

**Changes to legislation:** There are currently no known outstanding effects for the Police and Justice Act 2006,  
Cross Heading: Extradition of person serving sentence in United Kingdom. (See end of Document for details)

## SCHEDULES

### SCHEDULE 13

#### EXTRADITION

#### PART 1

#### AMENDMENTS TO THE EXTRADITION ACT 2003

##### *Extradition of person serving sentence in United Kingdom*

- 10 (1) Section 37 (undertaking in relation to person serving sentence in United Kingdom) is amended as follows.
- (2) In subsection (1), at the end of paragraph (b) there is inserted “, either—
- (i) in custody, or
  - (ii) on licence”.
- (3) In subsection (4), after “in relation to a person” there is inserted “ within subsection (1)(b)(i) who is ”.
- (4) After that subsection there is inserted—
- “(4A) The terms which may be specified by the judge in relation to a person within subsection (1)(b)(ii) who is accused in a category 1 territory of the commission of an offence include terms that the person be returned to the United Kingdom to serve the remainder of his sentence after serving any sentence imposed on him in the category 1 territory for—
- (a) the offence, and
  - (b) any other offence in respect of which he is permitted to be dealt with in the category 1 territory.”

#### Commencement Information

- II** Sch. 13 para. 10 in force at 15.1.2007 by [S.I. 2006/3364](#), [art. 2\(e\)](#)

- 11 (1) Section 52 (undertaking in relation to person serving sentence in consent cases) is amended as follows.
- (2) In subsection (1), at the end of paragraph (b) there is inserted “, either—
- (i) in custody, or
  - (ii) on licence”.
- (3) In subsection (3), after “in relation to a person” there is inserted “ within subsection (1)(b)(i) who is ”.
- (4) After that subsection there is inserted—

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“(3A) The terms which may be specified by the judge in relation to a person within subsection (1)(b)(ii) who is accused in a category 1 territory of the commission of an offence include terms that the person be returned to the United Kingdom to serve the remainder of his sentence after serving any sentence imposed on him in the category 1 territory for—

- (a) the offence, and
- (b) any other offence in respect of which he is permitted to be dealt with in the category 1 territory.”

#### Commencement Information

**I2** Sch. 13 para. 11 in force at 15.1.2007 by [S.I. 2006/3364](#), [art. 2\(e\)](#)

12 In section 59 (return of person to serve remainder of sentence), after paragraph (b) of subsection (1) there is inserted—

- “(c) the person is not yet entitled to be released from detention pursuant to his sentence (whether on licence or otherwise).”

#### Commencement Information

**I3** Sch. 13 para. 12 in force at 15.1.2007 by [S.I. 2006/3364](#), [art. 2\(e\)](#)

13 (1) Section 119 (undertaking in relation to person serving sentence in United Kingdom) is amended as follows.

(2) In subsection (1), at the end of paragraph (b) there is inserted “, either—

- (i) in custody, or
- (ii) on licence”.

(3) In subsection (3), after “in relation to a person” there is inserted “ within subsection (1)(b)(i) who is ”.

(4) After that subsection there is inserted—

“(3A) The terms which may be specified by the Secretary of State in relation to a person within subsection (1)(b)(ii) who is accused in a category 2 territory of the commission of an offence include terms that the person be returned to the United Kingdom to serve the remainder of his sentence after serving any sentence imposed on him in the category 2 territory for—

- (a) the offence, and
- (b) any other offence in respect of which he is permitted to be dealt with in the category 2 territory.”

#### Commencement Information

**I4** Sch. 13 para. 13 in force at 15.1.2007 by [S.I. 2006/3364](#), [art. 2\(e\)](#)

14 In section 132 (return of person to serve remainder of sentence), after paragraph (b) of subsection (1) there is inserted—

- “(c) the person is not yet entitled to be released from detention pursuant to his sentence (whether on licence or otherwise).”

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**Commencement Information**

**I5** Sch. 13 para. 14 in force at 15.1.2007 by [S.I. 2006/3364](#), **art. 2(e)**

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