

*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 28: Appeal against discharge at extradition hearing*

81. This section gives an authority of the requesting state a right to appeal against a decision at the extradition hearing to order the person's discharge.
82. *Subsections (1), (3) and (4)* allow the authority that issued the Part 1 warrant to appeal to the High Court against the decision that resulted in the order to discharge the person. The appeal may be on any question of law or fact. The exception to this right of appeal, in *subsection (2)*, is when the discharge was made under section 41, i.e. as a result of the warrant being withdrawn.
83. The court must be notified of an appeal within 7 days of the order for the person's discharge being made (*subsection (5)*).