

L.N. 120 of 1996

**EXTRADITION ACT
(CAP. 276)**

Extradition (Designated Foreign Countries) Order, 1996

IN exercise of the powers conferred by section 7 of the Extradition Act, the Minister of Justice and the Arts had made the following order: —

1. This Order may be cited as the Extradition (Designated Foreign Countries) Order, 1996, and it shall come into force on the 28th May, 1996 (hereinafter in this Order referred to as “the relevant date”). Citation and commencement.

2. In this Order, unless the context otherwise requires —

“the Convention” means the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances opened for signature at Vienna from 20th December, 1988 until 28th February, 1989 and subsequently at the United Nations Headquarters, New York until 20th December, 1989, the terms of which are set out in the relevant convention published in the Government Gazette dated 24th May, 1996;

“the relevant Act” means the Extradition Act;

“the relevant date” shall have the same meaning assigned to it by article 1 of this Order;

“requesting country” means a country making an extradition request.

3. Any arrangement as is referred to in sections 7 and 30 of the relevant Act with any country listed in the Schedule to this Order, which on the relevant date is still applicable to Malta, shall as may be necessary and with effect from the relevant date be deemed to be supplemented by paragraph 2 of Article 6 of the Convention and any such arrangement shall be construed accordingly. Arrangement with a foreign state.

4. (1) Those countries listed in the Schedule to this Order with which no arrangement as referred to in sections 7 and 30 of the relevant Act exists on the relevant date, are hereby being designated as foreign countries for the purposes of section 6 of the said Act only in respect of an offence as is referred to in paragraph 2 of Article 6 of the Convention and subject to the provisions of the following paragraphs of this article. Foreign countries.

(2) In the case of a country to which paragraph (1) of this article applies, no proceedings shall be taken on an application for a provisional arrest warrant under paragraph (b) of subsection (1) of section 14 of the relevant Act and no such warrant shall be issued unless the application is made with the consent of the Minister responsible for justice signified by means of an appropriate certificate to that effect; but subject as aforesaid the signification of consent shall not affect the provisions of the said section 14.

(3) In the case of an extradition request from a country to which paragraph (1) of this article applies in respect of an offence referred to in the same paragraph and without prejudice to his so deciding on other grounds, the Minister responsible for justice may, in the circumstances mentioned in paragraph (4) of this article, decide not to make an order under section 13 or section 21 of the relevant Act or for the purposes of paragraph (2) of this article signifying his consent to an application for a provisional warrant.

(4) The Minister responsible for justice may decide as provided in paragraph (3) of this article where the Minister is not satisfied that provision is made by the law of the requesting country under which a person accused or convicted in Malta of the like offence as that to which the request refers might be surrendered to Malta if found in the requesting country.

SCHEDULE

(Article 4)

FOREIGN STATES PARTIES TO THE CONVENTION

Afghanistan	Ghana
Algeria	Greece
Antigua and Barbuda	Granada
Argentina	Guatemala
Armenia	Guinea
Azerbaijan	Guinea-Bissau
Bahamas	Guyana
Bahrain	Haiti
Bangladesh	Honduras
Belarus	India
Belgium	Iran
Bhutan	Italy
Bolivia	Japan
Bosnia and Herzegovina	Jordan
Brazil	Kenya
Brunei	Kyrgyzstan
Darussalam	Latvia
Bulgaria	Lesotho
Burkina Faso	Luxembourg
Burundi	Madagascar
Cameroon	Malawi
Cape Verde	Malaysia
Chad	Mali
Chile	Mauritania
China	Mexico
Colombia	Monaco
Costa Rica	Morocco
Cote d'Ivoire	Myanmar
Croatia	Nepal
Czech Republic	Netherlands
Denmark	Nicaragua
Dominica	Niger
Dominican Republic	Nigeria
Ecuador	Norway
Egypt	Oman
El Salvador	Pakistan
Ethiopia	Panama
Fiji	Paraguay
Finland	Perù
France	Poland
Germany	Portugal

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Qatar
Republic of Moldova
Romania
Russian Federation
Saint Kitts and Nevis
Saint Lucia
Saint Vincent and the Grenadines
Saudi Arabia
Senegal
Seychelles
Sierra Leone
Slovakia
Slovenia
Spain
Sri Lanka
Sudan
Suriname

Swaziland
Sweden
Syria
The former Yugoslav
Republic of Macedonia
Togo
Tunisia
Uganda
Ukraine
United Arab Emirates
United States of America
Uruguay
Uzbekistan
Venezuela
Yugoslavia
Zambia
Zimbabwe.