

EXTRADITION

THE EXTRADITION ACT

ORDER
(under section 3 (1))

The Extradition (Designated Commonwealth States) Order. 1991 L.N. 58/91

ORDER
(under section 4 (1))

The Extradition (Foreign States) Order. 1991 L.N. 53o/91

x

REGULATIONS
(under section 20)

The Extradition (Forms) Regulations, 1992 L.N. 33A192

THE EXTRADITION ACT

ORDER
(under section 3 (I))

THE EXTRADITION (DESIGNATED COMMONWEALTH STATES) ORDER, 1991

(Made by the Minister on the 11th day of June, 1991)

L.N. 58/91

1. This Order may be cited as the Extradition (Designated Commonwealth States) Order, 1991
2. The States specified in the Schedule are the designated Commonwealth States for the purposes of the Act.
3. The Act shall have effect for the return of persons to, or in relation to persons returned from, any such States.

SCHEDULE

Antigua and Barbuda
Australia
The Bahamas
Bangladesh
Barbados
Belize
Botswana
Britain
Brunei Dares Salaam
Canada
Cyprus
Dominica
The Gambia
Ghana
Grenada
Guyana
India
Kenya
Kiribati
Lesotho
Malawi

**THE EXTRADITION (DESIGNATED COMMONWEALTH
STATES) ORDER, 1991**

SCHEDULE, contd.

**Malaysia
Malta
Mauritius
Nauru
New Zealand
Nigeria
Papua New Guinea
St. Kitts Nevis
St. Lucia
St. Vincent and Grenadines
Seychelles
Sierra Leone
Singapore
Solomon Islands
Sri Lanka
Swaziland
Tanzania
Tonga
Trinidad and Tobago
Tuvalu
Uganda
Vanuatu
Western Samoa
Zambia
Zimbabwe
Maldives
Namibia**

THE EXTRADITION ACT

ORDER

(under section 4 (1))

THE EXTRADITION (FOREIGN STATES) ORDER, 1991

(Made by the Minister on the 11th day of June, 1991)

L.N. 53o/9.

- 1. This Order may be cited as the Extradition (Foreign States) Order, 1991.**
- 2. The provisions of the Act shall apply in respect of the foreign State specified in the Schedule hereto.**

SCHEDULE

The United States of America.

THE EXTRADITION ACT

REGULATIONS
(under section 20)

THE EXTRADITION (FORMS) REGULATIONS, 1992

(Made by the Minister on the 21st day of April, 1992)

L.N. 33A/92

1. These Regulations may be cited as the Extradition (Forms) Regulations, 1992.

2. The Forms set out in the Schedule are the prescribed forms for purposes of the Extradition Act. Schedule.

SCHEDULE (Regulation 2)
 FORM A
 THE EXTRADITION ACT
 AUTHORITY TO PROCEED (Section 8 (1))

To the Resident Magistrate for the parish of

WHEREAS a request has been duly made to me,
 Minister of National Security and Justice, on behalf of
 for the surrender of
 [accused] [alleged to be unlawfully at large after conviction] of
 :

Now I hereby, by this order under my hand and seal, signify to you that such request has been made, and require you to issue your warrant for the apprehension of such fugitive provided that the conditions of the Extradition Act, relating to the issue of such warrant, are, in your judgement, complied with.

Given under the hand and seal of the undersigned Minister of National Security and Justice this day of , 19 .

Minister of National Security and Justice.

FORM B
 THE EXTRADITION ACT
 WARRANT OF ARREST (Section 9)

The Jamaica Constabulary Force }	To all and each of the Constables of the Jamaica Constabulary Force
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WHEREAS I have received from the Honourable Minister of National Security and Justice an authority to proceed in the case of who is [accused] [alleged to be unlawfully at large after conviction] of the extradition offence(s) , within the jurisdiction of :

AND WHEREAS information has been presented to me which would, in my opinion, authorize the issue of a warrant for the arrest of a person [accused of committing a corresponding offence] or [alleged to be unlawfully at large after conviction of such offence] within my jurisdiction:

This is therefore to command you forthwith to arrest the said and bring him before me or some other Resident Magistrate sitting at this Court to be further dealt with according to law, for which THIS SHALL BE YOUR WARRANT.

Given under my hand and seal at the Resident Magistrate's Court for the parish of this day of , 19 .

Resident Magistrate
 for the parish of

FORM C

THE EXTRADITION ACT

PROVISIONAL WARRANT OF ARREST

(Section 9)

The Jamaica Constabulary Force } To all and each of the Constables of the Jamaica Constabulary Force

WHEREAS it has been shown to the undersigned, one of Her Majesty's Resident Magistrates in and for the parish of _____, that _____ is [accused] [alleged to be unlawfully at large after conviction] of the extradition offence(s) _____, within the jurisdiction of _____ :

AND WHEREAS information has been presented to me which would, in my opinion, authorize the issue of a warrant for the arrest of a person [accused of committing a corresponding offence] or [alleged to be unlawfully at large after conviction of such an offence] within my jurisdiction :

AND WHEREAS there is information that the said _____ is or is believed to be in or on his way to Jamaica :

This is therefore to command you forthwith to arrest the said _____ and bring him before me or some other Magistrate sitting at this Court to be further dealt with according to Law, for which THIS SHALL BE YOUR WARRANT.

Given under my hand and seal at the Resident Magistrate's Court for the parish of _____ this _____ day of _____, 19 _____.

Resident Magistrate
for the parish of _____

THE EXTRADITION (FORMS) REGULATIONS, 1992

FORM D

THE EXTRADITION ACT

ORDER CANCELLING PROVISIONAL WARRANT OF ARREST (Section 9 (4))

To: Resident Magistrate for the parish of
a Magistrate within the meaning of the Extradition Act.

WHEREAS—

- (a) I have received—
- (i) notice from a Magistrate under section 9 (4) of the Extradition Act, stating that the Magistrate has issued a warrant under section 9 (1) (b) of that Act for the arrest of
; and
 - (ii) with that notice, a certified copy of the information and evidence upon which the warrant was issued;
- (b) [has not been arrested under that warrant]
[has been arrested under that warrant and is at present being detained at
];
- (c) I consider that the warrant should be cancelled [and that should be discharged from custody]:

Now, THEREFORE, I , the
Minister of National Security and Justice under section 9 (4) of the Extradition Act, order that the warrant be cancelled [and that
be discharged from custody].

Dated this day of , 19 .

Minister of National Security and Justice.

FORM E

THE EXTRADITION ACT

WARRANT OF COMMITTAL (Section 10 (5))

The Jamaica Constabulary Force } To all and each of the Constables of the Jamaica Constabulary Force, and to the Superintendent of the Correctional Institution.

Be it remembered that on this _____ day of _____, 19____, _____ of _____ is brought before me pursuant to a warrant for his arrest issued under section 9 of the Extradition Act, on the ground of his being [accused] [alleged to be unlawfully at large after conviction] of the crime of _____, and inasmuch as the provisions of section 10 (5) of the Act with regard to his committal have been satisfied.

This is therefore to command you the said Constables forthwith to convey and deliver the body of the said _____ into the custody of the said Superintendent of the _____ at _____, and you the said Superintendent to receive the said _____ into your custody, and keep him safely there until he is delivered pursuant to the provisions of the Extradition Act, for which THIS SHALL BE YOUR WARRANT.

Given under my hand and seal at the Resident Magistrate's Court for the parish of _____, this _____ day of _____, 19____.

Resident Magistrate
for the parish of _____

FORM F

THE EXTRADITION ACT

WARRANT OF MINISTER FOR EXTRADITION OF FUGITIVE (Section 12 (1))

To the Superintendent of _____ and to all and each of the Constables of the Jamaica Constabulary Force.

WHEREAS _____ of _____ [accused] [alleged to be unlawfully at large after conviction] of the crime of _____ within the jurisdiction of _____ was delivered into the custody of you _____, the Superintendent of _____, by warrant dated _____ pursuant to the Extradition Act:

AND WHEREAS _____ has not been discharged by order of the _____ and I am satisfied that there is no other provision of the said Act prohibiting his extradition:

THEREFORE, I do hereby order that _____ be extradited to _____ in respect of the offence(s) for which he was committed to custody by the court of committal.

Given under the hand and seal of the undersigned Minister of National Security and Justice this _____ day of _____, 19____.

Minister of National Security and Justice.

THE EXTRADITION (FORMS) REGULATIONS, 1992

FORM G

THE EXTRADITION ACT

WARRANT OF MINISTER FOR EXTRADITION ON TERMS AGREED
WITH APPROVED STATE (Section 12 (2) (b))

To the Superintendent of
and to all and each of the Constables of the Jamaica Constabulary Force.

WHEREAS _____ of _____ [accused]
[alleged to be unlawfully at large after conviction] of the crime of _____
within the jurisdiction of _____ was
delivered into the custody of you _____, the Superintendent
of _____ by warrant dated _____ pursuant
to the Extradition Act:

AND WHEREAS _____ has not been discharged by
order of the _____ and I am satisfied that there is no
other provision of the said Act prohibiting his extradition:

AND WHEREAS _____ is also [serving a sentence
of imprisonment] [detained] [charged with the offence of
_____] in Jamaica:

AND WHEREAS _____, has requested the
extradition of the said _____ for such
period as may be necessary to permit proceedings in that State against him
for the offence of _____:

AND WHEREAS Jamaica and the said _____
have agreed on the terms for such extradition as follows—

THEREFORE, I do hereby order that _____
be extradited to _____ on the terms set out above in
respect of the offence(s) for which he was committed to custody by the
court of committal.

Given under my hand and seal of the undersigned Minister of National
Security and Justice this _____ day of _____, 19 _____.

Minister of National Security and Justice.

FORM H

THE EXTRADITION ACT

WARRANT OF COMMITTAL UNDER SECTION 17 (2) IN RELATION TO
 CONSENT TO BEING EXTRADITED (Section 17 (2))

The Jamaica Constabulary Force } To all and each of the Constables of the Jamaica Constabulary Force, and the Superintendent of in the parish of .

WHEREAS , who was arrested pursuant to a warrant under section 9 of the Extradition Act, has been brought before me:

AND WHEREAS, upon being informed of his right to formal extradition proceedings under this Act, the said , has consented in writing to be extradited without such proceedings to , an approved State, in relation to the following extradition offence(s)—

(here specify offences)

being all the extradition offences for which surrender of is sought by that State:

NOW, THEREFORE, I a Magistrate within the meaning of the Extradition Act, under section 17 (2) of that Act, hereby order you the said Constables forthwith to convey and deliver the body of the said into the custody of the said Superintendent of the at and you the said Superintendent to receive the said into your custody and keep him safely there until he is delivered pursuant to the provisions of the Extradition Act, for which THIS SHALL BE YOUR WARRANT.

Given under my hand and seal at the Resident Magistrate's Court for the parish of , this day of , 19 .

Resident Magistrate
 for the parish of