



Extradition Act 2003

2003 CHAPTER 41

PART 1

EXTRADITION TO CATEGORY 1 TERRITORIES

Withdrawal of Part 1 warrant

43 Withdrawal of warrant while appeal to House of Lords pending

- (1) This section applies if at any time in the relevant period the House of Lords is informed by the designated authority that a Part 1 warrant issued in respect of a person has been withdrawn.
- (2) The relevant period is the period—
 - (a) starting when leave to appeal to the House of Lords is granted to the person or the authority which issued the warrant;
 - (b) ending when proceedings on the appeal are discontinued or the House of Lords makes its decision on the appeal.
- (3) If the appeal is brought by the person in respect of whom the warrant was issued the House of Lords must—
 - (a) order the person's discharge;
 - (b) quash the order for his extradition, in a case where the appeal was against a decision of the High Court to dismiss an appeal under section 26.
- (4) If the appeal is brought by the authority which issued the warrant the House of Lords must dismiss the appeal.
- (5) If the person is not before the House of Lords at the time it orders his discharge, the House of Lords must inform him of the order as soon as practicable.