

And whereas by the said Commonwealth Extradition Act, 1933, it is provided that the said Extradition Act, 1903, as amended by the said Extradition Act, 1933, may be cited as The Extradition Act, 1903-1933:

And whereas it is desirable that the said Commonwealth Extradition Act, 1903-1933, shall have effect in Papua and Norfolk Island as if it were part of the Extradition Act, 1870, and that the said Commonwealth Extradition Act, 1933, shall have effect in the Commonwealth of Australia as if it were part of the Extradition Act, 1870:

Now, therefore, His Majesty, in pursuance of the Extradition Act, 1870, and in exercise of the powers in that behalf in the said Act contained, doth by this present Order, by and with the advice of His Majesty's Privy Council, direct as follows:—

1. The said Commonwealth Extradition Act, 1903-1933, shall have effect in Papua and Norfolk Island without modification or alteration as if it were part of the Extradition Act, 1870.

2. The said Commonwealth Extradition Act, 1933, shall have effect in the Commonwealth of Australia without modification or alteration as if it were part of the Extradition Act, 1870.

E. C. E. Leadbitter.

SCHEDULE.

COMMONWEALTH OF AUSTRALIA EXTRADITION ACT, 1933.

Be it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1.—(1) This Act may be cited as the *Extradition Act 1933*.

(2) The *Extradition Act 1903* (Act No. 12 1903) 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 Act 1903-1933*.

2. The preamble to the Principal Act is amended—

(a) by omitting from the third paragraph the words and figures "and the *Extradition Act 1895*" and inserting in their stead the words and figures "the *Extradition Act 1895*, the *Extradition Act 1906* and the *Extradition Act 1932*"; and

(b) by omitting from that paragraph the words and figures "Extradition Acts 1870 to 1895" and inserting in their stead the words and figures "Extradition Acts 1870 to 1932".

3. After section one of the Principal Act the following section is inserted:—

"1A. In this Act, unless the contrary intention appears—

'the Commonwealth' includes the Territories of Papua and Norfolk Island."

4. Sections three and four of the Principal Act are amended by omitting the words and figures "Extradition Acts 1870 to 1895" and inserting in their stead the words and figures "Extradition Acts 1870 to 1932".

5. Section five of the Principal Act is amended—

(a) by omitting the words and figures "Extradition Acts 1870 to 1895" and inserting in their stead the words and figures "Extradition Acts 1870 to 1932"; and

(b) by inserting, after the word "State" (first occurring), the words "or any Magistrate of any Territory of the Commonwealth (not including any Territory governed by the Commonwealth under a Mandate)".

At the Court at *Buckingham Palace*, the 14th day of *August*, 1934.

PRESENT,

The KING's Most Excellent Majesty in Council.

WHEREAS by the Extradition Acts, 1870 (33 and 34 Vict., c. 52) to 1932 (22 and 23 Geo. V, c. 39), it was, amongst other things, enacted that, where an arrangement has been made with any foreign State with respect to the surrender to such State of any fugitive criminals, His Majesty may, by Order in Council, direct that the said Acts shall apply in the case of such foreign State; and that His Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in or suspected of being in the part of His Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions and qualifications as may be deemed expedient:

And whereas under the provisions of Article 18 of the Treaty signed on the 2nd day of May, 1932, between His Majesty and His Majesty the King of Iraq for the mutual extradition of fugitive criminals, the terms whereof were recited in the Iraq (Extradition) Order in Council, 1933, and are as follows:—

His Majesty the King of Great Britain, Ireland, and the British Dominions beyond the Seas, Emperor of India,

And His Majesty the King of Iraq,

Desiring to make provision for the reciprocal extradition of criminals,

Have resolved to conclude a Treaty for that purpose, and to that end have appointed as their plenipotentiaries:

His Majesty the King of Great Britain, Ireland, and the British Dominions beyond the Seas, Emperor of India:

For Great Britain and Northern Ireland,

Lieutenant-Colonel Sir Francis Henry Humphrys, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross of the Royal Victorian Order, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Eminent Order of the Indian Empire, High Commissioner of His Britannic Majesty in Iraq; His Majesty the King of Iraq,

General Ja'far Pasha al Askari, Order of Al Rafidain, Second Class, Companion of the Most Distinguished Order of Saint Michael and Saint George, Minister for Foreign Affairs;