

EXTRADITION

Acts 20 and 21 of 1970 – 21 September 1970

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PART I – PRELIMINARY

1 Short title

This Act may be cited as the Extradition Act,

2 Interpretation (1) In this Act

"Commonwealth country" means a country specified in the First Schedule to the Mauritius Citizenship Act;

"extradition crime" means an offence against the law of, or of part of, a foreign state, the act constituting which would, if it took place in or within the jurisdiction of Mauritius, constitute an offence against the law in force in Mauritius and —

(a) (i) in the case of a non-Commonwealth country, amounts to one of the offences specified in the extradition treaty with that country:

(ii) in the case of a Commonwealth country, the maximum penalty for which is death or imprisonment for not less than 12 months; and

(b) (1) is described in the First Schedule; or

(ii) would be so described if the description concerned 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;

"extradition treaty" means, in relation to a foreign state, a treaty or agreement between Mauritius and the foreign state relating to the surrender of offenders and includes any treaty or agreement made before 12 March 1968, which extends to, and is binding on Mauritius;

"foreign state" means a state with which Mauritius has entered into an extradition treaty, and includes a Commonwealth country;

"foreign warrant" means a judicial or other document issued under the law of, or of a part of, a foreign state and authorising the arrest of a person accused or convicted of an extradition crime;

"Minister" means the Minister to whom responsibility for the subject of external affairs is assigned;

"offender" means a person accused or convicted of an extradition crime committed within the jurisdiction of a foreign state or a part of that state.

(2) For the purposes of this Act, a person shall be deemed not to have been convicted of an offence against the law of, or of a part of, a foreign state where the conviction is, under that law, a conviction for contumacy, but a person so convicted for contumacy shall be deemed to be accused of an offence against that law.

(3) For the purposes of this Act, an offence against the law of a foreign state may be regarded as being an offence of a political character notwithstanding that there do not exist competing political parties in that state.

(4) For the purposes of this Act —

- (a) a colony, territory or protectorate of a foreign state;
- (b) a territory for the international relations of which a foreign state is responsible; and
- (c) a ship or aircraft of, or registered in, a foreign state,

shall, unless the contrary intention appears, each be deemed to be within the jurisdiction, and to be part, of that foreign state.

PART II - EXTRADITION TO FOREIGN STATE

3 Effect of UK Extradition Acts

(1) Where, immediately before 21 September 1970 —

- (a) under an Order in Council in force under the United Kingdom Extradition Acts, 1870 to 1935, those Acts applied to a foreign state specified in the Order; and
- (b) those Acts, as they so applied, were extended to Mauritius,

this Part shall apply in relation to the state so specified in the Order.

(2) Where the operation of the Order in Council was subject to any limitations, conditions, exceptions or qualifications, then, subject to this section and sections 4 and 5, this Part shall apply in relation to that state subject to those limitations, conditions, exceptions or qualifications.

(3) The Minister may, by regulations, direct that this Part shall cease to apply in relation to a foreign state specified in the regulations being a foreign state in relation to which this Act applied by virtue of subsection (1), and, upon the coming into operation of the regulations that so provide, this Part shall cease to apply in relation to that state.

3A Commonwealth countries

(1) Subject to subsection (2), this Part shall apply to all Commonwealth countries.

(2) The Minister may, by regulations, provide that this Part shall not apply to a Commonwealth country or shall apply in relation to a Commonwealth country subject to such limitations, conditions, exceptions or qualifications as may be specified in the regulations and where any regulations so provide, this Part shall apply in relation to that country subject to those limitations, conditions, exceptions or qualifications.

4 Application of this Part

(1) Where an extradition treaty (including an extradition treaty that affects or amends an earlier extradition treaty) comes into operation between Mauritius and a foreign state, the Minister may, by regulations, direct that this Part shall apply to that state.

(2) Any regulations under subsection (1) shall recite the terms of the treaty and may provide that this Part shall apply in relation to the foreign state subject to such limitations, conditions, exceptions or qualifications as are necessary to give effect to the treaty.

(3) Subject to section 7, this Act shall be read subject to the terms of the treaty and shall be construed as to give effect to the treaty.

5 Order applying this Part to foreign states

(1) Subject to subsection (2), where regulations are made under section 4 in relation to a foreign state, this Part shall apply in relation to that state.

(2) Where the regulations provide that this Part shall apply in relation to a foreign state subject to any limitations, conditions, exceptions or qualifications, this Part shall apply in relation to that state subject to those limitations, conditions, exceptions or qualifications.

6 Liability of offender to be surrendered

Subject to this Act, where this Part applies to any foreign state, every offender from that state who is in Mauritius shall be liable to be arrested and surrendered in the manner provided by this Act, whether the act in respect of which the request for the surrender of the offender relates occurred before or after the application of this Act to that state, and whether or not any Court in Mauritius has jurisdiction in respect of that act.

7 Restrictions on surrender of persons

(1) An offender shall not be surrendered to a foreign state where

- (a) the offence in respect of which the request for his surrender is made is one of a political character; or
- (b) he proves to the satisfaction of the Minister that the request for his surrender has in fact been made with a view to trying or punishing him for an offence of a political character.

(2) An offender shall not be surrendered to a foreign state unless provision is made by the law of that state, or in the extradition treaty, or in the case of a Commonwealth country, that country has entered into an agreement with, or given an undertaking to Mauritius, that he will not, until he has left or has had an opportunity of leaving that state —

- (a) be detained or tried in that state for any offence that is alleged to have been committed, or was committed, before his surrender other than —
 - (i) the offence to which the request for his surrender, relates or any offence of which he could be convicted upon proof of the facts on which that request was based; or
 - (ii) in the case of a Commonwealth country, any other extradition crime in respect of which the Minister consents to his being so detained or tried;
- (b) be detained in that state for the purpose of being surrendered to another country for trial or punishment for any offence that is alleged to have been committed, or was committed, before his surrender to that state, other than an offence to which the request for his surrender relates or any other offence of which he could be convicted upon proof to the facts on which that request for his surrender was based.

(3) A person who is held in custody or has been admitted to bail in Mauritius in respect of an offence that is alleged to have been committed in Mauritius, or is undergoing a sentence for a conviction in Mauritius, shall not be liable to be surrendered to a foreign state unless he has been discharged from custody or the recognizances upon which he was admitted to bail have been discharged, as the case may be, whether as a result of his acquittal on the expiration of his sentence or otherwise.

(4) A person shall not be surrendered to a foreign state in respect of an offence if he has been acquitted or pardoned by a competent tribunal or authority in any country, or has undergone the punishment provided by the law of, or of a part of, any country, in respect of that offence or of another offence constituted by the same act as that offence.

(5) An offender shall not be surrendered to a foreign state where the Minister has reasonable grounds for believing that —

- (a) the request for his surrender although purporting to have been made in respect of an offence for which, but for this section, he may be liable to be surrendered to that state, was made for the purpose of prosecuting or punishing him on account of his race, caste, place of origin, nationality, political opinions, colour or creed; or

- (b) if the offender is surrendered to that state he may be prejudiced at his trial, or punished, detained or restricted in his personal liberty, by reason of his race, caste, place of origin, nationality, political opinions, colour or creed.

(6) Where in respect of a Commonwealth country, the Minister is satisfied that by reason

of –

- (a) the trivial nature of the offence that an offender is alleged to have committed;
- (b) the accusation against an offender not having been made in good faith or in the interests of justice; or
- (c) the passage of time since the offence is alleged to have been committed or was committed,

and having regard to all the circumstances under which the offence is alleged to have been committed, it would be unjust, oppressive or too severe a punishment to surrender the offender or, as the case may be, to surrender him before the expiration of a particular period, the offender shall not be surrendered or shall only be surrendered after that period, as the case may be.

6 Request for surrender

Every request for the surrender of an offender who is, or is suspected of being, in Mauritius, shall be made to the Minister for transmission to the Attorney-General –

- (a) by a diplomatic or consular representative, or a Minister, of the foreign state which requests the surrender; or
- (b) by such other means as may be specified in the extradition treaty, or in the case of a Commonwealth country, as may be agreed upon.

Notice to Magistrate by Attorney-General

(1) Subject to subsection (2), where a request for the surrender of an offender is transmitted to the Attorney-General under section 8, the Attorney-General may, by notice in writing in Form A of the Second Schedule directed to a Magistrate, inform the Magistrate that a request for the surrender of an offender has been made and authorise him to issue a warrant for the arrest of the offender.

(2) Where the Attorney-General is of opinion that the offender is not liable to be surrendered to the foreign state requesting his surrender, he shall not issue a notice under subsection (1) in respect of the offender.

10 Issue of warrant

(1) A warrant for the arrest of an offender who is, or is suspected of being, in Mauritius, may be issued –

- (a) by a Magistrate on receipt of a notice from the Attorney-General under section 9, in Form B of the Second Schedule; or
- (b) by a Magistrate on the production to him of a foreign warrant or on such other evidence as in his opinion shows there is reasonable ground for believing that the offender has been accused or convicted of an extradition crime, in Form C of the Second Schedule.

(2) Where a Magistrate issues a warrant under subsection (1) (b), he shall forthwith report the issue of the warrant to the Attorney-General, and send to him a certified copy of any foreign warrant or other documentary evidence produced to him and a note of any other evidence so produced.

(3) On receipt of a report under section 9, the Attorney-General may, if he thinks fit, by notice in writing, direct that the warrant be cancelled or state that a request has been transmitted to him under section 8 for the surrender of the offender.

11 Proceedings after arrest

(1) A person who is arrested under a warrant issued under section 10 shall, unless he is sooner released, be brought as soon as practicable before a Magistrate.

(2) The Magistrate may remand in custody a person brought before him under this section or admit him to bail for a period or periods not exceeding 7 days at any one time and, where a Magistrate remands him in custody or admits him to bail, he may, at the expiration of the period, be brought before that Magistrate or any other Magistrate.

(3) Where a person was arrested under a warrant issued without the authority of the Attorney-General under section 9, the Magistrate shall remand him in custody or admit him to bail until the Magistrate receives a notice in writing from the Attorney-General either directing that the warrant be cancelled or stating that a request has been transmitted to him under section 8 for the surrender of the offender.

(4) Where the Magistrate –

(a) does not receive the notice from the Attorney-General within such reasonable time as the Magistrate may fix having regard to all the circumstances; or

(b) receives a notice directing him that the warrant be cancelled,
the Magistrate shall –

(i) where the person arrested is held in custody, order that he be released; or

(ii) where he has been admitted to bail, make an order discharging the recognisances upon which he was admitted to bail.

(5) Where the person was arrested under a warrant issued with the authority of the Attorney-General under section 9 or after receipt of a notice from the Attorney-General stating that a request has been transmitted to him under section 8 for the surrender of the offender and –

(a) there is produced to the Magistrate a duly authenticated foreign warrant in respect of the person issued in the foreign state that made the request for the surrender of the person;

(b) there is produced to the Magistrate –

(i) in the case of a person who is accused of an extradition crime, such evidence as would, in the opinion of the Magistrate, according to the law in Mauritius, justify the committal for trial of the person if the act or omission constituting that crime had taken place, in, or within the jurisdiction of Mauritius; or

(ii) in the case of a person who is alleged to have been convicted of an extradition crime, sufficient evidence to satisfy the Magistrate that the person has been convicted of that crime; and

(c) the Magistrate is satisfied, after hearing any evidence tendered by the person, that is liable to be surrendered to the foreign state that made the request for the surrender,

the Magistrate shall, by warrant in Form ☐ of the Second Schedule, commit him to prison to remain there until he is surrendered to the foreign state.

(6) Where the Magistrate is of the opinion that it would be dangerous to the life or prejudicial to the health of the person to commit him to prison, he may, in lieu of committing him to prison, by warrant, order that he be held in custody at the place where he is for the time being, or at any other place to which the Magistrate considers that he can be removed without danger to his life or prejudice to his health, until such time as he can without such danger or prejudice be committed to prison or until he is surrendered.

(7) Where, under this section, a Magistrate commits a person to prison or otherwise orders that he be held in custody, he shall forthwith send to the Attorney-General a certificate to that effect and such report, if any, relating to the proceedings as he thinks fit.

12 Surrender of offender to foreign state

(1) Where, under this Part, a Magistrate commits a person (in this section referred to as the prisoner) to prison, or otherwise orders that he be held in custody, pending his surrender to a foreign state, the Magistrate shall inform the prisoner that he will not be surrendered until after the expiration of the period of 15 days from the date of the committal or order and that he may, within that period, apply for the issue of a writ of habeas corpus.

(2) After the expiry of the period specified in subsection (1) or, where a writ of habeas corpus is issued in respect of the prisoner, after the Supreme Court has decided, on the return to the writ, that he is not to be discharged from custody, whichever is the later, the Attorney-General may, if he is satisfied that the prisoner is liable to be surrendered to the foreign state, by warrant in Form E of the Second Schedule, order that the prisoner be delivered into the custody of the person specified in the warrant and be conveyed by that person to a place in the foreign state or within the jurisdiction of, or of a part of, the foreign state and there surrendered to some person appointed by the foreign state to receive him.

(3) Until the prisoner is conveyed out of Mauritius he shall be deemed for the purposes of the law of Mauritius to be a person in lawful custody.

(4) Any property in the possession of the prisoner at the time of his arrest that may be material as evidence in proving the offence to which the request for his surrender relates shall, if the Attorney-General so directs, be delivered up on his surrender.

13 Discharge of offender

Where a person who, under this Part, has been committed to prison, or otherwise ordered to be held in custody, is in custody in Mauritius at the expiration of 2 months –

- (a) after the date of the committal or order; or
- (b) where a writ of habeas corpus is issued, after the Supreme Court has decided on the return to the writ,

whichever is the later, the Supreme Court shall, on application and on proof that reasonable notice of the intention to make the application has been given to the Attorney-General, order that the offender be released, unless sufficient cause is shown against the release.

PART III EXTRADITION FROM FOREIGN STATES

14 Extradition crime

In this Part "extradition crime" means an offence (wherever committed) against the law of Mauritius, being an offence the act constituting which –

- (a) is described in the First Schedule; or
- (b) would be so described if the description concerned 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.

15 Surrender of escaped offenders

(1) Where a person accused or convicted of an extradition crime in Mauritius is, or is suspected of being, in any foreign state with which there is an extradition treaty applicable to that offence, a request for his surrender may be transmitted by the Minister to a diplomatic or consular representative, or a Minister, of that state, or to such other authority as may be specified in the treaty.

(2) Where a person accused or convicted of an extradition crime in Mauritius is, or is suspected of being in, or on his way to a Commonwealth country, or within the jurisdiction of, or of a part of, that country a request for his surrender may be transmitted by the Minister to a diplomatic or consular representative, or a Minister, of that country, or to such other authority as may be agreed upon.

(3) Any person surrendered pursuant to a request under subsection (1) or (2) may be brought to Mauritius and delivered to the proper authorities to be dealt with according to law.

16 Persons surrendered not triable for other offences

Where, any person accused or convicted of an extradition crime in Mauritius is surrendered by a foreign state, pursuant to any extradition treaty, or otherwise by a Commonwealth country, that person shall not, until he has left or has had an opportunity of leaving Mauritius –

- (a) be detained or tried in Mauritius for any offence that is alleged to have been committed or was committed, before his surrender other than –
 - (i) the offence to which the request for his surrender relates or any other offence of which he could be convicted upon proof of the facts on which that request was based; or

- (ii) in the case of a Commonwealth country, any other extradition crime in respect of which that country consents to his being so detained or tried, as the case may be; or
- (b) be detained in Mauritius for the purpose of being surrendered to another country for trial or punishment for any offence that is alleged to have been committed, or was committed, before his surrender to Mauritius, other than an offence of which he could be convicted upon proof of the facts on which the request for his surrender was based.

PART IV – MISCELLANEOUS

17 Offences committed at sea or in the air

Where the offence in respect of which the surrender of an offender is sought was committed on board any vessel on the high seas or any aircraft while in the air outside Mauritius, or the territorial waters of Mauritius, which comes into any port or airport of Mauritius. the Minister, the Attorney-General or any Magistrate may exercise the powers conferred by this Act.

18 Simultaneous requests

(1) Where requests for the surrender of an offender are received from more than one foreign state, the Minister may, having regard to the circumstances of the case, surrender the offender to such foreign state as he thinks fit.

(2) The Minister in determining to which foreign state the offender should be returned shall consider all the circumstances of the case and, in particular –

- (a) the relative seriousness of the offences;
- (b) the relative dates on which the requests were made; and
- (c) the nationality, citizenship or the ordinary residence of the offender.

19 Official documents and their authentication

(1) In any proceedings under this Act –

- (a) a document, duly authenticated, that purports to set out testimony given on oath, or declared or affirmed to be true, by a person in proceedings in a foreign state, shall be admissible as evidence of the matters stated in the testimony;
- (b) a document, duly authenticated, that purports to have been received in evidence, or to be a copy of a document that has been received in evidence in proceedings in a foreign state shall be admissible in evidence;
- (c) a document, duly authenticated, that certifies that a person was convicted on a date specified in the document of an offence against the law of, or of a part of, a foreign state shall be admissible as evidence of the fact and date of the conviction; and
- (d) a document, duly authenticated, that purports to be a foreign warrant shall be admissible in evidence.

(2) A document shall be deemed to be duly authenticated for the purpose of being admitted in evidence in proceedings under this Act where, in the case of a document that

- (a) purports to set out testimony given, declared or affirmed by a person in proceedings in a foreign state, the document purports to be certified by a Judge, Magistrate or officer in that foreign state to be the original document containing or recording that testimony or a true copy of that original document;
- (b) purports to have been received in evidence, or to be a copy of a document that has been received in evidence, in proceedings in a foreign state, the document purports to be certified by a Judge, Magistrate or officer in or of that state to have been, or to be a true copy of a document that has been so received in evidence;
- (c) certifies that a person has been convicted of an offence, the document purports to be certified by a Judge, Magistrate or officer in or of that state; or
- (d) purports to be a foreign warrant, the document purports to be signed by a Judge, Magistrate or officer in or of the state in which the document was issued and the

document purports to be authenticated by the oath of a witness or by being signed by or sealed with the official seal of a Minister in or of that state.

(3) Every Court in Mauritius shall take judicial notice of the signature or seal of a Minister authenticating any document specified in subsection (2).

(4) Nothing in this section shall be construed as preventing the proof of any matter, or the admission in evidence of any document, in accordance with any enactment in Mauritius.

20 Taking of evidence

(1) The Attorney-General may, by notice in writing require a Magistrate to take evidence for the purposes of a criminal matter pending in a Court or tribunal of a foreign state other than a matter relating to an offence that is, by its nature or by reason of the circumstances in which it is alleged to have been committed, an offence of a political character.

(2) Upon receipt of the notice, the Magistrate shall –

(a)

(3)

take the evidence of each witness appearing before him to give evidence in the like manner as if the witness were giving evidence in respect of a charge against a person for an offence against the law of Mauritius;

(b) cause the evidence to be reduced to writing and certify at the end of that writing that the evidence was taken by him; and

(c) cause the writing **so** certified **to** be sent to the Attorney-General.

For the purposes of this section –

(a) the evidence of a witness may be taken in the presence or absence of the person charged with the offence against the law of, or of a part of, the foreign state and the certificate by the Magistrate that the evidence was taken by him shall state whether the person so charged was present or absent when the evidence was

taken

(b) any enactment with respect to the compelling of persons to appear before a Magistrate and to give evidence or to produce documents, upon the hearing of a charge against the person for an offence against the law of Mauritius, shall apply, so far as it is capable of application, with respect to the compelling of persons to attend before a Magistrate or to produce documents.

21 Regulations

(1) The Attorney-General may make such regulations as he thinks fit for the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, the regulations may provide for –

(a) the removal of persons in custody under this Act and their control and maintenance until their surrender; and

(b) the seizure and disposal of any property which is the subject or required for proof of any alleged offence to which this Act applies.

22 Amendment of Schedules

The Attorney-General may by regulations amend the Schedules.

FIRST SCHEDULE (sections 2

and 14) A 1 Murder of *any* degree

- 2 Manslaughter
- 3 An offence against the law relating to abortion
- 4 Maliciously or wilfully wounding or inflicting grievous bodily harm
- 5 Assault occasioning actual bodily harm
- 6 Rape
- 7 Unlawful sexual intercourse with a female

- 8 Indecent assault
 - 9 Procuring, or trafficking in, women or young persons for immoral purposes
 - 10 Bigamy
 - 11 Kidnapping, abducting or false imprisonment, or dealing in slaves
 - 12 Stealing, abandoning, exposing or unlawfully detaining a child
 - 13 Bribery
 - 14 Perjury or subornation or perjury or conspiring to defeat the course of justice
 - 15 Arson
 - 16 An offence concerning counterfeit currency
 - 17 An offence against the law relating to forgery
 - 18 Stealing, embezzlement, fraudulent conversion, fraudulent false accounting, obtaining property or credit by false pretences, receiving stolen property or any other offence in respect of property involving fraud
 - 19 Burglary, housebreaking or any similar offence
 - 20 Robbery
 - 21 Blackmail or extortion by means of threats or by abuse of authority
 - 22 An offence against bankruptcy law or company law
 - 23 Malicious or wilful damage to property
 - 24 Acts done with the intention of endangering vehicles, vessels or aircraft
 - 25 An offence against the law relating to dangerous drugs or narcotics
 - 26 Piracy
 - 27 Revolt against the authority of the master of a ship or the commander of an aircraft
 - 28 Contravention of import or export prohibitions relating to precious stones, gold and other precious metals
- B Aiding and abetting, or counselling or procuring the commission of, or being an accessory before or after the fact to, or attempting or conspiring to commit, any of the offences listed in paragraph A.

SECOND SCHEDULE

FORM A (section 9)

EXTRADITION ACT

NOT ICE BY THE ATTORNEY-GENERAL.. To....

District Magistrate... of...

Whereas a request has been made to me... Attorney-General, for the surrender of..., who is accused (or has been convicted) of the offence of... alleged to have been committed (or committed) in (or within the jurisdiction of)... and is or is suspected of being, in or on his way to Mauritius.

Now, therefore, I..., Attorney-General, inform you that the request has been made and authorise you to issue a warrant for the arrest of.... provided that the provisions of the Extradition Act relating to the issue of such a warrant, have, in your opinion, been complied with.

Given under my hand at Port Louis this..... day of... 20...

Attorney-General

F O R M B
(section 10)

EXTRADITION ACT WARRANT

OF ARREST To all members of the Mauritius Police
Force.

F O R M E
(section 12)

Whereas the Attorney-General has notified me, District Magistrate of...., that a request has been made to him for the surrender of... who is accused (or has been convicted) of the offence of ... alleged to have been committed (or committed) in (or within the jurisdiction of)... and is, or is suspected of being, in or on his way to Mauritius.

This is, therefore, to authorise and command you forthwith to find... in Mauritius and, having found him, to arrest him and, if he is arrested, to bring him before the District Magistrate of... to show cause why he should not be surrendered to... under the Extradition Act.

Given under my hand at... this... day of... 20 ...

District Magistrate

FORM C (section 10)

EXTRADITION ACT WARRANT

OF ARREST To all members of the Mauritius Police
Force.

Whereas it has been shown to me District Magistrate of... that... is accused (or has been convicted) of the offence of... alleged to have been committed (or committed) in (or within the jurisdiction of)... and the said... is, or is suspected of being, in or on his way to Mauritius.

This is, therefore, to authorise and command you forthwith to find_ and, having found him, to arrest him and, if he is arrested, to bring him before the District Magistrate of... to be further dealt with according to law.

Given under my hand at... this... day of... 20...

District Magistrate

F O R M D
(section 11)

EXTRADITION ACT

WARRANT OF COMMITMENT

To all members of the Mauritius Police Force and to the Commissioner of Prisons.

Whereas on this... day of... 20... has been brought before me, District Magistrate of... to show cause why he should not be surrendered under the Extradition Act, on the ground of his being accused (or having been convicted) of the offence of .. alleged to have been committed (or committed) in (or within the jurisdiction of)...

And whereas no sufficient cause has been shown to me why... should not be surrendered under the Extradition Act.

This is therefore to authorise and command —

- (a) you, members of the Mauritius Police Force to convey... to the prison at Beau Bassin and deliver him there to the Commissioner of Prisons together with this warrant; and
- (b) you, the Commissioner, to receive.... into your custody in the prison and there safely to keep him until he is delivered from prison in accordance with law.

Given under my hand at... this... day of... 20...

District Magistrate

EXTRADITION ACT

WARRANT FOR THE SURRENDER OF OFFENDER

Whereas... who is accused (or **has** been convicted) of the offence of.... alleged to have been committed (or committed) in (or within the jurisdiction of)... *was* delivered into the custody of you the Commissioner of Prisons by warrant dated the... day of... 20... in pursuance of the Extradition Act.

Now, therefore, I... the Attorney-General, under the Extradition Act order

- (a) you, the Commissioner of Prisons, to deliver... into the custody of... and
- (b) you.... to receive... into your custody and to convey him to a place in or within the jurisdiction of... and there surrender him to the person appointed to receive him.

Given under my hand at Port Louis this... day of ... 20...

Attorney-General