

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

EXTRADITION ACT 2003

EXPLANATORY NOTES

TERRITORIAL APPLICATION: WALES

Part 1

Extradition to Category 1 Territories

Section 47: Extradition to category 1 territory following consent

136. This section applies when a judge has ordered a person's extradition under section 46, following that person's consent to extradition (*subsection (1)*). Extradition must, under *subsection (2)*, take place within the required period. This is 10 days from the date the order is made or, if the judge and the category 1 territory agree a later date, 10 days from the agreed date (*subsection (3)*).
137. If the person has not been extradited within the 10-day period, the judge must, on the person's application, order his discharge, unless reasonable cause is shown for the delay (*subsection (4)*).
138. *Subsection (5)* explains what is to happen when, after the judge has ordered a person's extradition following their consent, the relevant Part 1 warrant is withdrawn. Where the judge is informed of the withdrawal and the person has not yet been extradited, the requirement in *subsection (2)* for the person to be extradited within the required period no longer applies and the judge must order the person's discharge.