



Extradition Act 2003

2003 CHAPTER 41

PART 2

EXTRADITION TO CATEGORY 2 TERRITORIES

The extradition hearing

- 76 Date of extradition hearing: arrest under provisional warrant [F¹ or under section 74A]**
- (1) Subsection (2) applies if—
 - (a) a person is arrested under a provisional warrant [F² or under section 74A], and
 - (b) the documents referred to in section 70(9) are received by the appropriate judge within the period required under section 74(10) [F³ or 74E(4)].
 - (2) The judge must fix a date on which the extradition hearing is to begin.
 - (3) The date fixed under subsection (2) must not be later than the end of the permitted period, which is 2 months starting with the date on which the judge receives the documents.
 - (4) If before the date fixed under subsection (2) (or this subsection) a party to the proceedings applies to the judge for a later date to be fixed and the judge believes it to be in the interests of justice to do so, he may fix a later date; and this subsection may apply more than once.
 - (5) If the extradition hearing does not begin on or before the date fixed under this section and the person applies to the judge to be discharged, the judge must order his discharge.

Textual Amendments

- F1** Words in s. 76 heading inserted (31.12.2020) by [Extradition \(Provisional Arrest\) Act 2020 \(c. 18\)](#), s. 2(4), [Sch. para. 11\(2\)](#); S.I. 2020/1652, reg. 2(1)(b)

*Changes to legislation: There are currently no known outstanding effects
for the Extradition Act 2003, Section 76. (See end of Document for details)*

- F2** Words in s. 76(1)(a) inserted (31.12.2020) by Extradition (Provisional Arrest) Act 2020 (c. 18), s. 2(4), **Sch. para. 11(3)(a)**; S.I. 2020/1652, reg. 2(1)(b)
- F3** Words in s. 76(1)(b) inserted (31.12.2020) by Extradition (Provisional Arrest) Act 2020 (c. 18), s. 2(4), **Sch. para. 11(3)(b)**; S.I. 2020/1652, reg. 2(1)(b)

Commencement Information

- I1** Act wholly in force at 1.1.2004, see s. 221 and S.I. 2003/3103, **art. 2** (subject to **arts. 3-5**) (as amended by S.I. 2003/3258 art. 2(2) and S.I. 2003/3312 art. 2(2))

Changes to legislation:

There are currently no known outstanding effects for the Extradition Act 2003, Section 76.