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## SCHEDULES

### SCHEDULE 15

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *Taking of Hostages Act 1982 (c. 28)*

83 The following section shall be inserted after section 3 of the Taking of Hostages Act 1982—

#### **“3A Extradition under Part I of Criminal Justice Act 1988**

(1) Where—

- (a) no such arrangement as is mentioned in section 2 of the Extradition Act 1870 has been made with a State which is a party to the Convention; and
- (b) general extradition arrangements have not been made with that State under Part I of the Criminal Justice Act 1988,

Her Majesty may by Order in Council direct that the provisions of the Criminal Justice Act 1988 specified in subsection (2) below shall apply as between the United Kingdom and that State, subject to the limitations, restrictions, exceptions and qualifications, if any, contained in the Order, as if the Convention constituted general extradition arrangements made with that State under Part I of that Act, but only in respect of the following offences—

- (i) an offence under this Act;
- (ii) an attempt to commit such an offence;
- (iii) counselling, procuring, commanding, aiding or abetting such an offence; and
- (iv) being accessory before or after the fact to such an offence.

(2) The provisions of the Criminal Justice Act 1988 mentioned in subsection (1) above are—

- (a) section 1(1) to (8);
- (b) sections 3 to 10; and
- (c) sections 12 to 18.

(3) An Order in Council under this section may not provide that a court dealing with a person arrested for an offence mentioned in subsection (1) above shall not be under a duty to determine whether the evidence would be sufficient to warrant his trial if the offence had taken place within the jurisdiction of the court.

(4) For the purposes of the provisions of the Criminal Justice Act 1988 specified in subsection (2) above, in their application by virtue of an Order in Council

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under this section as between the United Kingdom and any other State, any act or omission, wherever it takes place, which is—

- (a) an offence mentioned in subsection (a) above; and
- (b) an offence against the law of that State,

shall be deemed to be an offence committed within the territory of that State.

- (5) In this section “the Convention” means the International Convention against the Taking of Hostages opened for signature at New York on 18 December 1979.”

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The following subsections shall be substituted for section 5(1) of that Act—

“(1) Sections 17 and 22 of the Extradition Act 1870 shall extend to section 3(1) and (4) above.

(1A) Sections 19 and 20 of the Criminal Justice Act 1988 shall extend to section 3A above.”