
STATUTORY INSTRUMENTS

1994 No. 2796

EXTRADITION

**The European Convention on Extradition
(Bulgaria) (Amendment) Order 1994**

Made - - - - 2nd November 1994
Laid before Parliament 14th November 1994
Coming into force - - 12th December 1994

At the Court at Buckingham Palace, the 2nd day of November 1994

Present,

The Queen's Most Excellent Majesty in Council

Whereas the European Convention on Extradition ("the Convention")(1) opened for signature at Paris on 13th December 1957 entered into force for the United Kingdom on 14th May 1991:

And whereas Bulgaria ratified the Convention on 17th June 1994 and made the reservations and declarations set out in article 2(b) of this Order:

Now, therefore, Her Majesty, in exercise of the powers conferred on Her by section 4(1) of the Extradition Act 1989(2), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the European Convention on Extradition (Bulgaria) (Amendment) Order 1994 and shall come into force on 12th December 1994.

2. The European Convention on Extradition Order 1990(3) shall be amended as follows—

(a) In Part I of Schedule 2 (which names the States parties to the Convention), at the appropriate point in the alphabetical order, the following entry shall be inserted—

“Bulgaria”.

(b) In Schedule 3 (which sets out the reservations and declarations made by States parties to the Convention), the following Part shall be inserted after Part 1—

(1) Cm 1762.

(2) 1989 c. 33.

(3) S.I.1990/1507, as amended by S.I. 1992/2663, 1993/2667.

“PART 1A
BULGARIA

Reservations

Article 1

Extradition may be refused if the person proceeded against is to be tried by a special court in the requesting state or if a sentence delivered by such a court will be executed against that person.

Article 4

Extradition for military offences which are also offences under ordinary law may be granted solely on condition that the person extradited will not be tried by a military court or accused of a military offence.

Article 7

The Republic of Bulgaria declares its right to refuse extradition if the requesting party refuses extradition in similar cases, in accordance with article 7, paragraph 2.

Article 12

The Republic of Bulgaria declares its right to require that the requesting party submit evidence that the offence was committed by the person whose extradition is requested. If it considers the evidence submitted be inadequate, it may refuse extradition.

Article 21

The Republic of Bulgaria declares that it will allow transit on the same conditions on which extradition is granted.

Declarations

Article 6, paragraph 1(b)

The Republic of Bulgaria declares that it will recognise as a national for the purposes of the Convention any person having Bulgarian nationality at the time of the extradition order.

Article 23

The Republic of Bulgaria declares that it will require the documents submitted in execution of the present Convention be accompanied by a translation into one of the official languages of the Council of Europe.”.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

N.H. Nicholls
Clerk of the Privy Council

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EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which comes into force on 12th December 1994, amends the European Convention on Extradition Order 1990 by adding Bulgaria to the States parties to the European Convention on Extradition listed in Schedule 2 to the 1990 Order. It also adds the declarations and reservations made by Bulgaria to the reservations and declarations set out in Schedule 3 to the 1990 Order.