



Extradition Act 2003

2003 CHAPTER 41

PART 2

EXTRADITION TO CATEGORY 2 TERRITORIES

Appeals

105 Appeal against discharge at extradition hearing

- (1) If at the extradition hearing the judge orders a person's discharge, an appeal to the High Court may be brought on behalf of the category 2 territory against the relevant decision.
- (2) But subsection (1) does not apply if the order for the person's discharge was under section 122.
- (3) The relevant decision is the decision which resulted in the order for the person's discharge.
- (4) 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.]
- (5) ^{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 14 days starting with the day on which the order for the person's discharge is made.

Textual Amendments

- F1** Words in s. 105(4) substituted (15.4.2015) by [Anti-social Behaviour, Crime and Policing Act 2014](#) (c. 12), [ss. 160\(4\)\(a\)](#), 185(1) (with [ss. 21, 33, 42, 58, 75, 93](#)); S.I. 2015/987, art. 2(a) (with art. 4)
- F2** S. 105(4)(b) and preceding word inserted (15.4.2015) by [Anti-social Behaviour, Crime and Policing Act 2014](#) (c. 12), [ss. 160\(4\)\(b\)](#), 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 105. (See end of Document for details)*

F3 Words in s. 105(5) substituted (15.4.2015) by [Anti-social Behaviour, Crime and Policing Act 2014](#) (c. 12), s. 185(1), [Sch. 11 para. 112](#) (with ss. 21, 33, 42, 58, 75, 93); [S.I. 2015/987](#), art. 2(c)(ii) (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 105.