

*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 5

Miscellaneous and General Provisions

Section 200: Appeal against grant of bail

570. This section amends the Bail (Amendment) Act 1993 in order to give the person acting on behalf of the requesting territory the right to appeal against a judge's decision to grant a person bail in the course of extradition proceedings. This would confer a right of appeal in the same way that the prosecution has a right of appeal against a decision to grant bail in the course of certain criminal proceedings in this country.
571. There are certain conditions attached to this right of appeal. For example, the effect of *subsection (3)* is that an appeal can only be brought if representations were made against bail before it was granted. Similarly, the consequence of *subsection (4)* is that, where such an appeal is to be brought, oral notice of this must be given at the end of the proceedings in which bail was given and before the person has been released from custody.
572. Written notice of the appeal must then be given within two hours of the conclusion of the relevant proceedings, or the appeal will be treated as having been disposed of. Any appeal brought under this section must start within two working days of the date on which oral notice was given.