



# Extradition Act 2003

## 2003 CHAPTER 41

### PART 2

#### EXTRADITION TO CATEGORY 2 TERRITORIES

##### *[<sup>F1</sup>Provisional arrest without warrant*

##### **[<sup>F1</sup>74E Person provisionally arrested under section 74A: next steps**

- (1) If the appropriate judge is required by section 74D(3) to proceed under this section, the judge must—
  - (a) inform the person that they are accused of the commission of an offence in a category 2 territory or are alleged to be unlawfully at large after conviction of an offence by a court in a category 2 territory,
  - (b) give the person the required information about consent, and
  - (c) remand the person in custody or on bail.
- (2) The required information about consent is—
  - (a) that the person may consent to extradition to the category 2 territory in which the person is accused of the commission of an offence or is alleged to have been convicted of an offence;
  - (b) an explanation of the effect of consent and the procedure that will apply if the person gives consent;
  - (c) that consent must be given in writing and is irrevocable.
- (3) If the person is remanded in custody, the appropriate judge may later grant bail.
- (4) The judge must order the person's discharge if the documents referred to in section 70(9) are not received by the judge within the required period as defined by section 74(11).]

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*Changes to legislation: There are currently no known outstanding effects  
for the Extradition Act 2003, Section 74E. (See end of Document for details)*

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### Textual Amendments

- F1** Ss. 74A-74E and cross-heading inserted (31.12.2020) by [Extradition \(Provisional Arrest\) Act 2020](#) (c. 18), s. 2(4), **Sch. para. 2** (with Sch. para. 6); S.I. 2020/1652, reg. 2(1)(b)

**Changes to legislation:**

There are currently no known outstanding effects for the Extradition Act 2003, Section 74E.