
STATUTORY INSTRUMENTS

1997 No. 1765

EXTRADITION

The Extradition (Protection of Nuclear Material) Order 1997

Made - - - - - *22nd July 1997*
Laid before Parliament *1st August 1997*
Coming into force *1st September 1997*

**THE EXTRADITION (PROTECTION OF
NUCLEAR MATERIAL) ORDER 1997**

1. This Order may be cited as the Extradition (Protection of...
2. (1) Schedule 2 to this Order specifies in the first...
3. The Extradition Act 1989, so far as it relates to...
4. The Extradition (Protection of Nuclear Material) Order 1991 is hereby...
5. (1) This Order extends only to the United Kingdom, the...
Signature

SCHEDULE 1 — *The Convention*

— CONVENTION ON THE PHYSICAL PROTECTION OF
NUCLEAR MATERIAL

The States Parties to this Convention,
Recognizing the right of all States to develop and apply...
Convinced of the need for facilitating international co-operation in the...
Desiring to avert the potential dangers posed by the unlawful...
Convinced that offences relating to nuclear material are a matter...
Aware of the need for international co-operation to establish, in...
Convinced that this Convention should facilitate the safe transfer of...
Stressing also the importance of the physical protection of nuclear...
Recognizing the importance of the physical protection of nuclear material...
Have agreed as follows:

Article 1

For the purposes of this Convention: (a) “nuclear material” means...

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Article 2

1. This Convention shall apply to nuclear material used for peaceful...
2. With the exception of articles 3 and 4 and paragraph...
3. Apart from the commitments expressly undertaken by States Parties in...

Article 3

Each State Party shall take appropriate steps within the framework...

Article 4

1. Each State Party shall not export or authorize the export...
2. Each State Party shall not import or authorize the import...
3. A State Party shall not allow the transit of its...
4. Each State Party shall apply within the framework of its...
5. The State Party responsible for receiving assurances that the nuclear...
6. The responsibility for obtaining assurances referred to in paragraph 1...
7. Nothing in this article shall be interpreted as in any...

Article 5

1. States Parties shall identify and make known to each other...
2. In the case of theft, robbery or any other unlawful...
3. States Parties shall co-operate and consult as appropriate, with each...

Article 6

1. States Parties shall take appropriate measures consistent with their national...
2. States Parties shall not be required by this Convention to...

Article 7

1. The intentional commission of: (a) an act without lawful authority...
2. Each State Party shall make the offences described in this...

Article 8

1. Each State Party shall take such measures as may be...
2. Each State party shall likewise take such measures as may...
3. This Convention does not exclude any criminal jurisdiction exercised in...
4. In addition to the States Parties mentioned in paragraphs 1...

Article 9

Upon being satisfied that the circumstances so warrant, the State...

Article 10

The State Party in whose territory the alleged offender is...

Article 11

1. The offences in Article 7 shall be deemed to be...
2. If a State Party which makes extradition conditional on the...
3. States Parties which do not make extradition conditional on the...
4. Each of the offences shall be treated, for the purpose...

Article 12

Any person regarding whom proceedings are being carried out in...

Article 13

1. States Parties shall afford one another the greatest measure of...
2. The provisions of paragraph 1 shall not affect obligations under...

Article 14

1. Each State Party shall inform the depositary of its laws...
2. The State Party where an alleged offender is prosecuted shall,...
3. Where an offence involves nuclear material used for peaceful purposes...

Article 15

The Annexes constitute an integral part of this Convention.

Article 16

1. A conference of States Parties shall be convened by the...
2. At intervals of not less than five years thereafter, the...

Article 17

1. In the event of a dispute between two or more...
2. Any dispute of this character which cannot be settled in...
3. Each State Party may at the time of signature, ratification,...
4. Any State Party which has made a reservation in accordance...

Article 18

1. This Convention shall be open for signature by all States...
2. This Convention is subject to ratification, acceptance or approval by...
3. After its entry into force, this Convention will be open...
4. (a) This Convention shall be open for signature or accession...

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5. Instruments of ratification, acceptance, approval or accession shall be deposited...

Article 19

1. This Convention shall enter into force on the thirtieth day...
2. For each State ratifying, accepting, approving or acceding to the...

Article 20

1. Without prejudice to Article 16 a State Party may propose...
2. The amendment shall enter into force for each State Party...

Article 21

1. Any State Party may denounce this convention by written notification...
2. Denunciation shall take effect one hundred and eighty days following...

Article 22

The depositary shall promptly notify all States of:

Article 23

The original of this Convention, of which the Arabic, Chinese, ...
In witness whereof, the undersigned, being duly authorized, have signed...

ANNEX 1 — LEVELS OF PHYSICAL PROTECTION TO BE APPLIED IN INTERNATIONAL TRANSPORT OF NUCLEAR MATERIAL AS CATEGORIZED IN ANNEX II

1. Levels of physical protection for nuclear material during storage incidental...
2. Levels of physical protection for nuclear material during international transport...

ANNEX II — TABLE: CATEGORIZATION OF NUCLEAR MATERIAL

SCHEDULE 2 — FOREIGN EXTRADITION TREATIES AND STATES WHICH ARE PARTIES TO THE CONVENTION AND IN RELATION TO WHICH ORDERS IN COUNCIL UNDER SECTION 2 OF THE EXTRADITION ACT 1870 ARE IN FORCE

SCHEDULE 3 —

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

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

1. The Extradition Act 1989 shall have effect in relation to...
2. No proceeding shall be taken on an application for a...

PART III

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SCHEDULE 4 — TERRITORIES TO WHICH THIS ORDER EXTENDS

Anguilla Bermuda British Antarctic Territory British Indian Ocean
Territory British...

Explanatory Note