as if sub-paragraph (i) were omitted and as if for sub-paragraph (ii) there were substituted—
 - “(ii) the person is alleged to be unlawfully at large from a prison in the imprisoning territory after

Status: This is the original version (as it was originally enacted).

- conviction of an offence in the convicting territory;”;
- (cb) section 74B(1)(c) has effect as if “a serious extradition offence” read “a serious extradition offence in relation to the convicting territory”;
 - (cc) section 74E(1)(a) has effect as if “accused of the commission of an offence in a category 2 territory or are alleged to be unlawfully at large after conviction of an offence by a court in a category 2 territory” read “alleged to be unlawfully at large from a prison in the imprisoning territory after conviction of an offence in the convicting territory”;
 - (cd) section 74E(2)(a) has effect as if “the category 2 territory in which the person is accused of the commission of an offence or is alleged to have been convicted of an offence” read “the imprisoning territory;”.