



# Extradition Act 2003

## 2003 CHAPTER 41

### PART 1

#### EXTRADITION TO CATEGORY 1 TERRITORIES

##### *Interpretation*

##### **[<sup>F1</sup>65 Extradition offences: person sentenced for offence**

- (1) This section sets out whether a person's conduct constitutes an “extradition offence” for the purposes of this Part in a case where the person—
  - (a) has been convicted in a category 1 territory of an offence constituted by the conduct, and
  - (b) has been sentenced for the offence.
- (2) The conduct constitutes an extradition offence in relation to the category 1 territory if the conditions in subsection (3) [<sup>F2</sup>or (4)] are satisfied.
- (3) The conditions in this subsection are that—
  - (a) the conduct occurs in the category 1 territory;
  - (b) the conduct would constitute an offence under the law of the relevant part of the United Kingdom if it occurred in that part of the United Kingdom;
  - (c) a sentence of imprisonment or another form of detention for a term of 4 months or a greater punishment has been imposed in the category 1 territory in respect of the conduct.
- (4) The conditions in this subsection are that—
  - (a) the conduct occurs outside the category 1 territory;
  - (b) in corresponding circumstances equivalent conduct would constitute an extra-territorial offence under the law of the relevant part of the United Kingdom;
  - (c) a sentence of imprisonment or another form of detention for a term of 4 months or a greater punishment has been imposed in the category 1 territory in respect of the conduct.

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*Changes to legislation: There are currently no known outstanding effects  
for the Extradition Act 2003, Section 65. (See end of Document for details)*

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<sup>F3</sup>(5) .....

- (6) For the purposes of subsections (3)(b) and (4)(b)—
- (a) if the conduct relates to a tax or duty, it does not matter whether the law of the relevant part of the United Kingdom imposes the same kind of tax or duty or contains rules of the same kind as those of the law of the category 1 territory;
  - (b) if the conduct relates to customs or exchange, it does not matter whether the law of the relevant part of the United Kingdom contains rules of the same kind as those of the law of the category 1 territory.]

#### **Textual Amendments**

- F1** Ss. 64, 65 substituted (21.7.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), ss. 164(1), 185(1) (with ss. 21, 33, 42, 58, 75, 93); [S.I. 2014/1916](#), art. 2(j) (with art. 6)
- F2** Words in s. 65(2) substituted (31.12.2020) by [European Union \(Future Relationship\) Act 2020 \(c. 29\)](#), [ss. 12\(3\)\(a\), 40\(7\)](#) (with [Sch. 6 para. 10](#)); [S.I. 2020/1662](#), reg. 2(k)
- F3** S. 65(5) omitted (31.12.2020) by virtue of [European Union \(Future Relationship\) Act 2020 \(c. 29\)](#), [ss. 12\(3\)\(b\), 40\(7\)](#) (with [Sch. 6 para. 10](#)); [S.I. 2020/1662](#), reg. 2(k)

#### **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 65.