



# Extradition Act 2003

## 2003 CHAPTER 41

### PART 2

#### EXTRADITION TO CATEGORY 2 TERRITORIES

##### *Withdrawal of extradition request*

#### **124 Withdrawal of request while appeal to High Court pending**

- (1) This section applies if at any time in the relevant period the High Court is informed by the Secretary of State that a request for a person's extradition has been withdrawn.
- (2) The relevant period is the period—
  - (a) starting when notice of an appeal to the court is given by the person whose extradition is requested or by a person acting on behalf of the category 2 territory to which his extradition is requested;
  - (b) ending when proceedings on the appeal are discontinued or the court makes its decision on the appeal.
- (3) If the appeal is under section 103 or 108, the court must—
  - (a) order the person's discharge;
  - (b) quash the order for his extradition, if the Secretary of State has ordered his extradition.
- (4) If the appeal is under section 105 or 110, the court must dismiss the appeal.
- (5) If the person is not before the court at the time the court orders his discharge, the court must inform him of the order as soon as practicable.