



Extradition Act 1989

1989 CHAPTER 33

PART I

INTRODUCTORY

Extradition crimes

2 Meaning of “extradition crime”

- (1) In this Act, except in Schedule 1, “extradition crime” means—
- (a) conduct in the territory of a foreign state, a designated Commonwealth country or a colony which, if it occurred in the United Kingdom, would constitute an offence punishable with imprisonment for a term of 12 months, or any greater punishment, and which, however described in the law of the foreign state, Commonwealth country or colony, is so punishable under that law;
 - (b) an extra-territorial offence against the law of a foreign state, designated Commonwealth country or colony which is punishable under that law with imprisonment for a term of 12 months, or any greater punishment, and which satisfies—
 - (i) the condition specified in subsection (2) below; or
 - (ii) all the conditions specified in subsection (3) below.
- (2) The condition mentioned in subsection (1)(b)(i) above is that in corresponding circumstances equivalent conduct would constitute an extra-territorial offence against the law of the United Kingdom punishable with imprisonment for a term of 12 months, or any greater punishment.
- (3) The conditions mentioned in subsection (1)(b)(ii) above are—
- (a) that the foreign state, Commonwealth country or colony bases its jurisdiction on the nationality of the offender;
 - (b) that the conduct constituting the offence occurred outside the United Kingdom; and

Status: This is the original version (as it was originally enacted).

- (c) that, if it occurred in the United Kingdom, it would constitute an offence under the law of the United Kingdom punishable with imprisonment for a term of 12 months, or any greater punishment.
- (4) For the purposes of subsections (1) to (3) above—
- (a) the law of a foreign state, designated Commonwealth country or colony includes the law of any part of it and the law of the United Kingdom includes the law of any part of the United Kingdom;
 - (b) conduct in a colony or dependency of a foreign state or of a designated Commonwealth country, or a vessel, aircraft or hovercraft of a foreign state or of such a country, shall be treated as if it were conduct in the territory of that state or country; and
 - (c) conduct in a vessel, aircraft or hovercraft of a colony of the United Kingdom shall be treated as if it were conduct in that colony.