

## SCHEDULE 8

### RESERVATIONS, DECLARATIONS AND STATEMENTS MADE BY THE PARTIES TO THE 1996 CONVENTION

#### **ANNEX TO THE 1996 CONVENTION**

##### DENMARK

#### **Article 3**

A request for extradition may be refused if the offence for which extradition is requested is not regarded as an offence under Danish law, even if the offence is classified by the law of the requesting Member State as a conspiracy or an association to commit offences and is punishable by deprivation of liberty for at least twelve months and even if the conspiracy or the association is to commit one of the offences referred to in Article 3(1)(a) or (b).

#### **Article 5**

Article 5(1) will apply only in relation to the offences referred to in Articles 1 and 2 of the European Convention on the Suppression of Terrorism and offences that can be defined as offences of conspiracy or association—which correspond to the description of behaviour referred to in Article 3(4)—to commit one or more of the offences referred to in Articles 1 and 2 of the European Convention on the Suppression of Terrorism.

#### **Article 7**

Extradition may be refused if the person claimed is a Danish national.

#### **Article 12**

Article 15 of the European Convention on Extradition shall continue to apply in the case of Denmark, unless the person extradited had, when agreeing to be extradited from Denmark to the Member State to which extradition occurred, indicated his/her agreement to being called to account and re-extradited to a third Member State for punishable offences committed before extradition other than those for which the person was extradited, or unless the person extradited has indicated his/her agreement to re-extradition at a court hearing in the Member State to which extradition has occurred.

#### **Article 13**

The designated central authority is the Ministry of Justice, Slotsholmsgade 10, 1216 København K.

#### **Article 14**

In those Member States which have made a declaration to Denmark pursuant to the first paragraph of Article 14, the judicial authorities or other competent authorities may make requests directly to Denmark's judicial authorities or other competent authorities responsible for criminal proceedings against the person whose extradition is requested for supplementary information in accordance with Article 13 of the European Convention on Extradition.

The courts and public prosecution authorities are authorised to request, communicate and receive the supplementary information referred to in the first paragraph of Article 14. Under the Danish Administration of Justice Act, public-prosecution authorities comprise the Ministry of Justice, Director of Public Prosecutions, Public Prosecutors, Commissioner of the Copenhagen Police and Chief Constables.

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The European Union Extradition Regulations 2002 No. 419

## **Article 18**

In the case of Denmark, the Convention shall apply to its relations with Member States that have made the same declaration with regard to Denmark, 90 days after the date of deposit thereof. The Convention shall not, in the case of Denmark, apply to the Faroe Islands and Greenland until otherwise provided.