



# Extradition Act 2003

## 2003 CHAPTER 41

### PART 2

#### EXTRADITION TO CATEGORY 2 TERRITORIES

##### *Secretary of State's functions*

#### **99 Time limit for order for extradition or discharge**

- (1) This section applies if—
  - (a) the appropriate judge sends a case to the Secretary of State under this Part for his decision whether a person is to be extradited;
  - (b) within the required period the Secretary of State does not make an order for the person's extradition or discharge.
- (2) If the person applies to <sup>F1</sup>the appropriate judge<sup>F1</sup> to be discharged, <sup>F2</sup>the judge<sup>F2</sup> must order his discharge.
- (3) The required period is the period of 2 months starting with the appropriate day.
- (4) If before the required period ends the Secretary of State <sup>F3</sup>applies to the appropriate judge<sup>F3</sup> for it to be extended <sup>F4</sup>the judge may<sup>F4</sup> make an order accordingly; and this subsection may apply more than once.

#### **Textual Amendments**

- F1** Words in s. 99(2) substituted (15.1.2007) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 42, 53, [Sch. 13 para. 19\(2\)\(a\)](#); S.I. 2006/3364, [art. 2\(d\)\(e\)](#)
- F2** Words in s. 99(2) substituted (15.1.2007) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 42, 53, [Sch. 13 para. 19\(2\)\(b\)](#); S.I. 2006/3364, [art. 2\(d\)\(e\)](#)
- F3** Words in s. 99(4) substituted (15.1.2007) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 42, 53, [Sch. 13 para. 19\(3\)\(a\)](#); S.I. 2006/3364, [art. 2\(d\)\(e\)](#)
- F4** Words in s. 99(4) substituted (15.1.2007) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 42, 53, [Sch. 13 para. 19\(3\)\(b\)](#); S.I. 2006/3364, [art. 2\(d\)\(e\)](#)

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*Changes to legislation: There are currently no known outstanding effects  
for the Extradition Act 2003, Section 99. (See end of Document for details)*

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#### **Commencement Information**

- II** 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 99.