



Extradition Act 2003

2003 CHAPTER 41

PART 2

EXTRADITION TO CATEGORY 2 TERRITORIES

The extradition hearing

92 Case sent to Secretary of State

- (1) This section applies if the appropriate judge sends a case to the Secretary of State under this Part for his decision whether a person is to be extradited.
- (2) The judge must inform the person in ordinary language that—
 - (a) he has a right to appeal to the High Court;
 - (b) if he exercises the right the appeal will not be heard until the Secretary of State has made his decision.
- (3) But subsection (2) does not apply if the person has consented to his extradition under section 127.
- (4) The judge must remand the person in custody or on bail—
 - (a) to wait for the Secretary of State's decision, and
 - (b) to wait for his extradition to the territory to which extradition is requested (if the Secretary of State orders him to be extradited).
- (5) [^{F1}If the person is remanded in custody, the appropriate judge may]^{F1} later grant bail.

Textual Amendments

- F1** Words in s. 92(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 92. (See end of Document for details)*

Commencement Information

- II** 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))

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