



# Extradition Act 1989

## 1989 CHAPTER 33

### PART VI

#### MISCELLANEOUS AND SUPPLEMENTARY

#### *Orders in Council relating to colonies etc.*

### **32 Application of provisions of Act by Order in Council**

- (1) Her Majesty may by Order in Council make provision for extending all or any of the provisions of this Act relating to return to Commonwealth countries (other than this section) to any colony, with the substitution of a reference to that colony for any reference to the United Kingdom, and with such other exceptions, adaptations or modifications as may be specified in the Order.
- (2) Without prejudice to the generality of subsection (1) above, an Order in Council under this section may—
  - (a) so far as it extends to any colony provisions of this Act relating to the return of persons to and the treatment of persons returned from designated Commonwealth countries, apply those provisions in relation to the Republic of Ireland as they apply in relation to a designated Commonwealth country;
  - (b) so far as it extends to any colony provisions of this Act relating to the return of persons to and the treatment of persons returned from colonies, apply those provisions in relation to the United Kingdom as they apply in relation to a colony.
- (3) Any Order in Council under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

### **33 Alternative arrangements for colonies**

- (1) Without prejudice to the powers exercisable by virtue of section 32 above, Her Majesty may by Order in Council make, for any colony, such special provision as appears to

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*Status: This is the original version (as it was originally enacted).*

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Her to be appropriate as between that colony and any other country being either a designated Commonwealth country or a colony—

- (a) for authorising and regulating the return to that other country of persons accused or convicted in it of offences;
  - (b) for regulating the treatment in the colony for which the Order makes provision of persons returned to it from that other country pursuant to this Act or any Order in Council under this Act or any corresponding law of that other country.
- (2) The legislature of any colony shall have power to make provision, not inconsistent with any Order in Council under this section or section 32 above which extends to that colony, for any purpose for which provision could be made by such an Order in Council.
- (3) Any Order in Council under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

#### **34 Colonies— supplementary**

- (1) Her Majesty may by Order in Council direct that any provision to which this section applies shall have effect in any colony.
- (2) This section applies—
  - (a) to any provision of this Act that corresponds to a provision of the Extradition Act 1870 with amendments made by the Criminal Justice Act 1988; and
  - (b) to any provision of this Act that corresponds to a provision of the Fugitive Offenders Act 1967 with amendments and repeals made by the Criminal Justice Act 1988.
- (3) The repeal by this Act of the Fugitive Offenders Act 1967 does not affect an Order in Council made under section 16 or 17 of that Act or the power to revoke or amend such an Order.