

*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 2

Extradition to Category 2 Territories

Section 105: Appeal against discharge at extradition hearing

303. This section provides a right for an appeal to be brought on behalf of the requesting state against a decision at the extradition hearing to discharge the person.
304. *Subsections (1), (3) and (4)* allow an appeal to be brought on behalf of the requesting territory against the decision that resulted in the order for the discharge of the person, on any question of law or fact. The exception to this right of appeal, in *subsection (2)*, is when the discharge was under section 122, as a result of the request being withdrawn.
305. Notice of appeal must be given within 14 days of the order for the person's discharge (*subsection (5)*).