

1968 No. 2033

## FUGITIVE CRIMINAL

**The Fugitive Offenders (United Kingdom Dependencies)  
Order 1968***Laid before Parliament in draft**Made* - - - - - *20th December 1968**Coming into Operation* *1st January 1969*

At the Court at Buckingham Palace, the 20th day of December 1968

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by section 2(2)(c) and (3) of the Fugitive Offenders Act 1967<sup>(a)</sup>, is pleased, by and with the advice of Her Privy Council, to make the following Order, a draft of which has been laid before Parliament and has been approved by resolution of each House of Parliament :—

1. Section 2(2) of the Fugitive Offenders Act 1967 (which defines the expression "United Kingdom dependency") shall apply to the countries specified in column 1 of the Schedule hereto (being countries outside Her Majesty's dominions in which Her Majesty has jurisdiction, or over which She extends protection, in right of Her Government in the United Kingdom).

2. In relation to the return of persons to, and in relation to persons returned from, a country specified in column 1 of the Schedule hereto, other than the British Solomon Islands Protectorate, the Fugitive Offenders Act 1967 shall have effect as if for any reference therein to the Governor there were substituted a reference to the person or government specified opposite to the country in question in column 2 of the said Schedule.

3. In relation to the return of persons to the New Hebrides, the Fugitive Offenders Act 1967 shall have effect as if at the end of section 3(1) thereof (which defines a relevant offence for the purposes of the Act) there were added the following proviso :—

"Provided that an offence of which a person is accused or has been convicted in the New Hebrides shall not be a relevant offence unless he is liable to be tried therefor or, as the case may be, has been convicted thereof, by the High Court of the Western Pacific or by the Joint Court established for the New Hebrides."

(a) 1967 c.68.

4. This Order may be cited as the Fugitive Offenders (United Kingdom Dependencies) Order 1968 and shall come into operation on 1st January 1969.

*W. G. Agnew.*

#### SCHEDULE

Country	Government or person
British Solomon Islands Protectorate	—
Brunei	The Government of Brunei.
The New Hebrides	Her Majesty's High Commissioner for the Western Pacific or the Resident Commissioner for the New Hebrides acting with his authority.
Tonga	The Premier of Tonga.

#### EXPLANATORY NOTE

*(This Note is not part of the Order.)*

Section 2(2)(c) of the Fugitive Offenders Act 1967 relates to countries outside Her Majesty's dominions in which She has jurisdiction, or over which She extends protection, in right of Her Government in the United Kingdom. It provides that such countries to which section 2(2) is applied by Order in Council shall fall within the definition of "United Kingdom dependency" for the purposes of that Act. Article 1 of this Order applies section 2(2) to the countries specified in the Schedule.

As authorised by section 2(3), Article 2 provides for the modification of references in the 1967 Act to the Governor in relation to the return of persons to, and in relation to persons returned from, these countries, and Article 3 provides that a person shall be returned to the New Hebrides only if he is liable to be tried or, as the case may be, has been convicted, by the High Court of the Western Pacific or by the Joint Court established for the New Hebrides.