

PARLIAMENT OF CEYLON

5th Session 1969-70



Fugitive Persons Act, No. 29 of 1969

Date of Assent : August 30, 1969

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Fugitive Persons Act, No. 29 of 1969

L. D.—O. 27/64.

AN ACT TO MAKE FRESH PROVISION FOR THE RETURN OF FUGITIVE PERSONS FROM CEYLON TO OTHER COUNTRIES WITH WHICH ARRANGEMENTS FOR SUCH RETURN HAVE BEEN MADE BY THE GOVERNMENT OF CEYLON, TO REGULATE THE TREATMENT OF PERSONS ACCUSED OR CONVICTED OF OFFENCES IN CEYLON WHO ARE RETURNED FROM SUCH COUNTRIES, AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

[Date of Assent: August 30, 1969]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Fugitive Persons Act, No. 29 of 1969, and shall come into operation on such date as may be appointed by the Minister by Order published in the *Gazette*, in this Act referred to as the "appointed date".

Short title
and date of
operation.

PART I

PRELIMINARY

2. (1) Where any extradition arrangement has been made by the Government of Ceylon with any other country, then, subject to the provisions of section 3, the Minister may by Order, in this Act referred to as a "declaratory Order", declare—

Consequence of
extradition
arrangement.

- (a) that the provisions of this Act shall apply to such other country, without any modifications, limitations or conditions; or
- (b) that such provisions shall apply to such other country, subject to such modifications, limitations or conditions as the Minister, having due regard to the terms of such arrangement, may deem expedient to specify in the Order for the purpose, and the purpose only, of implementing such terms.

(2) A declaratory Order made in consequence of any extradition arrangement shall recite or embody the terms of the arrangement.

(3) A declaratory Order made in consequence of any extradition arrangement—

(a) shall be laid before the Senate, and the House of Representatives, for approval;

(b) shall, if it is so approved, be published in the *Gazette*;

(c) shall come into force on the date of such publication, or on such later date as may be specified therein;

(d) shall be in force for so long, and so long only, as such arrangement remains in force; and

(e) shall for so long, and so long only, as it is in force be as valid and effectual as though it were herein enacted.

(4) Where a declaratory Order ceases to be in force by virtue of the operation of the provisions of subsection (3) (d) of this section, the Minister shall cause a notice of such cessation to be published in the *Gazette*.

(5) For the purposes of any declaratory Order, any territory for the external relations of which any country is responsible may be treated as part of that country or, if the Government of that country so requests, as a separate country.

Special provision as to the making of a declaratory Order.

3. No declaratory Order shall be made in consequence of any extradition arrangement, unless the arrangement—

(a) is in conformity in all respects with the provisions of this Act containing restrictions on the return of fugitive persons; and

(b) is substantially in conformity with the other provisions of this Act, subject to the modifications, limitations or conditions, if any, specified in the Order for the purpose of implementing the terms of the arrangement.

Effect of a
declaratory
Order.

4. (1) For so long, and so long only, as a declaratory Order is for the time being in force in respect of any country, the provisions of this Act shall apply to, and in relation to, such country, subject to the modifications, limitations or conditions, if any, specified in the Order for the purpose of implementing the terms of the extradition arrangement in consequence of which the Order was made.

(2) For so long, and so long only, as a declaratory Order made in consequence of any extradition arrangement is for the time being in force, the Order—

(a) shall be conclusive evidence that the arrangement complies with the provisions of section 3; and

(b) shall be final and conclusive, and shall not be called in question in any court or tribunal.

5. (1) For the purposes of this Act, any offence of which a person is accused or has been convicted in any designated country is a relevant offence if—

Relevant
offences.

(a) it is an offence which, by whatsoever name or designation called in the law of such country or however described in that law, fails within any of the descriptions set out in the First Schedule, and is specified in the extradition arrangement made with such country; and

(b) the act or omission constituting the offence, or the equivalent act or omission, would constitute an offence against the law of Ceylon if it took place within Ceylon or, in the case of an extra-territorial offence, in corresponding circumstances outside Ceylon.

(2) In determining for the purposes of this section whether an offence against the law of any designated country falls within any description set out in the First Schedule, any special intent or state of mind or special circumstances of aggravation which may be necessary to constitute that offence under the law shall be disregarded.

(3) The descriptions set out in the First Schedule include, in each case, offences of attempting or conspiring to commit, of assisting, counselling or

procuring the commission of or being accessory before or after the fact to the offences therein described, and of impeding the apprehension or prosecution of persons guilty of those offences.

(4) References in this section to the law of any designated country include references to the law of any part of that country.

General
restrictions
on return of
fugitive
persons.

6. (1) A fugitive person shall not be returned under this Act to any designated country, or committed to or kept in custody for the purposes of such return, if it appears to the Minister, to the court of committal, or to the Supreme Court on an application for *habeas corpus* or for review of the order of committal,—

(a) that the offence of which that person is accused or was convicted is an offence of a political character;

(b) that the request for his return, though purporting to be made on account of a relevant offence, is in fact made for the purpose of prosecuting or punishing him on account of his race, religion, nationality, caste or political opinions; or

(c) that he might if returned, be prejudiced at his trial or punished, detained or restricted in his personal liberty by reason of his race, religion, nationality, caste or political opinions.

(2) A fugitive person accused of any offence shall not be returned under this Act to any designated country, or committed to or kept in custody for the purposes of such return, if it appears, as provided in sub-section (1) of this section, that if charged with that offence in Ceylon he would be entitled to be discharged under any rule of law relating to previous acquittal or conviction.

(3) A fugitive person shall not be returned under this Act to any designated country, or committed to or kept in custody for the purposes of such return, unless provision is made by the law of that country or by the extradition arrangement with that country, for securing that he will not, unless he has first been restored or had an opportunity of returning to

Ceylon, be dealt with in that country for or in respect of any offence committed before his return under this Act, other than—

- (a) the offence in respect of which his return under this Act is requested;
- (b) any lesser offence proved by the facts established before the court of committal; or
- (c) any other offence, being a relevant offence in respect of which the Minister may consent to his being so dealt with.

(4) The reference in this section to an offence of a political character does not include an offence against the life or person of—

- (a) the Head of the Commonwealth; or
- (b) the head of any country, other than a commonwealth country, by whatsoever name or designation called,

or any related offences described in sub-section (3) of section 5.

PART II

PROCEEDINGS FOR RETURN

7. (1) Subject to the provisions of this Act relating to provisional warrants, a fugitive person of any designated country shall not be dealt with thereunder except in pursuance of an order of the Minister, in this Act referred to as an "authority to proceed", issued in pursuance of a request made to the Minister by or on behalf of the Government of that country.

Authority to proceed.

(2) There shall be furnished with any request made; for the purposes of this section, in respect of a fugitive person of any designated country—

- (a) who is accused of an offence, a warrant for his arrest issued in that country; or
- (b) who is unlawfully at large after conviction of an offence, a certificate of the conviction and sentence in that country and a statement of the amount, if any, of that sentence which has been served,

together, in each case, with particulars of that person, and of the facts upon which, and the law under which, he is accused or was convicted, and evidence sufficient to justify the issue of a warrant for his arrest under section 8.

(3) On receipt of such a request the Minister may issue an authority to proceed, unless it appears to him that an order for the return of the fugitive person concerned could not lawfully be made, or would not in fact be made, in accordance with the provisions of this Act.

Arrest for the
purpose of
committal.

8. (1) A warrant for the arrest of a fugitive person accused of a relevant offence, or alleged to be unlawfully at large after conviction of such an offence, may be issued—

- (a) on the receipt of an authority to proceed, by a competent Magistrate's Court; or
- (b) without such an authority, by such Court or by any other Magistrate's Court in any part of Ceylon, upon information that such person is or is believed to be in or on his way to Ceylon.

Any warrant issued by virtue of paragraph (b) of this sub-section is in this Act referred to as a "provisional warrant".

(2) A warrant of arrest under this section may be issued upon such evidence as would, in the opinion of the Court, authorize the issue of a warrant for the arrest of a person accused of committing a corresponding offence or, as the case may be, of a person alleged to be unlawfully at large after conviction of an offence, within the local limits of the jurisdiction of the Court.

(3) Where a provisional warrant is issued under this section, the Court by which it is issued shall forthwith give notice to the Minister, and transmit to him the information and evidence, or certified copies of the information and evidence, upon which it was issued; and the Minister may in any case, and shall if he decides not to issue an authority to proceed in respect of the fugitive person to whom the warrant relates, by order cancel the warrant and, if that person has been arrested thereunder, discharge him from custody.

(4) Notwithstanding anything in the Criminal Procedure Code, a warrant of arrest issued under this section may, without an endorsement to that effect, be executed in any part of Ceylon, whether such part is within or outside the local limits of the jurisdiction of the Court by which it is so issued, and may be so executed by any person to whom it is directed, or by any police officer.

(5) Where a warrant is issued under this section for the arrest of a fugitive person accused of an offence of stealing or receiving stolen property, or any other offence in respect of property, any Magistrate's Court in any part of Ceylon shall have the like power to issue a warrant to search for the property as if the offence has been committed within the local limits of the jurisdiction of that Court.

9. (1) A fugitive person arrested in pursuance of a warrant issued under section 8 shall, unless he is previously discharged under sub-section (3) of that section, be brought as soon as practicable before any such competent Magistrate's Court, in this Act referred to as a "Court of committal", as may be directed by the warrant.

Proceedings for committal.

(2) For the purposes of proceedings under this section, a Court of committal shall have the like powers, including power to adjourn the case and meanwhile to remand the fugitive person arrested under the warrant either in custody or on bail, and the proceedings shall be conducted as nearly as may be in the like manner, as if the proceedings were proceedings in respect of an offence alleged to have been committed by that person which is summarily triable by that Court in its capacity as a Magistrate's Court.

(3) Where the fugitive person arrested is in custody by virtue of a provisional warrant and no authority to proceed has been received in respect of him, the Court of committal may fix a reasonable period, notice of which shall be given by the Court to the Minister, after which he will be discharged from custody unless such an authority has been received.

(4) Where an authority to proceed has been issued in respect of the fugitive person arrested and the Court of committal is satisfied, after hearing any evidence tendered in support of the request for the

return of that person or on behalf of that person, that the offence to which the authority relates is a relevant offence, and is further satisfied,—

- (a) where that person is accused of the offence, that the evidence would be sufficient to warrant his trial for that offence if it has been committed within the local limits of the jurisdiction of the Court; or
- (b) where that person is alleged to be unlawfully at large after conviction of the offence, that he has been so convicted and appears to be so at large,

the Court shall, unless his committal is prohibited by any other provision of this Act, commit him to custody to await his return thereunder; and if the Court is not so satisfied, or if the committal of that person is so prohibited, the Court shall discharge him from custody.

Application
for *habeas*
corpus, &c.

10. (1) Where a fugitive person is committed to custody under section 9, the Court shall inform him in ordinary language of his right to make an application for *habeas corpus*, or to apply for review of the order of committal, to the Supreme Court, and shall forthwith give notice of the committal to the Minister.

(2) A fugitive person committed to custody under section 9 shall not be returned under this Act—

- (a) in any case, until the expiration of a period of fifteen days commencing on the day on which an order for his committal is made;
- (b) if an application for *habeas corpus*, or an application for review of the order of committal, is made in his case to the Supreme Court, so long as proceedings on that application are pending.

(3) On any such application the Supreme Court may, without prejudice to any other jurisdiction of the Court, order the fugitive person committed to be discharged from custody if it appears to the Court that—

- (a) by reason of the trivial nature of the offence of which he is accused or was convicted; or

(b) by reason of the passage of time since he is alleged to have committed it, or to have become unlawfully at large, as the case may be; or

(c) because the accusation against him is not made in good faith in the interests of justice, it would, having regard to all the circumstances, be unjust or oppressive to return him.

(4) On any such application the Supreme Court may receive additional evidence relevant to the exercise of their jurisdiction under section 6 or under sub-section (3) of this section.

11. (1) Where a fugitive person of a designated country is committed to await his return and is not discharged by order of the Supreme Court, the Minister may by warrant order him to be returned to that country, unless the return of that person is prohibited, or prohibited for the time being, by section 6 or this section, or the Minister decides under this section to make no such order in his case.

Order for return to requesting country.

(2) An order shall not be made under this section in the case of a fugitive person who is serving a sentence of imprisonment or detention, or is charged with an offence, in Ceylon—

(a) if that person is serving such a sentence, until the sentence has been served;

(b) if that person is charged with an offence, until the charge is disposed of or withdrawn and, if it results in a sentence of imprisonment, until the sentence has been served.

(3) The Minister shall not make an order under this section in the case of any fugitive person, if it appears to the Minister, on the grounds mentioned in sub-section (3) of section 10, that it would be unjust or oppressive to return that person.

(4) The Minister may decide to make no order under this section in respect of a fugitive person of any designated country who is accused or convicted of any relevant offence not punishable with death in Ceylon, if that person could be, or has been, sentenced to death for that offence in that country.

(5) The Minister may decide to make no order under this section for the return of a fugitive person committed, in consequence of a request made by or on behalf of a designated country if another request for his return under this Act, or a requisition for his

surrender under the Extradition Act, 1870, of the United Kingdom, has been made by or on behalf of another designated country and it appears to the Minister, having regard to all the circumstances of the case, and in particular—

- (a) the relative seriousness of the offence in question;
 - (b) the date on which each such request was made; and
 - (c) the nationality or citizenship of that person and his ordinary residence,
- that preference should be given to the other request.

(6) Notice of the issue of a warrant under this section shall forthwith be given to the fugitive person to be returned thereunder.

Discharge
in case of
delay in
returning.

12. (1) If a fugitive person of any designated country committed to await his return is in custody in Ceylon under this Act after the expiration of the following period, that is to say—

- (a) in any case, the period of two months commencing on the first day on which, having regard to sub-section (2) of section 10, he could have returned;
- (b) where a warrant for his return has been issued under section 11, the period of one month commencing on the day on which that warrant was issued,

he may apply to the Supreme Court for his discharge.

(2) If upon any such application being made the Supreme Court is satisfied that reasonable notice of the proposed application has been given to the Minister, the Court shall, unless sufficient cause is shown to the contrary, by order direct the applicant to be discharged from custody and, if a warrant for his return has been issued under section 11, quash that warrant.

Evidence.

13. (1) In any proceedings under this Act, including proceedings on an application for *habeas corpus* in respect of a fugitive person in custody thereunder—

- (a) a document, duly authenticated, which purports to set out evidence given on oath in a designated country shall be admissible as evidence of the matters stated therein;

(b) a document, duly authenticated, which purports to have been received in evidence, or to be a copy of a document so received, in any proceedings in any such country shall be admissible in evidence;

(c) a document, duly authenticated, which certifies that such person was convicted on a date specified in the document of an offence against the law of, or of a part of, any such country shall be admissible as evidence of the fact and date of the conviction.

(2) A document shall be deemed to be duly authenticated for the purposes of this section—

(a) in the case of a document purporting to set out evidence given as aforesaid, if the document purports to be certified by a Judge or Magistrate or officer in or of the designated country in question to be the original document containing or recording that evidence or a true copy of such document;

(b) in the case of a document which purports to have been received in evidence as aforesaid or to be a copy of a document to be certified as aforesaid, or to be a copy of a document so received, if the document purports to be certified as aforesaid to have been, or to be a true copy of a document which has been, so received;

(c) in the case of a document which certifies that a person was convicted as aforesaid, if the document purports to be certified as aforesaid,

and in any such case the document is authenticated either by the oath of a witness, or by the official seal of a Minister, of the designated country in question.

(3) In this section "oath" includes any affirmation or declaration.

(4) Nothing in this section shall be deemed or construed to affect or prejudice the admission in evidence of any document which is admissible in evidence apart from this section.

14. (1) Any fugitive person remanded or committed to custody under section 9 shall be committed to a like institution as a person charged with an offence before the Court of committal in its capacity as a Magistrate's Court.

Custody.

(2) If any fugitive person who is in custody by virtue of a warrant under this Act escapes out of custody, he may be retaken in any part of Ceylon in like manner as a person escaping from custody under a warrant for his arrest issued in that part in respect of an offence committed therein.

(3) Where a fugitive person, being in custody in any part of Ceylon whether under this Act or otherwise, is required to be removed in custody under this Act to another part of Ceylon and is so removed by sea or by air, he shall be deemed to continue in legal custody until he reaches the place to which he is required to be removed.

(4) A warrant under section 11 for the return of a fugitive person to any designated country shall be sufficient authority for all persons to whom it is directed and all police officers to receive that person, keep him in custody and convey him into the jurisdiction of that country.

Form of
warrants and
orders.

15. (1) Any warrant or order to be issued or made by the Minister under the foregoing provisions of this Act shall be given under the hand of the Minister.

(2) Regulations may be made under this Act prescribing the form of any warrant or order to be issued or made by the Minister under the foregoing provisions of this Act.

PART III

TREATMENT OF PERSONS RETURNED FROM DESIGNATED COUNTRIES

Restriction
upon proceed-
ing in other
countries.

16. (1) This section shall apply to any person accused or convicted of an offence under the law of Ceylon who is returned to Ceylon from any designated country, under any law of that country corresponding with this Act.

(2) A person to whom this section applies shall not, during the period described in sub-section (3) of this section, be dealt with in Ceylon for or in respect of any offence committed before he was returned to Ceylon, other than—

- (a) the offence in respect of which he was returned;
- (b) any lesser offence proved by the facts established for the purposes of securing his return; or

(c) any other offence in respect of which the Government of the designated country from which he was returned may consent to his being dealt with.

(3) The period referred to in sub-section (2) of this section in relation to a person to whom this section applies is the period commencing on the day of his arrival in Ceylon on his return as mentioned in sub-section (1) of this section and ending forty-five days after the first subsequent day on which he has the opportunity to leave Ceylon.

17. (1) This section shall apply to any person accused of an offence under the law of Ceylon who is returned to Ceylon as mentioned in sub-section (1) of section 16.

Restoration of persons not tried or acquitted.

(2) If in the case of a person to whom this section applies, either—

(a) proceedings against him for the offence for which he was returned are not begun within the period of six months commencing on the day of his arrival in Ceylon on being returned; or

(b) on his trial for that offence, he is acquitted or discharged by any Court in Ceylon, the Minister may, if he thinks fit, on the request of that person, arrange for him to be sent back free of charge and with as little delay as possible to the country from which he was returned.

PART IV

MISCELLANEOUS

18. (1) The Minister may make regulations under this Act in respect of all such matters as are necessary for giving full force and effect to the principles and provisions of this Act.

Regulations.

(2) Without prejudice to the generality of the powers conferred by sub-section (1) of this section, the Minister may make regulations under this Act—

(a) for all matters stated or required by this Act to be prescribed;

(b) amending, varying or replacing any Schedule;

(c) for all matters in respect of which no provision, or no adequate provision, is made by the provisions of this Act; and

(d) for all matters in respect of which it is necessary to supplement the provisions of this Act to meet unforeseen or special circumstances.

(3) Every regulation made under this Act shall be laid before the Senate and the House of Representatives for approval.

(4) Every regulation made under this Act shall, upon its being approved by the Senate and the House of Representatives, be published in the *Gazette*, and shall come into force on the date of such publication, or on such later date as may be specified therein.

(5) Every regulation made under this Act shall, upon its coming into force as herein before provided, be as valid and effectual as though it were herein enacted.

Special provision relating to the United Kingdom.

19. For the purposes of this Act, the term "country", in its application in the case of the United Kingdom, includes any United Kingdom dependency, that is to say,—

(a) any colony, not being a colony for whose external relations a country, other than the United Kingdom, is responsible;

(b) any associated state within the meaning of the West Indies Act, 1967, of the United Kingdom; and

(c) any country outside Her Majesty's Dominions, being a country in which Her Majesty has jurisdiction, or over which She extends protection, in right of Her Government in the United Kingdom,

not being in any case a country which is or forms part of any other commonwealth country.

Repeals and transitory provisions.

20. (1) Subject to the other provisions of this section, the enactments specified in the Third Schedule are hereby repealed as respects Ceylon, and accordingly shall cease to operate as part of the law of Ceylon.

(2) The repeals effected by sub-section (1) of this section shall not affect the operation in Ceylon of the Fugitive Offenders Act, 1870, of the United Kingdom, in any case where, before the appointed date, a warrant endorsed under section 3 of that Act, or a provisional warrant issued under section 8 of this Act, has been executed in Ceylon:

Provided, however, that for the purposes of proceedings under that Act in respect of a fugitive person from a designated country, sub-section (1) of section 6 of this Act shall apply as though—

(a) for the references to this Act there were substituted references to that Act; and

(b) for references to the Court of committal and the order of committal there were substituted references to the Magistrate before whom that person is brought under section 5 of that Act and the order of that Magistrate.

(3) Without prejudice to the operation of sub-section (2) of this section, this Act shall apply to offences committed before as well as on or after the appointed date.

21. In this Act, unless the context otherwise requires— Interpretation.

“commonwealth country” means any country for the time being specified in the Second Schedule;

“competent Magistrate’s Court” means a Magistrate’s Court having jurisdiction in any area within the limits of the district of Colombo as defined and set out in the First Schedule to the Courts Ordinance;

“country” means any country, whether or not it is a commonwealth country;

“designated country” means any country in respect of which there is a declaratory Order for the time being in force;

“extradition arrangement” means any arrangement, treaty or agreement made by the Government of Ceylon with any other country for the return to that country of persons found in Ceylon—

(a) who are accused of having committed in that country any offences which, by whatsoever name or designation called in the law of that country or however described in that law, fall within any of the descriptions set out in the First Schedule and are specified in such arrangement, treaty or agreement; or

(b) who are persons alleged to be unlawfully at large after conviction of any such offence in that country;

“fugitive person” means a person found in Ceylon—

(a) who is accused of having committed any relevant offence in any designated country; or

(b) who is alleged to be unlawfully at large after conviction of such offence in that country,

and the expression “fugitive person of a designated country” shall be construed accordingly;

“application for *habeas corpus*” means an application for a mandate in the nature of a writ of *habeas corpus*;

“Minister” means the Prime Minister and Minister of Defence and External Affairs;

“review”, in relation to the Supreme Court, includes revision;

“Schedule” means a Schedule to this Act.

FIRST SCHEDULE (Section 5)

DESCRIPTION OF RETURNABLE OFFENCES.

1. Murder of any degree.
2. Manslaughter.
3. An offence against the law relating to abortion.
4. Maliciously or wilfully wounding or inflicting grievous bodily harm.
5. Assault occasioning actual bodily harm.
6. Rape.
7. Unlawful sexual intercourse with a female.
8. Indecent assault.
9. Procuring, or trafficking in, women or young persons for immoral purposes.
10. Bigamy.
11. Kidnapping, abduction or false imprisonment, or dealing in slaves.

12. Stealing, abandoning, exposing or unlawfully detaining a child.
13. Bribery.
14. Perjury or subornation of perjury or conspiring to defeat the course of justice.
15. Arson.
16. An offence concerning counterfeit currency.
17. An offence against the law relating to forgery.
18. Stealing, embezzlement, fraudulent conversion, fraudulent false accounting, obtaining property or credit by false pretences, receiving stolen property or any other offence in respect of property involving fraud.
19. Burglary, housebreaking or any similar offence.
20. Robbery.
21. Blackmail or extortion by means of threats or by abuse of authority.
22. An offence against bankruptcy law or company law.
23. Malicious or wilful damage to property.
24. Acts done with the intention of endangering vehicles, vessels or aircrafts.
25. An offence against the law relating to dangerous drugs or narcotics.
26. Piracy.
27. Revolt against the authority of the master of a ship or the commander of an aircraft.
28. Contravention of import or export prohibitions relating to precious stones, gold and other precious metals.

SECOND SCHEDULE (Section 21)

COMMONWEALTH COUNTRIES.

1. Australia.
2. Barbados.
3. Botswana.
4. Canada.
5. The Republic of Cyprus.
6. The Gambia.
7. Ghana.
8. Guyana.
9. India.
10. Jamaica.
11. Kenya.

12. Lesotha.
13. Malawi.
14. Malaysia.
15. Malta.
16. New Zealand.
17. Nigeria.
18. Pakistan.
19. Sierra Leone.
20. Singapore.
21. Tasmania.
22. Trinidad and Tobago.
23. Uganda.
24. United Kingdom.
25. Zambia.

THIRD SCHEDULE (Section 20)

ENACTMENTS.

1. The Extradition Acts, 1870 to 1932, of the United Kingdom.
2. The Extradition Ordinance (Chapter 47).
3. The Extradition (India) Act (Chapter 48).