

EXTRADITION (AMENDMENT) ACT, 1997

No. 9

of 1997



ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Amendment of section 2 of Act No. 18 of 1990
3. Insertion of new section 3A in the Act.

AN ACT to amend the Extradition Act.

Date of Assent: 23.5.97.

Date of Commencement: 30.5.97.

ENACTED by the Parliament of Botswana.

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| <p>1. This Act may be cited as the Extradition (Amendment) Act, 1997.</p> | <p>Short title</p> |
| <p>2. The Extradition Act (hereinafter referred to as "the Act"), is amended by inserting, in its proper alphabetical place, the following new definition —</p> <p>"designated country" means a requesting country which is declared as a designated country under section 3A, and to which a fugitive criminal may be extradited even though there exists no arrangement between Botswana and that country;"</p> | <p>Amendment of section 2 of Act 18 of 1990</p> |
| <p>3. The Act is amended by inserting, immediately after section 3 thereof, the following new section —</p> | <p>Insertion of new section 3A in the Act</p> |
| <p>"Declaration of designated countries"</p> <p>3A. (1) For the purposes of this Act, and notwithstanding the provisions of section 3, the Minister may, by order published in the Gazette, declare any Commonwealth country to be a designated country.</p> | |
| <p>(2) An order made under subsection (1) may prescribe what crimes shall be deemed to be extradition crimes for the purposes of the order and of this Act, and may be made whether or not the designated country has made any provision for the extradition of any fugitive criminal from its territory to Botswana.</p> | |
| <p>(3) The Minister may revoke any order made under this section, or remove any country from the list of designated countries where he considers that it would be in the interest of Botswana to do so."</p> | |

PASSED by the National Assembly this 14th day of April, 1997.

C.T. MOMPEI,
Clerk of the National Assembly.