

## **Extradition Bill**

### **Table of Contents**

## **Bill No: 16/1968**

***Read the first time: 9th May 1968***

### **Long Title**

### **Enacting Formula**

## **Part I PRELIMINARY**

### **1 Short title and commencement**

### **2 Interpretation**

## **Part II EXTRADITION TO FOREIGN STATES**

### **3 Application of Part in relation to foreign States to which Extradition Acts, 1870 to 1935, applied**

### **4 Part may be applied in relation to foreign States by *Gazette* notification**

### **5 Effect of applying Part in relation to foreign States by *Gazette* notification**

### **6 Liability of fugitive to be surrendered**

### **7 Restrictions on surrender of persons to foreign States**

### **8 Restriction on power of Minister to authorise the apprehension, or order the surrender, of a fugitive**

### **9 Notice by Minister**

**10 Issue of warrants**

**11 Proceedings after apprehension of person**

**12 Surrender of fugitive to foreign State**

**13 Discharge of fugitive who is not conveyed out of Singapore within two months**

### **Part III EXTRADITION FROM FOREIGN STATES**

**14 Interpretation**

**15 Requisition to foreign State for surrender of persons to be made by Minister**

**16 Person surrendered may be brought into Singapore**

**17 Person surrendered by foreign State in respect of an offence not to be prosecuted or detained for other offences**

### **Part IV EXTRADITION TO AND FROM DECLARED COMMONWEALTH COUNTRIES**

**18 Application of Part in relation to Commonwealth countries**

**19 Liability of fugitive to be surrendered**

**20 Restrictions on surrender of persons to Commonwealth countries**

**21 Restrictions on power of Minister to authorise the apprehension, or order the surrender, of a fugitive**

**22 Notices by Minister**

**23 Issue of warrants**

**24 Proceedings after apprehension of person**

**25 Power of Magistrate or court to release, or postpone surrender of, person**

**26 Surrender of fugitive to Commonwealth country**

**27 Discharge of fugitive who is not conveyed out of Singapore within two months**

**28 Interpretation**

**29 Requisition to Commonwealth country for surrender of person to be made by Minister**

**30 Persons surrendered may be brought to Singapore**

**31 Person surrendered by Commonwealth country in respect of an offence not to be prosecuted or detained for other offences**

## **Part V EXTRADITION TO AND FROM MALAYSIA**

**32 Application to Malaysia and definition**

**33 Indorsement of warrants**

**34 Issue of warrants**

**35 Proceedings after apprehension of person**

**36 Restriction on power of Magistrate to order surrender of person**

**37 Review of order of Magistrate**

**38 Discharge of person who is not conveyed out of Singapore within one month**

**39 Persons from Malaysia. surrendered**

## **Part VI MISCELLANEOUS**

**40 Jurisdiction as to offences committed at sea or in air**

**41 Simultaneous requisitions**

**42 Overseas documents may be admitted in evidence if duly authenticated**

**43 Taking of evidence in respect of criminal matters pending in courts of foreign States**

**44 Power to make rules**

**45 Power to vary Schedules**

**46 Repeals and saving**

**FIRST SCHEDULE Description of Returnable Offences**

**SECOND SCHEDULE**

**Explanatory Statement**

**Expenditure of Public Money**

### **Extradition Bill**

**Bill No. 16/1968**

*Read the first time on 9th May 1968.*

An Act providing for the extradition of fugitives to and from Commonwealth countries and foreign States and repealing certain Acts and Ordinances and for matters connected therewith.

Be it enacted by the President with the advice and consent of the Parliament of

Singapore, as follows: —

## PART I

### PRELIMINARY

#### Short title and commencement

1.—(1) This Act may be cited as the Extradition Act, 1968, and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

(2) Different dates may be appointed under this section for different provisions of this Act, and different dates may be so appointed for any such provision or provisions in relation to different countries or States.

#### Interpretation

2.—(1) In this Act, unless the context otherwise requires —

“declared Commonwealth country” means a country declared to be a Commonwealth country in relation to which Part IV of this Act applies;

“extradition crime”, in relation to a declared Commonwealth country, means an offence against the law of, or of a part of, a declared Commonwealth country —

- (a) the maximum penalty for which is death or imprisonment for not less than twelve months; and
- (b) the act or omission constituting which would, if it took place in or within the jurisdiction of Singapore, constitute an offence against the law in force in Singapore that —
  - (i) is described in the First Schedule to this Act; or
  - (ii) would be so described if the description concerned contained a reference to any intent or state of mind on the part of the person committing the offence, or to any circumstance of aggravation, necessary to constitute the offence;

“extradition crime”, in relation to a foreign State, means an offence against the law of, or of a part of, a foreign State the act or omission constituting which would, if it took place in or within the jurisdiction of Singapore, constitute an offence against the law in force in Singapore that —

- (a) is described in the First Schedule to this Act; or