

## 1980 No. 185

## FUGITIVE CRIMINAL

**The Argentine Republic (Extradition) (Amendment)  
Order 1980**

*Made* - - - - 13th February 1980

*Laid before Parliament* 21st February 1980

*Coming into Operation* 13th March 1980

At the Court at Buckingham Palace, the 13th day of February 1980

Present,

The Queen's Most Excellent Majesty in Council

Whereas a Treaty was concluded on 22nd May 1889 between Her late Majesty Queen Victoria in respect of the United Kingdom of Great Britain and Ireland and the President of the Argentine Republic for the mutual extradition of fugitive criminals which Treaty was later amended by a Protocol(a) concluded on 12th December 1890:

And whereas it has been agreed by Notes exchanged on 19th November 1979, the terms of which are set out in the Schedule to this Order, that the said Treaty shall be further amended by amending Articles VIII and XVI:

Now, therefore, Her Majesty, in exercise of the powers conferred on Her by sections 2, 17 and 21 of the Extradition Act 1870(b), or otherwise in Her Majesty vested, 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 Argentine Republic (Extradition) (Amendment) Order 1980 and shall come into operation on 13th March 1980.

2. The Extradition Acts 1870 to 1935(c) shall apply in the case of the Argentine Republic in accordance with the said Treaty, as amended by the said Protocol and the said Exchange of Notes.

*N. E. Leigh,*  
Clerk of the Privy Council.

(a) C. 7260.

(b) 1870 c. 52.

(c) 1870 c. 52; 1873 c. 60; 1895 c. 33; 1935 c. 25.

## SCHEDULE

EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE ARGENTINE REPUBLIC AMENDING ARTICLES VIII AND XVI OF THE TREATY FOR THE MUTUAL EXTRADITION OF FUGITIVE CRIMINALS SIGNED ON 22ND MAY 1889 AS AMENDED BY THE PROTOCOL SIGNED ON 12TH DECEMBER 1890.

No. 1

*The Minister for Foreign Affairs and Worship of the Argentine Republic to the British Chargé d'Affaires at Buenos Aires.*

Ministro de Relaciones Exteriores y Culto.  
Buenos Aires, 19 de noviembre de 1979.

Señor Encargado de Negocios:

Tengo el agrado de dirigirme a Vuestra Excelencia para referirme al "Tratado para la Mutua Extradición de Criminales" firmado entre la República Argentina y el Reino Unido de Gran Bretaña e Irlanda, en Buenos Aires el 22 de mayo de 1889, enmendado por el Protocolo suscripto en Buenos Aires el 12 de diciembre de 1890.

Al respecto, me es grato proponer a Vuestra Excelencia, en nombre del Gobierno de la República Argentina, que se introduzcan las siguientes enmiendas al Tratado:

El Artículo VIII del Tratado será complementado por el agregado del siguiente párrafo:

"Si en cualquier caso el Estado requerido así lo solicita, el Estado requirente suministrará la traducción de todo documento remitido de acuerdo con las disposiciones del Tratado".

El texto del Artículo XVI será reemplazado por los dos párrafos siguientes:

"El país requerido tomará todas las medidas necesarias para efectuar la representación del país requirente y asumirá los gastos que ésta implique en todos los casos que surjan de un pedido de extradición".

"Los gastos relativos al transporte de una persona reclamada serán pagados por el Estado requirente. El Estado requerido no presentará al Estado requirente ninguna reclamación pecuniaria derivada del arresto, custodia, interrogación y entrega de las personas reclamadas de acuerdo con las disposiciones de este Tratado".

Si lo que antecede es aceptable para el Gobierno del Reino Unido, tengo el agrado de proponer que la presente nota, junto con la respuesta de Vuestra Excelencia en ese sentido, constituyan un Acuerdo entre los Gobiernos de la República Argentina y el Reino Unido de Gran Bretaña e Irlanda del Norte que entrará en vigor tres meses después de la fecha de su nota de respuesta.

Saludo a Vuestra Excelencia con mi más distinguida consideración.

CARLOS W. PASTOR.

## TRANSLATION OF No. 1

Ministry of Foreign Affairs and Worship.

Buenos Aires, 19 November 1979.

Mr Chargé d'Affaires

I have the honour to refer to the Treaty between the Argentine Republic and the United Kingdom of Great Britain and Ireland for the Mutual Extradition of Fugitive Criminals signed at Buenos Aires on 22 May 1889 as amended by the protocol signed at Buenos Aires on 12 December 1890.

In this respect, I have the honour to propose on behalf of the Government of the Argentine Republic that the Treaty be amended as follows.

Article VIII of the Treaty shall be supplemented by the addition of the following paragraph:

“If in any particular case the requested State so requires, the requesting State shall supply a translation of any document submitted in accordance with the provisions of the Treaty”.

The text of Article XVI shall be replaced by the following two paragraphs:

“The requested State shall make all necessary arrangements for and meet the cost of the representation of the requesting State in any proceedings arising out of a request for extradition.

“Expenses relating to the transportation of a person sought shall be paid by the requesting State. No pecuniary claim arising out of the arrest, detention, examination and surrender of a person sought under the provisions of this Treaty shall be made by the requested State against the requesting State”.

If the foregoing proposal is acceptable to the Government of the United Kingdom, I have the honour to suggest that the present Note, together with your reply to that effect, shall constitute an Agreement between the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland which shall enter into force three months after the date of your reply.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

CARLOS W. PASTOR.

## No. 2

*The British Chargé d'Affaires at Buenos Aires to the Minister for Foreign Affairs and Worship of the Argentine Republic.*

British Embassy,  
Buenos Aires.

19 November 1979.

Your Excellency

I have the honour to acknowledge receipt of Your Excellency's Note of today's date which in translation reads as follows:

[TRANSLATION AS IN No. 1]

In reply I have the honour to inform Your Excellency that the foregoing proposal is acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland, who therefore agree that your Note and this reply shall constitute an Agreement between our two Governments in this matter which shall enter into force three months after the date of this Note.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

HUGH CARLESS.

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EXPLANATORY NOTE

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

This Order applies the Extradition Acts 1870 to 1935 in the case of the Argentine Republic in accordance with the Treaty between the United Kingdom and the Argentine Republic for the mutual extradition of fugitive criminals, signed on 22nd May 1889, as amended by the Protocol of 12th December 1890, and as further amended by Notes exchanged on 19th November 1979.