

SCHEDULES

SCHEDULE 1

PROVISIONS DERIVING FROM EXTRADITION ACT 1870 AND ASSOCIATED ENACTMENTS

Fugitive criminals in colonies

- 16 This Schedule, when applied by Order in Council, shall, unless it is otherwise provided by such Order, extend to every colony in the same manner as if throughout this Schedule a reference to the colony were substituted for the United Kingdom or England and Wales, as the case may require, but with the following modifications, namely—
- (a) the requisition for the surrender of a fugitive criminal who is in or suspected of being in a colony may be made to the governor of that colony by any person recognised by that governor as a consular representative, or (if the fugitive criminal has escaped from a colony or dependency of the foreign state on behalf of which the requisition is made) as the governor of such colony or dependency;
 - (b) no warrant of the Secretary of State shall be required, and all powers vested in or acts authorised or required to be done under this Schedule by the metropolitan magistrate and the Secretary of State, or either of them, in relation to the surrender of a fugitive criminal, may be done by the governor of the colony alone;
 - (c) a judge of any court exercising in the colony the like powers as the High Court exercises in England and Wales may exercise the power of discharging a criminal when not conveyed within two months out of such British possession.