

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

# **EXTRADITION ACT 2003**

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## **EXPLANATORY NOTES**

### **TERRITORIAL APPLICATION: WALES**

#### **Part 1**

#### **Extradition to Category 1 Territories**

##### ***Section 9: Judge's powers at extradition hearing***

40. The section provides for the powers available to the judge at the extradition hearing under this Part of the Act.
41. The powers available to the judge at an extradition hearing in England & Wales are (as nearly as possible) the same as those available to a magistrates' court at a summary trial in England and Wales. In Scotland the judge has the same powers (as nearly as possible) as if the proceedings were summary proceedings; in Northern Ireland the judge has the same powers (as nearly as possible) as a magistrates' court would have in the hearing and determination of a complaint (*subsections (1) to (3)*). The judge therefore has the power to adjourn the hearing and remand a person in custody or on bail (*subsections (4) and (5)*).