

EXTRADITION (FOREIGN STATES) AMENDMENT ACT 1976

No. 10 of 1977

An Act to amend the *Extradition (Foreign States) Act* 1966-1974.

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

Short title
and citation.

1. (1) This Act may be cited as the *Extradition (Foreign States) Amendment Act* 1976.¹

(2) The *Extradition (Foreign States) Act* 1966-1974² 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* 1966-1976.

Commence-
ment.

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

Interpret-
ation.

3. Section 4 of the Principal Act is amended by inserting after sub-section (5A) the following sub-section:—

“(5B) On and after the day on which the Convention referred to in the *Crimes (Internationally Protected Persons) Act* 1976 enters into force for Australia, an offence against a law of, or of a part of, a foreign state that is bound by that Convention, being an offence constituted by an act, including an act taking place in Australia, that is of a kind referred to in item 33A or item 35 in Schedule 1 and over which the foreign state is required by paragraph 1 of Article 3 of that Convention to establish its jurisdiction, shall, for the purposes of this Act—

- (a) be deemed to be an extradition crime and to have been committed within the jurisdiction of the foreign state; and
- (b) not be taken to be an offence that is, or is by reason of circumstances in which it is alleged to have been committed or was committed, an offence of a political character.”.

Schedule 1.

4. Schedule 1 to the Principal Act is amended by inserting after item 33 the following item:—

“33A. An act of a kind referred to in paragraph 1 (a), (b) or (c) of Article 2 of the Convention referred to in the *Crimes (Internationally Protected Persons) Act* 1976.”.

NOTES

1. Act No. 10, 1977; assented to 28 February 1977.
2. Act No. 76, 1966, as amended. For previous amendments *see* Act No. 112, 1968; No. 103, 1972; No. 171, 1973; No. 216, 1973 (as amended by No. 20, 1974); and No. 21, 1974.