

1970 No. 148

## FUGITIVE CRIMINAL

## The Fugitive Offenders (Genocide) Order 1970

*Made - - - - 4th February 1970**Laid before Parliament 10th February 1970**Coming into Operation 30th April 1970*

At the Court at Buckingham Palace, the 4th day of February 1970

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by section 1 of the Fugitive Offenders Act 1967(a), as extended by section 3(1) of the Genocide Act 1969(b), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Fugitive Offenders (Genocide) Order 1970 and shall come into operation on 30th April 1970.

2. The Interpretation Act 1889(c) shall apply, with the necessary adaptations, for the purpose of interpreting this Order and otherwise in relation thereto as it applies for the purpose of interpreting, and in relation to, Act of Parliament.

3.—(1) There shall be deemed to be included among the descriptions of offences set out in Schedule 1 to the Fugitive Offenders Act 1967 as extended to the countries mentioned in the Schedule to this Order any offence of genocide and (so far as not so included by virtue of the foregoing) an attempt or conspiracy to commit such an offence and any direct and public incitement to commit such an offence.

(2) For the purposes of the Fugitive Offenders Act 1967 as extended to any country mentioned in the Schedule to this Order, no offence which, committed in that country, would be punishable as an offence of genocide or as an attempt, conspiracy or incitement to commit such an offence shall be regarded as an offence of a political character.

(3) It shall not be an objection to any proceedings taken against a person by virtue of the preceding paragraphs of this Article that under the law in force at the time when and in the place where he is alleged to have committed the act of which he is accused or of which he was convicted he could not have been punished therefor.

*W. G. Agnew*

(a) 1967 c. 68.

(b) 1969 c. 12.

(c) 1889 c. 63.

## SCHEDULE

## COUNTRIES REFERRED TO IN ARTICLE 3 OF THE ORDER

Bahama Islands  
Bermuda  
British Virgin Islands  
Falkland Islands and Dependencies  
Fiji  
Gibraltar  
Hong Kong  
Pitcairn  
Seychelles  
Turks and Caicos Islands

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

The Genocide Act 1969 (which gave effect to the Genocide Convention) amends the Fugitive Offenders Act 1967 by adding genocide to the offences for which a person may be returned to a Commonwealth country and by providing that it shall not be treated as an offence of a political character. This Order provides that those amendments shall apply to the 1967 Act as extended to the countries mentioned in the Schedule, being countries to which the Genocide Convention extends.

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