

*These notes refer to the Extradition Act 2003 (c.41)
which received Royal Assent on 20th November 2003*

EXTRADITION ACT 2003

EXPLANATORY NOTES

TERRITORIAL APPLICATION: WALES

Part 2

Extradition to Category 2 Territories

Section 132: Return of person to serve remainder of sentence

372. This section applies where a person who was serving a custodial sentence in the United Kingdom is extradited and then returned to this country to serve the rest of his United Kingdom sentence (*subsection (1)*). In this situation the person is liable to be detained to serve the sentence and, if he is at large, he is to be treated as being unlawfully at large (*subsections (2) and (3)*).
373. Time spent out of the United Kingdom in connection with the person's extradition does not count as time served towards his sentence in the United Kingdom (*subsection (4)*), unless he is acquitted of the extradition offences or any other offences in respect of which he was allowed to be dealt with in the requesting territory (*subsection (5)*). In this situation, as set out in *subsection (6)*, time spent in custody outside the United Kingdom, in connection with these offences, does count as time served for the purpose of the United Kingdom sentence.