



Extradition Act 2003

2003 CHAPTER 41

PART 1

EXTRADITION TO CATEGORY 1 TERRITORIES

The initial hearing

[^{F1}8B Person serving sentence in United Kingdom before extradition hearing

- (1) This section applies if—
 - (a) a person has been brought before the appropriate judge under section 4(3) or 6(2) but the extradition hearing has not begun; and
 - (b) the judge is informed that the person is in custody serving a sentence of imprisonment or another form of detention in the United Kingdom.
- (2) The judge may order further proceedings in respect of the extradition to be adjourned until the person is released from detention pursuant to the sentence (whether on licence or otherwise).
- (3) In a case where further proceedings in respect of the extradition are adjourned under subsection (2)—
 - (a) section 131 of the Magistrates' Courts Act 1980 (remand of accused already in custody) has effect as if a reference to 28 clear days in subsection (1) or (2) of that section were a reference to six months;
 - (b) Article 47(2) of the Magistrates' Courts (Northern Ireland) Order 1981 (period of remand in custody) has effect as if a reference to 28 days in—
 - (i) sub-paragraph (a)(iii), or
 - (ii) the words after sub-paragraph (b),were a reference to six months.]

*Changes to legislation: There are currently no known outstanding effects
for the Extradition Act 2003, Section 8B. (See end of Document for details)*

Textual Amendments

- F1** Ss. 8A 8B inserted (25.1.2010) by Policing and Crime Act 2009 (c. 26), ss. 69, 116; S.I. 2009/3096, art. 3(I) (with art. 4)

Changes to legislation:

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