



Repatriation of Prisoners Act 1984

1984 CHAPTER 47

[^{F1}Supplementary and general provisions]

6 Revocation etc. of warrants.

- (1) Subject to section 1(4) above, if at any time it appears to the [^{F1}relevant Minister] appropriate, in order that effect may be given to any such arrangements as are mentioned in section 1(1)(a) above or in a case falling within section 1(2) above, for a [^{F2}warrant under section 1] to be revoked or varied, he may, as the case may require—
- revoke that warrant; or
 - revoke that warrant and issue a new warrant under [^{F3}that section] containing provision superseding some or all of the provisions of the previous warrant.

[^{F4}(1A) Subject to section 4A(8), if at any time it appears to the relevant Minister appropriate, in order that effect may be given to any such arrangements as are mentioned in section 4A(5)(a) for a warrant under section 4A to be revoked or varied, he may as the case may require—

- revoke that warrant; or
 - revoke that warrant and issue a new warrant under section 4A containing provision superseding some or all of the provisions of the previous warrant.]
- (2) Subject to subsection (3)(c) below, the provision that may be contained in a new warrant issued by virtue of subsection (1)(b) [^{F5} or (1A)(b)] above shall be any provision that could have been contained in the previous warrant.
- (3) A new warrant issued by virtue of subsection (1)(b) [^{F6} or (1A)(b)] above may provide—
- that a provision contained in it is to be treated as having taken effect when the provisions which that provision supersedes took effect;
 - that things done under or for the purposes of the superseded provisions are, accordingly, to be treated as having been done under or for the purposes of the provision contained in the new warrant; and

Changes to legislation: There are currently no known outstanding effects for the Repatriation of Prisoners Act 1984, Section 6. (See end of Document for details)

- (c) that an enactment in force at the time the new warrant is issued is, for the purposes of subsection (2) above or this subsection, to be treated as having been in force when the superseded provisions took effect.
- (4) The powers conferred by this section shall be exercisable notwithstanding any defect in the warrant which is revoked.

[^{F7}(5) In this section “relevant Minister” means—

- (a) the Scottish Ministers [^{F8}in a case where—
- (i) the warrant was issued under section 1 and provides for the transfer of the prisoner to or from Scotland; or
 - (ii) the warrant was issued under section 4A and provides for the transfer of responsibility for the detention and release of the relevant person to those Ministers;]
- [the Department of Justice in Northern Ireland in a case where—
- ^{F9}(aa) (i) the warrant was issued under section 1 and provides for the transfer of the prisoner to or from Northern Ireland; or
- (ii) the warrant was issued under section 4A and provides for the transfer of responsibility for the detention and release of the relevant person to the Department of Justice;]
- (b) the Secretary of State in any other case.]

Textual Amendments

- F1** Words in s. 6(1) substituted (1.7.1999) by S.I. 1999/1820, art. 4, **Sch. 2 Pt. I para. 75(7)(a)**
- F2** Words in s. 6(1) substituted (14.7.2008) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 26 para. 17(2)(a)**; S.I. 2008/1586, art. 2(1), Sch. 1 para. 48(g)
- F3** Words in s. 6(1)(b) substituted (14.7.2008) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 26 para. 17(2)(b)**; S.I. 2008/1586, art. 2(1), Sch. 1 para. 48(g)
- F4** S. 6(1A) inserted (14.7.2008) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 26 para. 17(3)**; S.I. 2008/1586, art. 2(1), Sch. 1 para. 48(g)
- F5** Words in s. 6(2) inserted (14.7.2008) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 26 para. 17(4)**; S.I. 2008/1586, art. 2(1), Sch. 1 para. 48(g)
- F6** Words in s. 6(3) inserted (14.7.2008) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 26 para. 17(4)**; S.I. 2008/1586, art. 2(1), Sch. 1 para. 48(g)
- F7** S. 6(5) inserted (1.7.1999) by S.I. 1999/1820, art. 4, **Sch. 2 Pt. I para. 75(7)(b)**
- F8** Words in s. 6(5)(a) substituted (14.7.2008) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 26 para. 17(5)**; S.I. 2008/1586, art. 2(1), Sch. 1 para. 48(g)
- F9** S. 6(5)(aa) inserted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 8 para. 11** (with arts. 28-31)

Modifications etc. (not altering text)

- C1** Ss. 1-8: Certain functions made exercisable in or as regards Scotland (30.6.1999) by S.I. 1999/1748, arts. 4(1), 8(1), **Sch. 2 para. 1(1)-(10)**

Changes to legislation:

There are currently no known outstanding effects for the Repatriation of Prisoners Act 1984, Section 6.