



Extradition Act 2003

2003 CHAPTER 41

PART 1

EXTRADITION TO CATEGORY 1 TERRITORIES

The extradition hearing

21 [F¹Person unlawfully at large: human rights]

- (1) If the judge is required to proceed under this section (by virtue of section ^{F2}... 20) he must decide whether the person's extradition would be compatible with the Convention rights within the meaning of the Human Rights Act 1998 (c. 42).
- (2) If the judge decides the question in subsection (1) in the negative he must order the person's discharge.
- (3) If the judge decides that question in the affirmative he must order the person to be extradited to the category 1 territory in which the warrant was issued.
- (4) If the judge makes an order under subsection (3) he must remand the person in custody or on bail to wait for his extradition to the category 1 territory.
- (5) [F³If the person is remanded in custody, the appropriate judge may] later grant bail.

Textual Amendments

- F1** S. 21 heading substituted (21.7.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1), [Sch. 11 para. 105\(2\)](#) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/1916, art. 2(t)
- F2** Words in s. 21(1) omitted (21.7.2014) by virtue of [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1), [Sch. 11 para. 105\(3\)](#) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/1916, art. 2(t)
- F3** Words in s. 21(5) substituted (15.1.2007) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 42, 53, [Sch. 13 para. 16](#); S.I. 2006/3364, [art. 2\(d\)\(e\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Extradition Act 2003, Section 21.