



Extradition Act 2003

2003 CHAPTER 41

PART 1

EXTRADITION TO CATEGORY 1 TERRITORIES

Arrest

5 Provisional arrest

- (1) A constable, a customs officer or a service policeman may arrest a person without a warrant if he has reasonable grounds for believing—
 - (a) that a Part 1 warrant has been or will be issued in respect of the person by an authority of a category 1 territory, and
 - (b) that the authority has the function of issuing arrest warrants in the category 1 territory.
- (2) A constable or a customs officer may arrest a person under subsection (1) in any part of the United Kingdom.
- [^{F1}(3) A service policeman may arrest a person under subsection (1) only if the person is subject to service law or is a civilian subject to service discipline.
- (4) If a service policeman has power to arrest a person under subsection (1) he may exercise the power anywhere.]^{F1}

Textual Amendments

- F1** S. 5(3)(4) substituted (28.3.2009 for certain purposes, otherwise 31.10.2009) for s. 5(3)-(5) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378, 383, [Sch. 16 para. 201](#); S.I. 2009/812, [art. 3](#) (with transitional provisions (24.4.2009 for certain purposes otherwise 31.10.2009) in S.I. 2009/1059); S.I. 2009/1167, [art. 4](#)

*Changes to legislation: There are currently no known outstanding effects
for the Extradition Act 2003, Section 5. (See end of Document for details)*

Commencement Information

- II** 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))

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There are currently no known outstanding effects for the Extradition Act 2003, Section 5.