



Extradition Act 2003

2003 CHAPTER 41

PART 1

EXTRADITION TO CATEGORY 1 TERRITORIES

Appeals

26 Appeal against extradition order

- (1) If the appropriate judge orders a person's extradition under this Part, the person may appeal to the High Court against the order.
- (2) But subsection (1) does not apply if the order is made under section 46 or 48.
- (3) An appeal under this ^[F1]section—
 - (a) may] be brought on a question of law or fact^[F2], but
 - (b) lies only with the leave of the High Court.]
- (4) ^[F3]Notice of application for leave to appeal] under this section must be given in accordance with rules of court before the end of the permitted period, which is 7 days starting with the day on which the order is made.
- ^[F4](5) But where a person gives notice of application for leave to appeal after the end of the permitted period, the High Court must not for that reason refuse to entertain the application if the person did everything reasonably possible to ensure that the notice was given as soon as it could be given.]

Textual Amendments

- F1** Words in s. 26(3) substituted (15.4.2015) by *Anti-social Behaviour, Crime and Policing Act 2014* (c. 12), **ss. 160(1)(a)**, 185(1) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2015/987, art. 2(a) (with art. 4)
- F2** S. 26(3)(b) and preceding word inserted (15.4.2015) by *Anti-social Behaviour, Crime and Policing Act 2014* (c. 12), **ss. 160(1)(b)**, 185(1) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2015/987, art. 2(a) (with art. 4)

Changes to legislation: There are currently no known outstanding effects for the Extradition Act 2003, Section 26. (See end of Document for details)

- F3** Words in s. 26(4) substituted (15.4.2015) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), s. 185(1), **Sch. 11 para. 106** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2015/987, art. 2(c)(i) (with art. 4)
- F4** S. 26(5) inserted (15.4.2015) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), **ss. 160(1)(c), 185(1)** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2015/987, art. 2(a) (with art. 4)

Commencement Information

- I1** 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))

Changes to legislation:

There are currently no known outstanding effects for the Extradition Act 2003, Section 26.