



# Extradition Act 2003

## 2003 CHAPTER 41

### PART 1

#### EXTRADITION TO CATEGORY 1 TERRITORIES

##### *Consent to extradition*

#### **46 Extradition order following consent**

- (1) This section applies if a person consents to his extradition under section 45.
- (2) The judge must remand the person in custody or on bail.
- (3) [<sup>F1</sup>If the person is remanded in custody, the appropriate judge may]<sup>F1</sup> later grant bail.
- (4) If the judge has not fixed a date under section 8 on which the extradition hearing is to begin he is not required to do so.
- (5) If the extradition hearing has begun the judge is no longer required to proceed or continue proceeding under sections 10 to 25.
- (6) The judge must within the period of 10 days starting with the day on which consent is given order the person's extradition to the category 1 territory.
- (7) Subsection (6) has effect subject to sections 48 and 51.
- (8) If subsection (6) is not complied with and the person applies to the judge to be discharged the judge must order his discharge.

#### **Textual Amendments**

- F1** Words in s. 46(3) 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\(d\)\(e\)](#)

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*Changes to legislation: There are currently no known outstanding effects  
for the Extradition Act 2003, Section 46. (See end of Document for details)*

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#### **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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