

*These notes refer to the Extradition Act 2003 (c.41)
which received Royal Assent on 20th November 2003*

EXTRADITION ACT 2003

EXPLANATORY NOTES

TERRITORIAL APPLICATION: WALES

Part 2

Extradition to Category 2 Territories

Section 125: Withdrawal of request while appeal to House of Lords pending

355. This section applies if the House of Lords is informed that an extradition request is withdrawn before the House of Lords has given its decision on the case.
356. Where these circumstances occur and the appeal is brought by the person, the House of Lords is required to order his discharge and quash the extradition order if one has been made (*subsection (3)*). If the appeal has been brought on behalf of the category 2 territory the House of Lords must dismiss the appeal under *subsection (4)*. *Subsection (5)* requires the House of Lords to inform the person of his discharge as soon as practicable if he is not present when it is ordered.