



Extradition Act 2003

2003 CHAPTER 41

PART 1

EXTRADITION TO CATEGORY 1 TERRITORIES

The initial hearing

8 Remand etc.

- (1) If the judge is required to proceed under this section he must—
 - (a) fix a date on which the extradition hearing is to begin;
 - (b) inform the person of the contents of the Part 1 warrant;
 - (c) give the person the required information about consent;
 - (d) remand the person in custody or on bail.
- (2) [^{F1}If the person is remanded in custody, the appropriate judge may]^{F1} later grant bail.
- (3) The required information about consent is—
 - (a) that the person may consent to his extradition to the category 1 territory in which the Part 1 warrant was issued;
 - (b) an explanation of the effect of consent and the procedure that will apply if he gives consent;
 - (c) that consent must be given before the judge and is irrevocable.
- (4) The date fixed under subsection (1) must not be later than the end of the permitted period, which is 21 days starting with the date of the arrest referred to in section 7(1) (a) or (b).
- [^{F2}(4A) But if proceedings in respect of the extradition are adjourned under section 8A or 8B, the permitted period is extended by the number of days for which the proceedings are so adjourned.]
- (5) If before the date fixed under subsection (1) (or this subsection) a party to the proceedings applies to the judge for a later date to be fixed and the judge believes it

Changes to legislation: There are currently no known outstanding effects for the Extradition Act 2003, Section 8. (See end of Document for details)

to be in the interests of justice to do so, he may fix a later date; and this subsection may apply more than once.

- (6) Subsections (7) and (8) apply if the extradition hearing does not begin on or before the date fixed under this section.
- (7) If the person applies to the judge to be discharged the judge must order his discharge, unless reasonable cause is shown for the delay.
- (8) If no application is made under subsection (7) the judge must order the person's discharge on the first occasion after the date fixed under this section when the person appears or is brought before the judge, unless reasonable cause is shown for the delay.

Textual Amendments

- F1** Words in s. 8(2) 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\(d\)\(e\)](#)
- F2** S. 8(4A) inserted (21.7.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), [ss. 155, 185\(1\)](#) (with [ss. 21, 33, 42, 58, 75, 93](#)); [S.I. 2014/1916](#), [art. 2\(b\)](#)

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))

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