



Extradition Act 1989

1989 CHAPTER 33

PART VI

MISCELLANEOUS AND SUPPLEMENTARY

Extradition between colonies and foreign states

30 General extradition arrangements

- (1) Upon the making of an Order in Council under section 4 above—
 - (a) the provisions of this Act relating to general extradition arrangements; and
 - (b) section 21 above,shall, unless the Order otherwise provides, extend to every colony, as regards the extradition arrangements to which the Order refers, but subject—
 - (a) to the modifications set out in subsections (2) to (5) below;
 - (b) to any further modifications as to procedure prescribed by the law of the colony; and
 - (c) to the limitations, restrictions, exceptions and qualifications, if any, contained in the Order.
- (2) A reference to the colony shall be substituted for any reference to the United Kingdom.
- (3) An extradition request may be made to the Governor and the Governor may exercise the powers of the Secretary of State.
- (4) An extradition request may be made by a consular representative recognised by the Governor.
- (5) Any reference to a magistrate, judge or court shall be construed as a reference to such judicial authority as the law of the colony may provide.

31 Special extradition arrangements

- (1) Her Majesty may by Order in Council direct that this section shall extend to any colony specified in the Order in the case of foreign states with whom there are no general extradition arrangements, subject to the limitations, restrictions, exceptions and qualifications, if any, contained in the Order.
- (2) Where arrangements have been made in respect of a person under which extradition procedures under Part III of this Act or section 21 above will be available as between a colony to which this section applies and a foreign state, such extradition procedures shall be available in the case of that person, as between the colony and the state with whom the arrangements have been made, subject—
 - (a) to the modifications of this Act set out in section 30(2) to (5) above;
 - (b) to any further modifications as to procedure prescribed by the law of the colony; and
 - (c) to the limitations, restrictions, exceptions and qualifications, if any, contained in the arrangements.
- (3) If the Governor or the Secretary of State issues a certificate—
 - (a) that such arrangements have been made; and
 - (b) that such extradition procedures are available in the case of the person named in the certificate as between the colony and the foreign state to the extent specified in the certificate,it shall be conclusive evidence of all matters stated in it.