

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

# EXTRADITION ACT 2003

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## EXPLANATORY NOTES

### TERRITORIAL APPLICATION: WALES

#### Part 1

#### Extradition to Category 1 Territories

##### *Section 8: Remand etc.*

37. This section deals with the arrangements for the remand of the arrested person and the judge's duty to inform the person of the contents of the warrant, and to explain that the person may consent to his extradition.
38. *Subsection (1)* requires the judge to:
- fix a date for the extradition hearing. The date must be within 21 days of arrest (*subsection (4)*). This period can be extended by the judge where it is in the interests of justice (*subsection (5)*). If the hearing does not begin on or before the fixed date, and no reasonable cause is shown for the delay, then the judge must order the person's discharge (*subsections (6) to (8)*);
  - inform the person of the contents of the warrant;
  - give the person the required information about consent. This is outlined below;
  - remand the person in custody or on bail. The judge may also grant bail to a person originally remanded in custody (*subsection (2)*).
39. Under *subsection (3)* the required information about consent is:
- that the person may consent to his extradition;
  - an explanation of the effect of giving consent and the procedure that will apply (this is explained in section 45);
  - that consent must be given before the judge and is irrevocable.