

EXTRADITION (FOREIGN STATES) ACT 1974

No. 21 of 1974

An Act to amend sections 10 and 21 of the *Extradition (Foreign States) Act* 1966-1973.

BE IT ENACTED by the Queen, the Senate and the House of Representatives of Australia, as follows:—

1. (1) This Act may be cited as the *Extradition (Foreign States) Act* 1974.¹ Short title and citation.

(2) The *Extradition (Foreign States) Act* 1966-1973² is in this Act referred to as the Principal Act.

(3) The Principal Act, as amended by this Act, may be cited as the *Extradition (Foreign States) Act* 1966-1974.

2. This Act shall come into operation on the day on which it receives the Royal Assent.¹ Commencement.

3. Section 10 of the Principal Act is amended by adding at the end thereof the following sub-section:— Act may be applied in relation to foreign states by regulation.

“(4) Where the Governor-General is satisfied that, if this Act applied in relation to a foreign state, the law of that foreign state would, with or without any limitations, conditions, exceptions or qualifications, permit the surrender to Australia of persons accused or convicted of extraditable crimes within the meaning of Part IV who are found in that foreign state, or within the jurisdiction of, or of a part of, that foreign state, the regulations may provide that this Act applies in relation to that foreign state or that this Act applies in relation to that foreign state subject to limitations, conditions, exceptions or qualifications specified in the regulations.”.

4. Section 21 of the Principal Act is amended by inserting after the word “state” (second occurring) the words “(whether the extraditable crime is alleged to have been committed, or was committed, before or after the commencement of this Act or before or after the time when this Act commenced to apply in relation to that state)”. Requisition to foreign state for surrender of person to be made by Attorney-General.

NOTES

1. Act No. 21, 1974; assented to 29 July 1974.
2. Act No. 76, 1966, as amended by No. 112, 1968; No. 103, 1972; No. 171, 1973; and No. 216, 1973 (as amended by No. 20, 1974).