

*These notes refer to the Extradition Act 2003 (c.41)
which received Royal Assent on 20th November 2003*

EXTRADITION ACT 2003

EXPLANATORY NOTES

TERRITORIAL APPLICATION: WALES

Part 1

Extradition to Category 1 Territories

Section 46: Extradition order following consent

134. This section provides for the extradition of a person who consents to his extradition.
135. If a person consents under section 45 the judge must remand the person in custody or on bail, although he may later grant bail if he initially remands the person in custody (*subsections (1) to (3)*). The judge does not have to set a date for the extradition hearing if he has not already done so (*subsection (4)*). If the extradition hearing has started, the judge is no longer required to proceed with it (*subsection (5)*). He must order the person's extradition within 10 days of consent, subject to sections 48 and 51 below. If this is not done the judge must, on the person's application, discharge him (*subsections (6) to (8)*).