



Extradition Act 2003

2003 CHAPTER 41

PART 1

EXTRADITION TO CATEGORY 1 TERRITORIES

Matters arising before end of extradition hearing

23 Person serving sentence in United Kingdom

- (1) This section applies if at any time in the extradition hearing the judge is informed that the person in respect of whom the Part 1 warrant is issued is [^{F1}in custody]^{F1} serving a sentence of imprisonment or another form of detention in the United Kingdom.
- (2) The judge may adjourn the extradition hearing until [^{F2}the person is released from detention pursuant to the sentence (whether on licence or otherwise)]^{F2}.
- [^{F3}(3) In a case where an extradition hearing is 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 (S.I. 1981/1675 (N.I. 26)) (period of remand in custody) has effect as if a reference to 28 days in—
 - (i) paragraph (a)(iii), or
 - (ii) the words after paragraph (b),were a reference to six months.]^{F3}

Textual Amendments

- F1** Words in s. 23(1) inserted (25.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), [ss. 71\(3\)\(a\)](#), 116; S.I. 2009/3096, [art. 3\(n\)](#) (with [art. 4](#))
- F2** Words in s. 23(2) substituted (25.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), [ss. 71\(3\)\(b\)](#), 116; S.I. 2009/3096, [art. 3\(n\)](#) (with [art. 4](#))

*Changes to legislation: There are currently no known outstanding effects
for the Extradition Act 2003, Section 23. (See end of Document for details)*

F3 S. 23(3) inserted (15.1.2007) by Police and Justice Act 2006 (c. 48), ss. 42, 53, **Sch. 13 para. 7**; S.I. 2006/3364, **art. 2(d)(e)**

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 23.