



Extradition Act 2003

2003 CHAPTER 41

PART 2

EXTRADITION TO CATEGORY 2 TERRITORIES

Consent to extradition

128 Consent to extradition before case sent to Secretary of State

- (1) This section applies if a person gives his consent under section 127 to the appropriate judge.
- (2) If the judge has not fixed a date under section 75 or 76 on which the extradition hearing is to begin he is not required to do so.
- (3) If the extradition hearing has begun the judge is no longer required to proceed or continue proceeding under sections 78 to 91.
- (4) The judge must send the case to the Secretary of State for his decision whether the person is to be extradited.
- (5) The person must be taken to have waived any right he would have (apart from the consent) not to be dealt with in the category 2 territory for an offence committed before his extradition.

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))

Status:

Point in time view as at 01/01/2004. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Extradition Act 2003, Section 128.