

**Reprint
as at 19 September 2003**



**Extradition (Exempted Country:
Czech Republic) Order 2003**
(SR 2003/253)

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 15th day of September 2003

Present:

The Right Hon Helen Clark presiding in Council

Pursuant to section 17 of the Extradition Act 1999, Her Excellency the Governor-General, acting on the recommendation of the Minister of Justice, and on the advice and with the consent of the Executive Council, makes the following order.

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

This order is administered by the Ministry of Justice.

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Order

- 1 Title**
This order is the Extradition (Exempted Country: Czech Republic) Order 2003.
- 2 Commencement**
This order comes into force on the 28th day after the date of its notification in the *Gazette*.
- 3 Czech Republic exempted**
The Czech Republic, a country to which Part 3 of the Extradition Act 1999 applies, is declared by this order to be also a country to which section 25 of that Act applies (an “exempted country”).

Diane Morcom,
for Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force on the 28th day after the date of its notification in the *Gazette*, declares that the Czech Republic, a country to which Part 3 of the Extradition Act 1999 applies, is also a country to which section 25 of that Act applies (an “exempted country”).

Under Part 3 of the Extradition Act 1999, a country seeking extradition of a person from New Zealand must satisfy a court that

there would be sufficient evidence to justify the person's trial in New Zealand if the alleged offence had occurred in New Zealand, or, in other words, that a prima facie case exists against that person.

Section 25 of the Extradition Act 1999 introduces a new procedure into the regime for determining whether a person is eligible for surrender from New Zealand. It allows exempted countries to produce, or have produced on their behalf, a record of the case. This record may be used as evidence for the purposes of determining whether there is a prima facie case against the person.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 18 September 2003.

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Notes**1 General**

This is a reprint of the Extradition (Exempted Country: Czech Republic) Order 2003. The reprint incorporates all the amendments to the order as at 19 September 2003, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that have yet to come into force or that contain relevant transitional or savings provisions are also included, after the principal enactment, in chronological order.

2 Status of reprints

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 How reprints are prepared

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions,

see <http://www.pco.parliament.govt.nz/editorial-conventions/>
or Part 8 of the *Tables of Acts and Ordinances and Statutory
Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)
- position of the date of assent (it now appears on the front page of each Act)

- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*
