

*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 91: Physical or mental condition***

270. This section sets out what is to happen if the judge decides, at any time during the extradition hearing, that the person is not physically or mentally fit to be extradited (*subsection (1)*).
271. If it appears to the judge that, by reason of the person's mental or physical condition, it would be unjust or oppressive to extradite him (*subsection (2)*), the judge must either order the person's discharge or adjourn the hearing. The hearing would continue at such time as the person's condition has improved to the extent that extradition would no longer be unjust or oppressive (*subsection (3)*).