



# Extradition Act 2003

## 2003 CHAPTER 41

### PART 5

#### MISCELLANEOUS AND GENERAL

##### *Interpretation*

#### **213 Disposal of Part 1 warrant and extradition request**

- (1) A Part 1 warrant issued in respect of a person is disposed of—
  - (a) when an order is made for the person's discharge in respect of the warrant and there is no further possibility of an appeal;
  - (b) when the person is taken to be discharged in respect of the warrant;
  - (c) when an order is made for the person's extradition in pursuance of the warrant and there is no further possibility of an appeal.
- (2) A request for a person's extradition is disposed of—
  - (a) when an order is made for the person's discharge in respect of the request and there is no further possibility of an appeal;
  - (b) when the person is taken to be discharged in respect of the request;
  - (c) when an order is made for the person's extradition in pursuance of the request and there is no further possibility of an appeal.
- (3) There is no further possibility of an appeal against an order for a person's discharge or extradition—
  - (a) when the period permitted for giving [<sup>F1</sup>notice of application for leave to appeal] to the High Court ends, if notice is not given before the end of that period;
  - [<sup>F2</sup>(aa) when the decision of the High Court refusing leave to appeal to it becomes final;]
  - (b) when the decision of the High Court on an appeal becomes final, if there is no appeal to the [<sup>F3</sup>Supreme Court]<sup>F3</sup> against that decision;

---

*Changes to legislation: There are currently no known outstanding effects for the Extradition Act 2003, Section 213. (See end of Document for details)*

---

- (c) when the decision of the [<sup>F3</sup>Supreme Court]<sup>F3</sup> on an appeal is made, if there is such an appeal.

[<sup>F4</sup>(3A) The decision of the High Court refusing leave to appeal to it becomes final when, in accordance with rules of court, there is no further step that can be taken in relation to the application for leave to appeal.]

- (4) The decision of the High Court on an appeal becomes final—
- (a) when the period permitted for applying to the High Court for leave to appeal to the [<sup>F3</sup>Supreme Court]<sup>F3</sup> ends, if there is no such application;
  - (b) when the period permitted for applying to the [<sup>F3</sup>Supreme Court]<sup>F3</sup> for leave to appeal to it ends, if the High Court refuses leave to appeal and there is no application to the [<sup>F3</sup>Supreme Court]<sup>F3</sup> for leave to appeal;
  - (c) when the [<sup>F3</sup>Supreme Court]<sup>F3</sup> refuses leave to appeal to it;
  - (d) at the end of the permitted period, which is 28 days starting with the day on which leave to appeal to the [<sup>F3</sup>Supreme Court]<sup>F3</sup> is granted, if no such appeal is brought before the end of that period.
- (5) These must be ignored for the purposes of subsections (3) [<sup>F5</sup>to] (4)—
- (a) any power of a court to extend the period permitted for giving notice of appeal or for applying for leave to appeal;
  - (b) any power of a court to grant leave to take a step out of time.
- (6) Subsections (3) to (5) do not apply to Scotland.

#### Textual Amendments

- F1** Words in s. 213(3)(a) substituted (15.4.2015) by [The Extradition Act 2003 \(Amendment to Designations and Appeals\) Order 2015 \(S.I. 2015/992\)](#), arts. 1(1), **3(15)(a)(i)** (with art. 1(4))
- F2** S. 213(3)(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(15)(a)(ii)** (with art. 1(4))
- F3** Words in s. 213 substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 40, 148, **Sch. 9 para. 81(4)(p)**; [S.I. 2009/1604](#), **art. 2(d)**
- F4** S. 213(3A) inserted (15.4.2015) by [The Extradition Act 2003 \(Amendment to Designations and Appeals\) Order 2015 \(S.I. 2015/992\)](#), arts. 1(1), **3(15)(b)** (with art. 1(4))
- F5** Word in s. 213(5) substituted (15.4.2015) by [The Extradition Act 2003 \(Amendment to Designations and Appeals\) Order 2015 \(S.I. 2015/992\)](#), arts. 1(1), **3(15)(c)** (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 213.