STATUTORY INSTRUMENTS

1967 No. 1257

FUGITIVE CRIMINAL

The Fugitive Offenders (Forms) Regulations 1967

Made - - - 16*th August* 1967

Coming into Operation 1*st September* 1967

In pursuance of the power conferred on me by section 13(2) of the Fugitive Offenders Act 1967(a), I hereby make the following Regulations:—

1. The forms contained in the Schedule to these Regulations or forms to the like effect shall be used for the purposes for which they are applicable.

2. The Interpretation Act 1889(b) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

3.—(1) These Regulations may be cited as the Fugitive Offenders (Forms) Regulations 1967 and shall come into operation on 1st September 1967.

(2) These Regulations do not extend to Scotland.

Denis Healey,
One of Her Majesty's Principal Secretaries of State.

Whitehall.
16th August 1967.

SCHEDULE

FORMS

1

Authority to proceed
(*Fugitive Offenders Act* 1967, *s.*5.)

To the Chief Metropolitan Stipendiary Magistrate.

A request having been made to the Secretary of State by or on behalf of for the return to that country of A.B. who is accused [*or* alleged to be unlawfully at large after conviction] of the offence[s] of :

The Secretary of State hereby orders that a metropolitan stipendiary magistrate proceed with the case in accordance with the provisions of the Fugitive Offenders Act 1967.

Dated the day of , 19 .

Secretary of State.
[Under-Secretary of State.]

(a) 1967 c. 68. (b) 1889 c. 63.

2

Warrant of arrest
(Fugitive Offenders Act 1967, *s.*6(1) (*a*).)

In the inner London area

To each and all of the constables of the metropolitan police force.

I having received from the Secretary of State an order to proceed with the case of A.B. (hereinafter called the defendant) who is accused [*or* who is alleged to be unlawfully at large after conviction] of the offence[s] of against the law of :

And there being evidence that the offence[s] is/are [a] relevant offence[s] as defined in section 3 of the Fugitive Offenders Act 1967:

And there being in my opinion such evidence as would justify the issue of a warrant for the arrest of a person accused of committing [a] corresponding offence[s] [*or* alleged to be unlawfully at large after conviction of an offence] in the inner London area:

You are hereby commanded to arrest the defendant forthwith and to bring him/her before a metropolitan stipendiary magistrate sitting at Bow Street magistrates' court.

Dated the day of , 19 .

X.Y.,

Metropolitan Stipendiary Magistrate.

3

Provisional warrant of arrest
(Fugitive Offenders Act 1967, *s.*6(1) (*b*).)

[In the inner London area]

To each and all of the constables of [the metropolitan police force].

There being evidence that A.B. (hereinafter called the defendant) is accused [*or* is alleged to be unlawfully at large after conviction] of the offence[s] of against the law of , and that the offence[s] is/are [a] relevant offence[s] as defined in section 3 of the Fugitive Offenders Act 1967:

And there being in my opinion such evidence as would justify the issue of a warrant for the arrest of a person accused of committing [a] corresponding offence[s] [*or* alleged to be unlawfully at large after conviction of an offence] [in the inner London area]:

And there being information that the defendant is or is believed to be in or on his/her way to the United Kingdom:

You are hereby commanded to arrest the defendant and to bring him/her before a metropolitan stipendiary magistrate sitting at Bow Street magistrates' court.

Dated the day of , 19 .

X.Y.,

[Metropolitan Stipendiary Magistrate.]

4

Warrant of commitment
(*Fugitive Offenders Act* 1967, *s.*7(5).)

In the inner London area

To each and all of the constables of the metropolitan police force and to [the Governor of Her Majesty's prison at].

A.B. (hereinafter called the defendant) having been brought this day before me, a metropolitan stipendiary magistrate sitting at , pursuant to a warrant for his/her arrest issued under section 6 of the Fugitive Offenders Act 1967:

And an authority to proceed having been issued by the Secretary of State under section 5 of that Act in respect of the defendant:

And I being satisfied that the following offence[s] [of which the defendant is accused in], namely , being [an] offence[s] to which the authority to proceed relates, is/are [a] relevant offence[s] as defined in section 3 of that Act, namely, (*here describe the appropriate relevant offence*[*s*] *as set out in Schedule* 1 *to the Fugitive Offenders Act* 1967) [and that the evidence given before me would be sufficient to warrant the defendant's trial for that/those offence[s] if it/they had been committed in the inner London area] [*or* that the defendant has been convicted of the offence[s] and appears to be unlawfully at large]:

You, the said constables, are hereby commanded to convey the defendant to the said [prison] and there deliver him/her to the [Governor] thereof, together with this warrant; and you, the [Governor of the said prison], to receive him/her into your custody and keep him/her until he/she is delivered in accordance with a warrant issued by the Secretary of State under section 9 of that Act or he/she is otherwise delivered in due course of law.

Dated the day of , 19 .

X.Y.,

Metropolitan Stipendiary Magistrate.

5

Warrant for return to requesting country
(*Fugitive Offenders Act* 1967, *s.*9(1).)

To the [Governor of Her Majesty's prison at] and to each and all of the constables of the metropolitan police force [and to officers of].

Whereas a request has been made to the Secretary of State by or on behalf of for the return to that country of A.B. (hereinafter called the prisoner) who is accused [*or* alleged to be unlawfully at large after conviction] of the offence[s] of :

And whereas a metropolitan stipendiary magistrate, being satisfied that the evidence given before him would be sufficient to warrant the prisoner's trial for that/those offence[s] [*or* the offence[s] of] if it/they had been committed in the inner London area [*or* that the prisoner had been convicted of that/those offence[s] [*or* the offence[s] of] and appeared to be unlawfully at large], committed the prisoner to [Her Majesty's prison at] on the day of , 19 , to await his/her return to :

And whereas the prisoner has not been discharged from custody by order of the High Court:

Now, therefore, the Secretary of State hereby orders that the prisoner be returned to in respect of the offence[s] for which he/she was committed to custody by the metropolitan stipendiary magistrate.

Dated the day of , 19 .

Secretary of State.
[Under-Secretary of State.]

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations prescribe certain forms to be used for the purposes of the Fugitive Offenders Act 1967.