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**Changes to legislation:** There are currently no known outstanding effects for the Police and Justice Act 2006,  
Cross Heading: Requests for extradition of persons unlawfully at large. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 13

#### EXTRADITION

##### PART 1

##### AMENDMENTS TO THE EXTRADITION ACT 2003

###### *Requests for extradition of persons unlawfully at large*

- 1 (1) In section 2 (Part 1 warrant and certificate), in subsection (5)(a), for “is alleged to be unlawfully at large after conviction” there is substituted “has been convicted”.
- (2) In section 70 (request and certificate for extradition to category 2 territory)—
- (a) in subsection (3), after “subsection (4)” there is inserted “or the statement referred to in subsection (4A)”;
  - (b) for subsection (4) there is substituted—  
“(4) The statement is one that—
    - (a) the person is accused in the category 2 territory of the commission of an offence specified in the request, and
    - (b) the request is made with a view to his arrest and extradition to the category 2 territory for the purpose of being prosecuted for the offence.
- (4A) The statement is one that—
- (a) the person has been convicted of an offence specified in the request by a court in the category 2 territory, and
  - (b) the request is made with a view to his arrest and extradition to the category 2 territory for the purpose of being sentenced for the offence or of serving a sentence of imprisonment or another form of detention imposed in respect of the offence.”
- (3) In section 142 (issue of Part 3 warrant), in subsection (5)(a), for “is alleged to be unlawfully at large after conviction” there is substituted “has been convicted”.

###### **Commencement Information**

**II** Sch. 13 para. 1 in force at 15.1.2007 by [S.I. 2006/3364](#), [art. 2\(e\)](#)

- 2 (1) In section 14 (passage of time), for the words from “since” to the end there is substituted “since he is alleged to have—
- (a) committed the extradition offence (where he is accused of its commission), or

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- (b) become unlawfully at large (where he is alleged to have been convicted of it)”.

(2) After section 68 there is inserted—

**“68A Unlawfully at large**

- (1) A person is alleged to be unlawfully at large after conviction of an offence if—
  - (a) he is alleged to have been convicted of it, and
  - (b) his extradition is sought for the purpose of his being sentenced for the offence or of his serving a sentence of imprisonment or another form of detention imposed in respect of the offence.
- (2) This section applies for the purposes of this Part, other than sections 14 and 63.”
- (3) In section 82 (passage of time), for the words from “since” to the end there is substituted “since he is alleged to have—
  - (a) committed the extradition offence (where he is accused of its commission), or
  - (b) become unlawfully at large (where he is alleged to have been convicted of it)”.
- (4) After section 140 there is inserted—

**“140A Unlawfully at large**

- (1) A person is alleged to be unlawfully at large after conviction of an offence if—
  - (a) he is alleged to have been convicted of it, and
  - (b) his extradition is sought for the purpose of his being sentenced for the offence or of his serving a sentence of imprisonment or another form of detention imposed in respect of the offence.
- (2) This section applies for the purposes of this Part, other than sections 82 and 136.”
- (5) In section 143 (undertaking in relation to person serving sentence), in subsection (4), for “alleged to be unlawfully at large after conviction” there is substituted “ who has been convicted ”.
- (6) In section 148 (extradition offences), in subsection (3)(a), for “is alleged to be unlawfully at large after conviction” there is substituted “ has been convicted ”.
- (7) In section 179 (competing claims to extradition), after subsection (4) there is inserted—
  - “(5) For the purposes of this section a person is alleged to be unlawfully at large after conviction of an offence if—
    - (a) he is alleged to have been convicted of it, and
    - (b) his extradition is sought for the purpose of his being sentenced for the offence or of his serving a sentence of imprisonment or another form of detention imposed in respect of the offence.”

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- (8) In section 188 (re-extradition to category 1 territories), in subsection (1)(b)(i), for “was alleged to be unlawfully at large after conviction” there is substituted “ had been convicted ”.
- (9) In section 189 (re-extradition to category 2 territories), in subsection (1)(b), for “was alleged to be unlawfully at large after conviction” there is substituted “ had been convicted ”.

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**Commencement Information**

**I2** Sch. 13 para. 2 in force at 15.1.2007 by [S.I. 2006/3364](#), [art. 2\(e\)](#)

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