

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

EXTRADITION ACT 2003

EXPLANATORY NOTES

TERRITORIAL APPLICATION: WALES

Part 1

Extradition to Category 1 Territories

Section 35: Extradition where no appeal

103. This section gives the time limit for a person's extradition where he does not appeal against the extradition order.
104. *Subsection (1)* states that this section applies where the judge has ordered extradition and no appeal has been lodged within 7 days, ignoring any powers of a court to extend the period for giving notice of appeal or to grant leave to take a step out of time (see *subsection (6)*). It does not apply where a person's extradition is ordered with his consent, under the provisions of section 46 or 48 (*subsection (2)*). *Subsections (3) to (5)* provide that the person must be extradited within 10 days of the date the judge makes the order, or if the judge and the requesting state agree a later date, 10 days starting from the later date. If the deadlines are not complied with the judge must, on the person's application, order his discharge, unless reasonable cause is shown for the delay.