



BERMUDA

EXTRADITION ACT 1877

1877 : 5

*[words of preamble and enactment omitted]*

Powers of magistrates

1 All powers vested in, and acts authorized and required to be done by, a Magistrate or any Justice of the Peace in relation to the surrender of fugitive criminals in the United Kingdom under the Extradition Act 2003, are (insofar as the said Act extends to Bermuda) hereby vested in, and may in Bermuda be exercised and done by, any magistrate, in relation to the surrender of fugitive criminals under the said Act.

*[Section 1 changed to insert the words "(insofar as the said Act extends to Bermuda)" under the powers of the Computerization and Revision of Laws Act 1989 s.11(n) on 14 March 2019]*

Consolidated Fund to bear expense of extradition to Bermuda

2 Whenever any person who is charged with having committed any felony or misdemeanour in Bermuda is out of Bermuda, and it is deemed expedient that steps should be taken to obtain the return of such person to Bermuda to be tried for such felony or misdemeanour, then the costs and expenses of and incidental to the extradition of such person from any foreign country, or of or incidental to the apprehension of such person in any British possession, and in either case of or incidental to the return of such person to Bermuda to be tried as aforesaid, and also the expenses of and incidental to the bringing to Bermuda of any necessary witness from abroad for the purpose of the trial of such person shall be defrayed out of the Consolidated Fund.

Payment out of Consolidated Fund of expenses where required by an arrangement with foreign state

3 Where—

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- (a) an arrangement has been made with any foreign state with respect to the surrender to that state of any fugitive criminals; and
- (b) Her Majesty has, by Order in Council under section 177 of the Extradition Act 2003 of the United Kingdom in consequence thereof applied that Act in the case of such foreign state; and
- (c) such arrangement as read with such Order in Council has the effect of requiring any expenses incurred in, or in relation to, any proceedings under the said Extradition Act 2003 to be paid to such foreign state by the Government of Bermuda,

such expenses shall be defrayed out of the Consolidated Fund.

[Assent Date: 6 July 1877]

[The Act was brought into operation on 22 March 1879]

[The Act, as printed, embodies the provisions of the Extradition Expenses Act, 1905 (Act No. 15 of 1905). The latter Act, originally of limited duration, was continued in force indefinitely by Act No. 31 of 1912.]

[The United Kingdom Extradition Act 1870 was by Order-in-Council extended to Bermuda with modifications. The United Kingdom Extradition Act 1873 was then enacted and the two Acts were cited together as the Extradition Acts 1870 and 1873 and administered under the Bermuda Extradition Act 1877. The United Kingdom Extradition Act 1989, which repealed the Extradition Acts 1870 and 1873, was by Order-in-Council extended to Bermuda in 2002. The United Kingdom Extradition Act 2003, which repealed the Extradition Act 1989, was by Order-in-Council extended (with modifications) to Bermuda in 2016. ]

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*[Amended by:*

1948 : 25

1951 : 68

1951 : 78

1952 : 11

1971 : 83

1973 : 94]