

SCHEDULE 1

Paragraph 4(a)

Form 34.3–A

Rule 34.3(1)(a)

Form of note of appeal to High Court of Justiciary under section 26 of the Extradition Act 2003

IN THE HIGH COURT OF JUSTICIARY

NOTE OF APPEAL

under section 26 of the Extradition Act 2003

By

[A.B.] (*address*)

[*or presently a prisoner in the Prison of (place)*]

APPELLANT

1. The appellant was arrested at (*place*) on (*date*) under section 5 of the Extradition Act 2003 [*or under a warrant issued under Part 1 of the Extradition Act 2003*].
2. On (*date*) the sheriff of Lothian and Borders at (*place*) ordered the appellant's extradition to (*country*) being a category 1 territory within the meaning of section 1 of the Extradition Act 2003.
3. The appellant appeals to the High Court of Justiciary against the decision of the sheriff.

GROUND(S) OF APPEAL

4. (*set out the ground(s) in numbered paragraphs*).

LEAVE TO APPEAL

5. (*set out in numbered paragraphs the grounds on which it is submitted leave to appeal should be granted*).

(Signed)

[A.B], Appellant

[*or* [X.Y.], Appellant's legal representative]

(*Address and telephone number*)

(*Email address*)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form 34.3–B

Rule 34.3(1)(b)

Form of note of appeal under section 28 of the Extradition Act 2003

IN THE HIGH COURT OF JUSTICIARY

NOTE OF APPEAL

under section 28 of the Extradition Act 2003

by

HER MAJESTY’S ADVOCATE

on behalf of (*authority which issued the warrant under Part 1 of the Act of 2003*)

1. [A.B.] (*address*) (“the arrested person”) was arrested at (*place*) on (*date*) under section 5 of the Extradition Act 2003 [*or under Part 1 warrant within the meaning of section 2 of the Extradition Act 2003*].
2. On (*date*) the sheriff of Lothian and Borders at (*place*) ordered the discharge of the arrested person.
3. Her Majesty’s Advocate appeals to the High Court of Justiciary under section 28(1) of the Extradition Act 2003 on the grounds set out in the following paragraphs.

GROUND(S) OF APPEAL

4. (*set out the ground(s) in numbered paragraphs*).

LEAVE TO APPEAL

5. (*set out in numbered paragraphs the grounds on which it is submitted leave to appeal should be granted*).

(Signed)

On behalf of Her Majesty’s Advocate

(*Address and telephone number*)

(*Email address*)

Form 34.3–C

Rule 34.3(1)(c)

Form of note of appeal under section 103 or 108 of the Extradition Act 2003

IN THE HIGH COURT OF JUSTICIARY

NOTE OF APPEAL

under section 103 [or 108] of the Extradition Act 2003

by

[A.B.] (*address*)

APPELLANT

1. [A.B.] (*address*) was arrested at (*place*) on (*date*) under a warrant issued by the sheriff of Lothian and Borders under section 71(2) of the Extradition Act 2003 [or under a provisional warrant issued by the sheriff of (*name of sheriffdom*) under section 73 of the Extradition Act 2003].
2. On (*date*) the sheriff of Lothian and Borders at (*place*) sent the appellant's case to the Scottish Ministers for their decision whether the appellant was to be extradited. [On (*date*) the Scottish Ministers ordered the extradition of the appellant].
3. The appellant appeals to the High Court of Justiciary under section 103(1) [or 108(1)] of the Extradition Act 2003 on the grounds set out in the following paragraphs.

GROUND(S) OF APPEAL

4. (*here set out the ground(s) in numbered paragraphs*).

LEAVE TO APPEAL

5. (*here set out in numbered paragraphs the grounds on which it is submitted leave to appeal should be granted*).

(Signed)

[A.B], Appellant

[or [X.Y.], Appellant's legal representative]

(*Address and telephone number*)

(*Email address*)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form 34.3–D

Rule 34.3(1)(d)

Form of note of appeal under section 105 or 110 of the Extradition Act 2003

IN THE HIGH COURT OF JUSTICIARY

NOTE OF APPEAL

under section 105 [or 110] of the Extradition Act 2003

by

HER MAJESTY’S ADVOCATE

on behalf of (*specify category 2 territory*)

1. [A.B.] (*address*) (“the arrested person”) was arrested at (*place*) on (*date*) under a warrant issued by the sheriff of Lothian and Borders under section 71(2) of the Extradition Act 2003 [or under a provisional warrant issued by the sheriff of (*name of sheriffdom*) under section 73(3) of the Extradition Act 2003].
2. On (*date*) the sheriff of Lothian and Borders at (*place*) ordered the discharge of the arrested person. [or On (*date*) the sheriff of Lothian and Borders sent the arrested person’s case to the Scottish Ministers for their decision whether the arrested person was to be extradited. On (*date*) the Scottish Ministers ordered the discharge of the arrested person].
3. Her Majesty’s Advocate appeals on behalf of (*specify category 2 territory*) to the High Court of Justiciary under section 105(1) [or 110(1)] of the Extradition Act 2003 on the grounds set out in the following paragraphs.

GROUND(S) OF APPEAL

4. (*set out the ground(s) in numbered paragraphs*).

LEAVE TO APPEAL

5. (*set out in numbered paragraphs the grounds on which it is submitted leave to appeal should be granted*).

(Signed)

On behalf of Her Majesty’s Advocate

(*Address and telephone number*)

(*Email address*)