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STATUTORY INSTRUMENTS

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**2014 No. 1610**

**The Criminal Procedure Rules 2014**

**PART 17**

**EXTRADITION**

*EXTRADITION UNDER PART 2 OF THE EXTRADITION ACT 2003*

**Issue of arrest warrant**

- 17.8.**—(1) This rule applies where the Secretary of State serves on the court officer—
- (a) an extradition request to which Part 2 of the Extradition Act 2003 applies;
  - (b) a certificate given by the Secretary of State that the request was received in the way approved for the request; and
  - (c) a copy of any Order in Council which applies to the request.
- (2) In the following sequence, the court must decide—
- (a) whether the offence in respect of which extradition is requested is an extradition offence; and
  - (b) whether there is sufficient evidence, or (where the Secretary of State has so ordered, for this purpose) information, to justify the issue of a warrant of arrest.
- (3) The court may issue an arrest warrant—
- (a) without giving the parties an opportunity to make representations; and
  - (b) without a hearing, or at a hearing in public or in private.

*[Note. See sections 70, 71, 137 and 138 of the Extradition Act 2003(1).]*

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(1) 2003 c. 41; section 70 was amended by paragraphs 1 and 17 of Schedule 13 to the Police and Justice Act 2006 (c. 48). Section 71 was amended by paragraph 202 of Schedule 16 to the Armed Forces Act 2006 (c. 52). Sections 137 and 138 are substituted by section 164 of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), with effect from a date to be appointed.