



# Extradition Act 1989 (repealed)

## CHAPTER 33

### EXTRADITION ACT 1989 (REPEALED)

#### PART I

##### INTRODUCTORY

###### *General*

- 1 Liability to extradition.

###### *Extradition crimes*

- 2 Meaning of “extradition crime”.

###### *Return to foreign states*

- 3 Arrangements for availability of Part III procedure.
- 4 Orders in Council as to extradition.

###### *Return to Commonwealth countries and colonies*

- 5 Procedure for designation etc.

#### PART II

##### RESTRICTIONS ON RETURN

- 6 General restrictions on return.

#### PART III

##### PROCEDURE

*Status: Point in time view as at 25/08/1996.*

*Changes to legislation: There are currently no known outstanding effects for the Extradition Act 1989 (repealed). (See end of Document for details)*

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### *General*

- 7 Extradition request and authority to proceed.
- 8 Arrest for purposes of committal.
- 9 Proceedings for committal.
- 10 Statement of case by court.
- 11 Application for habeas corpus etc.
- 12 Order for return.
- 13 Return to foreign states – supplementary.
- 14 Simplified procedure.

### *Special extradition arrangements*

- 15 Special extradition arrangements.

### *Effect of delay*

- 16 Discharge in case of delay.
- 17 Custody.

## **PART IV**

### TREATMENT OF PERSONS RETURNED

- 18 Restrictions upon proceedings for other offences in case of persons returned by foreign states.
- 19 Restrictions upon proceedings for other offences in case of persons returned by designated Commonwealth countries or colonies.
- 19A Restrictions upon proceedings for other offences in case of persons returned by the Hong Kong Special Administrative Region
- 20 Restoration of persons not tried or acquitted.

## **PART V**

### SPECIAL CASES

#### *Repatriation cases*

- 21 Persons serving sentences outside country of conviction.

#### *International Convention cases*

- 22 Extension of purposes of extradition for offences under Acts giving effect to international Conventions.
- 23 Genocide etc.
- 24 Suppression of terrorism.
- 25 Hostage-taking.

## **PART VI**

### MISCELLANEOUS AND SUPPLEMENTARY

#### *Evidence*

- 26 Authentication of foreign documents.
- 27 Evidence – Commonwealth countries and colonies.

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*Warrants and orders*

- 28 Form of warrants and orders.

*Channel Islands and Isle of Man*

- 29 Application to Channel Islands and Isle of Man.

*Extradition between colonies and foreign states*

- 30 General extradition arrangements.  
31 Special extradition arrangements.

*Orders in Council relating to colonies etc.*

- 32 Application of provisions of Act by Order in Council.  
33 Alternative arrangements for colonies.  
34 Colonies— supplementary.

*1995 and 1996 Convention cases*

- 34A Application of Act in 1995 and 1996 Convention cases

*General*

- 35 Interpretation.

*Supplementary Evidence*

- 36 Amendments.  
37 Repeals etc.  
38 Short title, commencement and extent.

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SCHEDULES

SCHEDULE 1 — Provisions deriving from Extradition Act 1870 and associated enactments

*Restrictions on surrender*

- 1 (1) The following restrictions shall be observed with respect to...

*Effect of Order*

- 2 An Order in Council under section 2 of the Extradition...

*Liability of criminal to surrender*

- 3 Where this Schedule has effect in the case of any...

*Order of Secretary of State for issue of warrant in United Kingdom if crime is not of political character*

- 4 (1) A requisition for the surrender of a fugitive criminal...

*Issue of warrant by metropolitan magistrate, justice etc.*

- 5 (1) A warrant for the apprehension of a fugitive criminal,...

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*Hearing of case and evidence of political character of crime*

- 6 (1) When a fugitive criminal is brought before the metropolitan...

*Committal or discharge of prisoner*

- 7 (1) In the case of a fugitive criminal accused of...

*Surrender of fugitive to foreign state by warrant of Secretary of State*

- 8 (1) If the metropolitan magistrate commits a fugitive criminal to...

*Simplified procedure*

- 9 (1) A person may give notice that he waives the...

*Discharge of persons apprehended if not conveyed out of United Kingdom within 2 months*

- 10 If the fugitive criminal who has been committed to prison...

*Execution of warrant of metropolitan magistrate*

- 11 The warrant of the metropolitan magistrate issued in pursuance of...

*Depositions etc to be evidence*

- 12 Depositions and statements on oath taken in a foreign state,...

*Crimes committed at sea*

- 13 (1) Where the crime in respect of which the surrender...

*Aircraft*

- 14 (1) For the purposes of the application of this Schedule...

*Deemed extension of jurisdiction of foreign states*

- 15 For the purposes of this Schedule any act, wherever committed,...

*Fugitive criminals in colonies*

- 16 This Schedule, when applied by Order in Council, shall, unless...

*Criminal surrendered by foreign state not triable for previous crime*

- 17 Where in pursuance of any arrangement with a foreign state,...

*Application of Schedule in Channel Islands and Isle of Man*

- 18 This Schedule (except so far as relates to the execution...

*Dependencies of foreign states*

- 19 For the purposes of this Schedule, every colony, dependency, and...

*Interpretation*

- 20 In this Schedule, unless the context otherwise requires— “colony” includes...

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## SCHEDULE 1A — THE 1995 CONVENTION AND THE 1996 CONVENTION

### PART 1 — THE 1995 CONVENTION

- 1 Application of Act
- 2 Adaptations of Act
- 3 In section 6 after subsection (6) insert—
- 4 In section 9 after subsection (3) insert -
- 5 After section 14 insert— 14A Consent to return
- 6 In section 18 after subsection (1) insert—

### PART 2 — THE 1996 CONVENTION

- 7 *Application of Act*
- 8 *Adaptations of Act*
- 9 (1) Section 2 is amended as follows.
- 10 (1) Section 6 is amended as follows.
- 11 (1) Section 18 is amended as follows.
- 12 (1) Section 26 is amended as follows.

## SCHEDULE 2 — Repeals

**Status:**

Point in time view as at 25/08/1996.

**Changes to legislation:**

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