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SCHEDULES

SCHEDULE 15

MINOR AND CONSEQUENTIAL AMENDMENTS

Aviation Security Act 1982 (c. 36)

- 85 The Aviation Security Act 1982 shall be amended as follows.
- 86 In subsection (3) of section 9, after the word “above” there shall be inserted the words “and of section 9A below”.
- 87 The following section shall be inserted after that section—

“9A Extradition under Part I of Criminal Justice Act 1988

- (1) Where—
- (a) no such arrangement as is mentioned in section 2 of the Extradition Act 1870 has been made with a State which is a party to a relevant Convention; and
 - (b) general extradition arrangements have not been made with that State under Part I of the Criminal Justice Act 1988,

Her Majesty may by Order in Council direct that the provisions of the Criminal Justice Act 1988 specified in subsection (2) below shall apply as between the United Kingdom and that State, subject to the limitations, restrictions, exceptions and qualifications, if any, contained in the Order, as if the relevant Convention constituted general extradition arrangements made with that State under Part I of that Act, but only in respect of the following offences—

- (i) offences which are offences in pursuance of that Convention;
 - (ii) an attempt to commit such an offence;
 - (iii) counselling, procuring, commanding, aiding or abetting such an offence; and
 - (iv) being accessory before or after the fact to such an offence.
- (2) The provisions of the Criminal Justice Act 1988 mentioned in subsection (1) above are—
- (a) section 1(1) to (8);
 - (b) sections 3 to 10; and
 - (c) sections 12 to 18.
- (3) An Order in Council under this section may not provide that a court dealing with a person arrested for an offence mentioned in subsection (1) above shall not be under a duty to determine whether the evidence would be sufficient to warrant his trial if the offence had taken place within the jurisdiction of the court.

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- (4) For the purposes of the provisions of the Criminal Justice Act 1988 specified in subsection (2) above, in their application by virtue of an Order in Council under this section as between the United Kingdom and any other State any act or omission, wherever it takes place, which falls within section 9(4) of this Act shall be deemed to be an offence committed within the territory of that State.”.

88 The following subsections shall be substituted for section 39(1) of that Act—

- “(1) Sections 17 and 22 of the Extradition Act 1870 shall extend to section 9 above.
- (1A) Sections 19 and 20 of the Criminal Justice Act 1988 shall extend to section 9A above and to section 9 above as amended by the Criminal Justice Act 1988.”.