



Extradition Act 1989

1989 CHAPTER 33

PART VI

MISCELLANEOUS AND SUPPLEMENTARY

Supplementary Evidence

36 Amendments

- (1) In paragraph 4 of Schedule 3 to the Parliamentary Commissioner Act 1967 (matters not subject to investigation by Commissioner) for the words from “or” to the end there shall be substituted the words “, the Fugitive Offenders Act 1967 or the Extradition Act 1989”.
- (2) The following subsection shall be substituted for subsection (1) of section 3 of the Genocide Act 1969 (application to Channel Islands, Isle of Man and colonies)—
 - “(1) Section 12 of the Backing of Warrants (Republic of Ireland) Act 1965 shall extend to the provisions of this Act amending that Act.”
- (3) In section 2(2) of the Bail Act 1976 in the definition of “proceedings against a fugitive offender” for the words from “section”, in the first place where it occurs, to “1967” there shall be substituted the words “the Extradition Act 1989”.
- (4) In paragraph (a) of subsection (1) of section 5 of the Suppression of Terrorism Act 1978 (power to apply provisions of Act to countries that are not parties to the European Convention on the Suppression of Terrorism) for the words “Fugitive Offenders Act 1967” there shall be substituted the words “Extradition Act 1989”.
- (5) In paragraph (b) of that subsection after “1870” there shall be inserted the words “or in the Extradition Act 1989”.
- (6) The following paragraph shall be substituted for paragraph (c) of that subsection—
 - “(c) a colony.”

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- (7) In paragraph (i) of that subsection for the words “of this Act which would, apart from this section, apply only in relation to convention countries” there shall be substituted the words “to which this paragraph applies”.
- (8) The following subsection shall be inserted after that subsection—
- “(1A) Subsection (1)(i) above applies—
- (a) to the provisions of this Act which would, apart from this section, apply only in relation to convention countries; and
- (b) to section 24(1) and (2) of the Extradition Act 1989.”
- (9) The following subsection shall be added at the end of section 6 of the Nuclear Material (Offences) Act 1983—
- “(5) In this section “the Convention” means the Convention on the Physical Protection of Nuclear Material opened for signature at Vienna and New York on 3rd March 1980.”.

37 Repeals etc

- (1) The enactments mentioned in Schedule 2 to this Act (which this Act replaces) are repealed to the extent specified in the third column of that Schedule.
- (2) The Extradition Act 1895 is repealed as of no practical utility.
- (3) The repeal by this Act of the Extradition Act 1870 does not affect an Order in Council made under section 2 of that Act or the power to revoke or alter such an Order.
- (4) Notwithstanding the repeal any forms that might have been used by virtue of section 20 of the Act may continue to be used and shall be deemed to be valid and sufficient in law.
- (5) Section 2A of the Backing of Warrants (Republic of Ireland) Act 1965 shall continue to have effect notwithstanding the repeal of section 1(9) of the Criminal Justice Act 1988 (which introduced Schedule 1 to the Act, Part II of which inserted section 2A in the Act of 1965) and the repeal of Schedule 1.
- (6) The repeal of an enactment relating to a Convention to which section 22 above applies does not affect an Order in Council made under any provision whose effect is reproduced in that section or in section 29 above or any power to revoke, amend or re-enact such an Order.

38 Short title, commencement and extent

- (1) This Act may be cited as the Extradition Act 1989.
- (2) The provisions of this Act other than any provision to which subsection (3) below applies shall come into force at the end of the period of two months beginning with the day on which it is passed.
- (3) The provisions of this Act to which this subsection applies are sections 7(3), 10(3) and 14(2) and (3) above, this section and paragraph 9(2) of Schedule 1.
- (4) Section 136(1) of the Criminal Justice Act 1988 (which provided that torture should be deemed to be included in the list of extradition crimes contained in Schedule 1 to the

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Extradition Act 1870) and paragraph 4 of Schedule 1 to that Act (which provided that any offence under the Company Securities (Insider Dealing) Act 1985 and offences under section 24 of the Drug Trafficking Offences Act 1986 should be deemed to be so included) shall come into force immediately before this Act comes into force.

- (5) This Act extends to Northern Ireland.