SCHEDULE 3 Article 3

PART I

FOREIGN STATES WHICH ARE PARTIES TO THE CONVENTION AND WITH WHICH NO EXTRADITION TREATIES ARE IN FORCE

State	Date of entry into force of Convention
Brazil	8th February 1987
Bulgaria	8th February 1987
China	9thFebruary 1989
Indonesia	8th February 1987
Japan	27th November 1988
Korea, Republic of	8th February 1987
Mongolia	8th February 1987
Philippines	8th February 1987
Union of Soviet Socialist Republics	8th February 1987

PART II

APPLICATION OF THE 1989 ACT IN THE CASE OF A STATE MENTIONED IN PART I

1. The 1989 Act shall have effect only in respect of–

(a) an offence mentioned in section 22(4)(f) of that Act;

(b) an attempt to commit such an offence;

(c) counselling, procuring, commanding, aiding or abetting such an offence; and

(d) being an accessory before or after the fact to such an offence.

2. No proceeding shall be taken on an application for a provisional warrant issued under section 8(1)(b) of the 1989 Act, and no such warrant shall be issued, unless the application is made with the consent of the Secretary of State signified by an order in the form set out in Part III of this Schedule or in a form to the like effect; but subject as aforesaid the signification of consent shall not affect the provisions of the said section 8.

3.—(1) Without prejudice to his so deciding on other grounds, the Secretary of State may, in the circumstances mentioned in the following sub-paragraph, decide not to make an order or issue a warrant–

(a) under section 7 of the 1989 Act (an authority to proceed), or

(b) under section 12 of the 1989 Act ordering the person to be returned, or

(c) for the purposes of paragraph 2 above signifying his consent to an application for a provisional warrant.

(2) The circumstances referred to in the preceding sub-paragraph are–

(a) that the Secretary of State is not satisfied that provision is made by the law of the State requesting the return under which a person accused or convicted in the United Kingdom of the like offence as that with which the person whose return is sought is accused or convicted might be surrendered to the United Kingdom if found in that State, or

(b) that the person whose return is sought could be or has been sentenced to death in the State by which the request for his return has been made for an offence not punishable with death in Great Britain, or

(c) that the person whose return is sought is a British citizen, a British Dependent Territories citizen, a British Overseas citizen, a British subject, a British National (Overseas), or a British protected person.

PART III

FORM OF CONSENT OF SECRETARY OF STATE TO APPLICATION FOR A PROVISIONAL WARRANT

Whereas AB, a person recognised by the Secretary of State as a diplomatic or consular representative of , has requested consent to application being made for the issue of a provisional warrant for the arrest of CD, late of, who [is accused] [has been convicted] of the commission of an offence or attempt to commit an offence or counselling, procuring, commanding, aiding or abetting an offence or of being accessory before or after the fact to an offence, within the jurisdiction of the said State, being an offence which if committed in the United Kingdom would be an offence under the Nuclear Material (Offences) Act 1983:

By this Order the Secretary of State signifies to you his consent to the said application being made.

Given under the hand of the undersigned, [One of Her Majesty's Principal Secretaries of State] [Minister of State at] [Under-Secretary of State at] this day of 19