

SAINT LUCIA

No. 10 of 2023

ARRANGEMENT OF SECTIONS

Section

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I Assent

[L.S.]

ERROL CHARLES,
Acting Governor-General.

March 29, 2023.

SAINT LUCIA

No. 10 of 2023

AN ACT to amend the Extradition Act, Cap. 2.10.

[30th March, 2023]

BE IT ENACTED by the King's Most Excellent Majesty, by and with the advice and consent of the House of Assembly and the Senate of Saint Lucia, and by the authority of the same, as follows:

Short title

1. This Act may be cited as the Extradition (Amendment) Act, 2023.

Interpretation

2. In this Act, “principal Act” means the Extradition Act, Cap. 2.10.

Substitution of section 3

3. The principal Act is amended by deleting section 3 and by substituting the following —

“ Extradition crime

3. In this Part, “extradition crime” means, in relation to a Commonwealth country or foreign State to which this Part applies, an offence for which the maximum penalty in that country or State is death or imprisonment for a term exceeding twelve months.”.

Amendment of section 6

4. Section 6(1) of the principal Act is amended —

- (a) under paragraph (b), by inserting immediately after the word “crime ;” the word “or”;
- (b) under paragraph (c), by deleting the semicolon and the word “or” at the end of the paragraph and by substituting a full stop;
- (c) by deleting paragraph (d).

Amendment of section 8

5. Section 8 of the principal Act is amended by deleting subsection (1) and by substituting the following —

“(1) Where it appears to the Attorney General that a fugitive would likely incur the death penalty for the extradition crime for which his or her surrender under this Act is sought, the Attorney General may refuse to order the surrender of the fugitive where

no assurance, satisfactory to the Attorney General, is given by the Commonwealth country or foreign State that, if the fugitive is surrendered, the death penalty would not be imposed or, if imposed, will not be carried out.”.

Amendment of section 39

6. Section 39 of the principal Act is amended by deleting subsection (1) and by substituting the following —

“(1) Subject to section 40, where no extradition treaty within the meaning of section 38 exists between the United Kingdom and a foreign State that extends to Saint Lucia or that was made in right of Saint Lucia, the Attorney General may, on the application of that foreign State, issue a warrant for the surrender to the foreign State of a fugitive in Saint Lucia from the foreign State who is charged with or convicted of an offence for which the maximum penalty in that other state is death or imprisonment for a term exceeding twelve months.”.

Passed in the House of Assembly this 22nd day of March, 2023.

CLAUDIUS J. FRANCIS,
Speaker of the House of Assembly.

Passed in the Senate this 23rd day of March, 2023.

ALVINA REYNOLDS,
President of the Senate.