
Changes to legislation: There are currently no known outstanding effects for the Police and Justice Act 2006, Paragraph 3. (See end of Document for details)

SCHEDULES

SCHEDULE 13

EXTRADITION

PART 1

AMENDMENTS TO THE EXTRADITION ACT 2003

Restriction on extradition following transfer from International Criminal Court

- 3 (1) In section 11 (bars to extradition)—
- (a) after paragraph (h) of subsection (1) there is inserted—
 - “(i) the person's earlier transfer to the United Kingdom by the International Criminal Court.”;
 - (b) in subsection (2), for “Sections 12 to 19” there is substituted “ Sections 12 to 19A ”.
- (2) After section 19 there is inserted—

“19A Earlier transfer to United Kingdom by International Criminal Court

- (1) A person's extradition to a category 1 territory is barred by reason of his earlier transfer by the International Criminal Court if (and only if)—
 - (a) the person was transferred to the United Kingdom to serve a sentence imposed by the Court;
 - (b) under arrangements between the United Kingdom and the Court, the consent of the Presidency of the Court is required to the person's extradition from the United Kingdom to the category 1 territory in respect of the extradition offence under consideration;
 - (c) that consent has not been given.
- (2) Subsection (1) does not apply if the person has served the sentence imposed by the Court and has subsequently—
 - (a) remained voluntarily in the United Kingdom for more than 30 days, or
 - (b) left the United Kingdom and returned to it.”
- (3) In section 93 (Secretary of State's consideration of case), after paragraph (c) of subsection (2) there is inserted—
 - “(d) section 96A (earlier transfer to United Kingdom by International Criminal Court).”
- (4) After section 96 there is inserted—

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“96A Earlier transfer to United Kingdom by International Criminal Court

- (1) The Secretary of State must not order a person's extradition to a category 2 territory if—
- (a) the person was transferred to the United Kingdom to serve a sentence imposed by the International Criminal Court;
 - (b) under arrangements between the United Kingdom and the Court, the consent of the Presidency of the Court is required to the person's extradition from the United Kingdom to the category 2 territory in respect of the extradition offence under consideration;
 - (c) that consent has not been given.
- (2) Subsection (1) does not apply if the person has served the sentence imposed by the Court and has subsequently—
- (a) remained voluntarily in the United Kingdom for more than 30 days, or
 - (b) left the United Kingdom and returned to it.”

Commencement Information

II Sch. 13 para. 3 in force at 15.1.2007 by [S.I. 2006/3364](#), [art. 2\(e\)](#)

Changes to legislation:

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