



Extradition Act 2003

2003 CHAPTER 41

PART 2

EXTRADITION TO CATEGORY 2 TERRITORIES

Costs

133 Costs where extradition ordered

- (1) This section applies if any of the following occurs in relation to a person whose extradition is requested under this Part—
 - (a) an order for the person's extradition is made under this Part;
 - ^[F1](aa) the High Court dismisses an application for leave to appeal to it under section 103 or 108;]
 - (b) the High Court dismisses an appeal under section 103 or 108;
 - (c) the High Court or the ^[F2]Supreme Court^[F2] dismisses an application for leave to appeal to the ^[F2]Supreme Court^[F2] under section 114, if the application is made by the person;
 - (d) the ^[F2]Supreme Court^[F2] dismisses an appeal under section 114, if the appeal is brought by the person.
- (2) In a case falling within subsection (1)(a), the appropriate judge may make such order as he considers just and reasonable with regard to the costs to be paid by the person.
- ^[F3](2A) In a case falling within subsection (1)(aa), the High Court may make such order as it considers just and reasonable with regard to the costs to be paid by the person.]
- (3) In a case falling within subsection (1)(b) by virtue of section 104(7), the judge who decides the question that is (or all the questions that are) the subject of a direction under section 104(1)(b) may make such order as he considers just and reasonable with regard to the costs to be paid by the person.
- (4) In any other case falling within subsection (1)(b), the High Court may make such order as it considers just and reasonable with regard to the costs to be paid by the person.

Changes to legislation: There are currently no known outstanding effects for the Extradition Act 2003, Section 133. (See end of Document for details)

- (5) In a case falling within subsection (1)(c) or (d), the court by which the application or appeal is dismissed may make such order as it considers just and reasonable with regard to the costs to be paid by the person.
- (6) An order for costs under this section—
- (a) must specify their amount;
 - (b) may name the person to whom they are to be paid.

Textual Amendments

- F1** S. 133(1)(aa) inserted (15.4.2015) by [The Extradition Act 2003 \(Amendment to Designations and Appeals\) Order 2015 \(S.I. 2015/992\)](#), arts. 1(1), **3(12)(a)** (with art. 1(4))
- F2** Words in s. 133 substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 40, 148, **Sch. 9 para. 81(4)(1)**; [S.I. 2009/1604](#), **art. 2(d)**
- F3** S. 133(2A) inserted (15.4.2015) by [The Extradition Act 2003 \(Amendment to Designations and Appeals\) Order 2015 \(S.I. 2015/992\)](#), arts. 1(1), **3(12)(b)** (with art. 1(4))

Commencement Information

- I1** Act wholly in force at 1.1.2004, see s. 221 and [S.I. 2003/3103](#), **art. 2** (subject to [arts. 3-5](#)) (as amended by [S.I. 2003/3258](#) art. 2(2) and [S.I. 2003/3312](#) art. 2(2))

Changes to legislation:

There are currently no known outstanding effects for the Extradition Act 2003, Section 133.