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No. S 413

EXTRADITION ACT (CHAPTER 103)

EXTRADITION (UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANISED CRIME) NOTIFICATION 2017

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement
 2. Definitions
 3. Application of Part II of Act to Convention countries
The Schedules
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In exercise of the powers conferred by section 4(1)(b) of the Extradition Act, the Minister for Law makes the following Notification:

Citation and commencement

1. This Notification is the Extradition (United Nations Convention against Transnational Organised Crime) Notification 2017 and comes into operation on 22 July 2017.

Definitions

2. In this Notification, unless the context otherwise requires —

“Convention country” means a foreign State that is a Party to the United Nations Convention against Transnational Organised Crime, done at New York on 15 November 2000;

“foreign Convention offence”, in relation to a Convention country, means an offence against the law of that Convention country, where the act or omission constituting

the offence or the equivalent act or omission would, if it took place in Singapore —

- (a) constitute a Singapore Convention offence; or
- (b) be a Singapore Convention offence if the description of the offence contained a reference to any intent or state of mind on the part of the person committing the offence, or to any circumstance of aggravation, necessary to constitute the offence;

“notification” means a notification made under section 4 of the Act;

“Order in Council” means an Order in Council mentioned in section 3 of the Act;

“Singapore Convention offence” means an offence described in Part III of the First Schedule to the Act.

Application of Part II of Act to Convention countries

3.—(1) For the purposes of the extradition of any person accused of or convicted of a foreign Convention offence of any Convention country set out in the first column of the First Schedule, Part II of the Act applies in relation to that Convention country, subject to any limitations, conditions, exceptions or qualifications to which the operation of the Order in Council set out opposite in the second column of that Schedule was subject.

(2) Despite sub-paragraph (1), any limitation, condition, exception or qualification to which the operation of the Order in Council mentioned in that sub-paragraph was subject, to the extent that it prevents the foreign Convention offence mentioned in that sub-paragraph from being considered an extradition crime in relation to the Convention country mentioned in that sub-paragraph, is to be disregarded in the application of Part II of the Act in relation to that Convention country.

(3) For the purposes of the extradition of any person accused of or convicted of a foreign Convention offence of any Convention country set out in the first column of the Second Schedule, Part II of the Act applies in relation to that Convention country, subject to any

limitations, conditions, exceptions or qualifications that are specified in the notification set out opposite in the second column of that Schedule.

(4) Despite sub-paragraph (3), any limitation, condition, exception or qualification specified in the notification mentioned in that sub-paragraph, to the extent that it prevents the foreign Convention offence mentioned in that sub-paragraph from being considered an extradition crime in relation to the Convention country mentioned in that sub-paragraph, is to be disregarded in the application of Part II of the Act in relation to that Convention country.

FIRST SCHEDULE

Paragraph 3(1)

<i>First column</i>	<i>Second column</i>
<i>Convention country</i>	<i>Order in Council</i>
1. The United States of America	United States of America (Extradition) Order in Council (O 1)
2. The Federal Republic of Germany	The Federal Republic of Germany (Extradition) Order in Council (G.N. No. S 782/2010)

SECOND SCHEDULE

Paragraph 3(3)

<i>First column</i>	<i>Second column</i>
<i>Convention country</i>	<i>Notification</i>
1. The Hong Kong Special Administrative Region of the People's Republic of China	Extradition (Hong Kong Special Administrative Region of the People's Republic of China) Notification (N 1)

Made on 21 July 2017.

NG HOW YUE
*Permanent Secretary,
Ministry of Law,
Singapore.*

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