

*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 87: Human rights***

260. Under this section the judge must decide whether the person's extradition would be compatible with his human rights. The rights in question are those set out in the European Convention on Human Rights, incorporated into United Kingdom domestic legislation by the Human Rights Act 1998. The judge must order the person's discharge if extradition would not be compatible with these rights. Otherwise, he must send the case to the Secretary of State for him to decide on the person's extradition.