



# Extradition Act 2003

## 2003 CHAPTER 41

### PART 5

#### MISCELLANEOUS AND GENERAL

##### *Competing extradition claims*

#### **181 Proceedings where extradition deferred**

- (1) This section applies if—
  - (a) an order is made under this Act deferring a person's extradition in pursuance of an extradition claim (the deferred claim) until another extradition claim in respect of him has been disposed of;
  - (b) the other extradition claim is disposed of [<sup>F1</sup>in the person's favour].
- (2) The judge may make an order for the person's extradition in pursuance of the deferred claim to cease to be deferred.
- (3) No order under subsection (2) may be made after the end of the required period.
- (4) If the person applies to the appropriate judge to be discharged, the judge may order his discharge.
- (5) If the person applies to the appropriate judge to be discharged, the judge must order his discharge if—
  - (a) the required period has ended, and
  - (b) the judge has not made an order under subsection (2) or ordered the person's discharge.
- (6) The required period is 21 days starting with the day on which the other extradition claim is disposed of.
- (7) If the person's extradition in pursuance of the deferred claim was ordered under Part 1, section 67 applies for determining the appropriate judge.

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*Changes to legislation: There are currently no known outstanding effects  
for the Extradition Act 2003, Section 181. (See end of Document for details)*

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- (8) If the person's extradition in pursuance of the deferred claim was ordered under Part 2, section 139 applies for determining the appropriate judge.
- (9) An extradition claim is made in respect of a person if—
- (a) a Part 1 warrant is issued in respect of him;
  - (b) a request for his extradition is made.
- [<sup>F2</sup>(10) An extradition claim made in respect of a person is disposed of in the person's favour if—
- (a) in the case of a Part 1 warrant, the warrant is disposed of as mentioned in subsection (1)(a) or (b) of section 213;
  - (b) in the case of a request for extradition, the request is disposed of as mentioned in subsection (2)(a) or (b) of that section.]

#### **Textual Amendments**

- F1** Words in s. 181(1)(b) inserted (21.7.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), **ss. 167(2)(a), 185(1)** (with [ss. 21, 33, 42, 58, 75, 93](#)); [S.I. 2014/1916](#), art. 2(m)
- F2** S. 181(10) inserted (21.7.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), **ss. 167(2)(b), 185(1)** (with [ss. 21, 33, 42, 58, 75, 93](#)); [S.I. 2014/1916](#), art. 2(m)

#### **Commencement Information**

- I1** Act wholly in force at 1.1.2004, see s. 221 and [S.I. 2003/3103](#), **art. 2** (subject to [arts. 3-5](#)) (as amended by [S.I. 2003/3258](#) art. 2(2) and [S.I. 2003/3312](#) art. 2(2))

**Changes to legislation:**

There are currently no known outstanding effects for the Extradition Act 2003, Section 181.