STATUTORY INSTRUMENTS

1980 No. 566

FUGITIVE CRIMINAL

The Sweden (Extradition) (Amendment) Order 1980

Made - - - -	21*st April* 1980
Laid before Parliament	29*th April* 1980
Coming into Operation	19*th May* 1980

At the Court at Windsor Castle, the 21st day of April 1980

Present,

The Queen's Most Excellent Majesty in Council

Whereas a Treaty (a) was concluded on 26th April 1963 between Her Majesty in respect of the United Kingdom of Great Britain and Northern Ireland and His late Majesty the King of Sweden for the reciprocal extradition of criminals:

And whereas a Protocol (a) amending the said Treaty was signed on 6th December 1965:

And whereas it has been agreed by Notes exchanged on 19th February 1980, the terms of which are set out in the Schedule to this Order, that the said Treaty shall be further amended by amending Article 18.

Now, therefore, Her Majesty, in exercise of the powers conferred on Her by sections 2, 17 and 21 of the Extradition Act 1870(b), or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Sweden (Extradition) (Amendment) Order 1980 and shall come into operation on 19th May 1980.

2. The Extradition Acts 1870 to 1895(c), shall apply in the case of Sweden in accordance with the said Treaty, as amended by the said Protocol and the said Exchange of Notes.

N. E. Leigh,
Clerk of the Privy Council.

(a) Cmnd. 3113.
(b) 1870 c. 52.
(c) 1870 c. 52; 1873 c. 60; 1895 c. 33.

SCHEDULE

EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE KINGDOM OF SWEDEN AMENDING THE EXTRADITION TREATY SIGNED ON 26TH APRIL 1963 AS AMENDED BY THE PROTOCOL SIGNED ON 6TH DECEMBER 1965.

No. 1

Her Majesty's Ambassador at Stockholm to the Minister for Foreign Affairs of Sweden.

British Embassy
Stockholm
19th February 1980

Sir,

I have the honour to refer to the Extradition Treaty between the United Kingdom of Great Britain and Northern Ireland and the Kingdom of Sweden signed at London on 26 April 1963, as amended by the Protocol of 6 December 1965, and to propose on behalf of the Government of the United Kingdom of Great Britain and Northern Ireland that Article 18 of the Treaty shall be amended to read as follows:—

Article 18

"(1) Expenses incurred in the territory of the requested Party by reason of the request for extradition shall be borne by that Party.

(2) The requested Party shall make all arrangements which may be requisite with respect to the representation of the requesting Party in any proceedings arising out of the request.".

If the foregoing proposal is acceptable to the Government of the Kingdom of Sweden, I have the honour to suggest that this Note, together with your reply to that effect, shall constitute an Agreement between the two Governments which shall supersede the Exchange of Notes of 19 April 1979(a) and shall enter into force three months from the date of your reply. The Agreement shall also apply to those territories listed in the Annex to this Note for the international relations of which the Government of the United Kingdom is responsible.

I avail myself of this opportunity to renew to you, Sir, the assurance of my highest consideration.

JEFFREY PETERSEN

(a) Cmnd. 7793.

Annex

Antigua
St. Kitts-Nevis
Anguilla
Belize
Bermuda
British Antarctic Territory
British Indian Ocean Territory
British Virgin Islands
Cayman Islands
Falkland Islands and Dependencies
Gibraltar
Hong Kong
Montserrat
Pitcairn
Sovereign Base Areas of Akrotiri and Dhekelia
St. Helena and Dependencies
Turks and Caicos Islands

No. 2

The Minister for Foreign Affairs of Sweden to Her Majesty's Ambassador at Stockholm.

Utrikesdepartmentetet
Stockholm den 19 februari 1980

Herr Ambassadör,

Härmed har jag äran erkänna mottagandet av Eder skrivelse av denna dag, som i översättning har följande lydelse:

"Jag har äran att åberopa det i London den 26 april 1963 mellan Förenade Konungariket Storbritannien och Nordirland samt Konungariket Sverige undertecknade utlämningsfördraget, ändrat genom protokollet den 6 december 1965, och att på Förenade Konungarkeit Storbritannien och Nordirlands regerings vägnar föreslå, att Artikel 18 i fördraget skall erhalla följande andrade lydelse:

Artikel 18

"(1) Kostnader, som uppkommit på den anmodade partens område till följd av framställning om utlämning, skall bestridas av denna part.

(2) Den anmodade parten skall vidtaga alla erforderlige åtgärder för att den ansökande parten skall bli företrädd vid varje förfarande med anledning av framställningen."

Därest Konungariket Sveriges regering godtager förenämnda förslag, har jag äran föreslå, att denna skrivelse jämte Eders Excellens' bekräftande svar därpå skall anses utgöra en överenskommelse mellan de båda regeringarna, vilken skall ersätta noteväxlingen av den 19 april 1979 och träda i kraft tre manader efter dagen för Edert svar. överenskommelsen skall även tillämpas ifråga om de territorier som uppräknats i bilagan till denna skrivelse och för vilkas utrikes förbindelser Förenade Konungarikets regering är ansvarig."

Som svar har jag äran meddela Eder att förenämnda förslag godtages av Konungariket Sveriges regering, som därför anser, att Eder skrivelse och detta svar utgör en överenskommelse mellan de båda regeringarna vilken ersätter noteväxlingen av den 19 april 1979 och träder i kraft tre månader från dagens datum.

Mottag, Herr Ambassadör, försäkran om min utomordentliga högaktning.

OLA ULLSTEN

Bilaga

Antigua
S:t Kitts-Nevis
Anguilla
Belize
Bermuda
Brittiska Antarktis
Brittiska Indiska Oceanöarna
Brittiska Jungfruöarna
Caymanöarna
Falklandsöarna och underlydande områden
Gibraltar
Hongkong
Montserrat
Pitcairn
Suveräna Basområdena Akrotiri och Dhekelia
S:t Helena och underlydande områden
Turks- och Caicosöarna

TRANSLATION OF NO. 2

The Minister for Foreign Affairs of Sweden to Her Majesty's Ambassador at Stockholm.

Ministry of Foreign Affairs
Stockholm 19 February 1980

Dear Ambassador,

I have hereby the honour to acknowledge receipt of your letter of today, which in translation reads as follows:

TRANSLATION AS IN NO. 1

In reply to the above I have the honour to inform you that the foregoing proposal is acceptable to the Government of the Kingdom of Sweden, who therefore consider that your letter and this reply constitute an agreement between the two Governments which supersedes the Exchange of Notes of 19 April 1979 and shall enter into force three months from today's date.

Please receive, Mr Ambassador, my assurances of deepest respect.

OLA ULLSTEN

[Annex as in No. 1

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order applies the Extradition Acts 1870 to 1935 in the case of the Kingdom of Sweden in accordance with the Extradition Treaty between the United Kingdom and Sweden, signed at London on 26th April 1963, as amended by the Protocol signed on 6th December 1965, and as further amended by Notes exchanged at Stockholm on 19th February 1980.