

*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 2**

#### **Extradition to Category 2 Territories**

#### ***Section 113: Appeal to High Court: time limit for start of hearing***

323. This section provides for the time limits within which the High Court must begin to hear an appeal under section 103, 105, 108 or 110.
324. *Subsections (1) and (2)* provide that rules of court must prescribe the period within which the High Court must begin to hear the appeal. However, the High Court has the power to extend this period where it would be in the interests of justice to do so, and it may do this more than once and after the period has expired (*subsections (3) and (4)*).
325. *Subsection (5)* explains what happens if the appeal is against a decision to order extradition (under section 103 or 108) and the High Court does not begin to hear the case within the set time period. In these circumstances the appeal will be considered to have been allowed, the person discharged and the order for the person's extradition quashed. If the appeal is by the requesting state (under section 105 or 110) and the High Court does not begin to hear the appeal within the set time period, then it will be considered as having been dismissed (*subsection (6)*).