

*Extradition Treaty with Portugal amended.*

Police Department,  
Wellington, 27th September, 1933.

THE following despatch and enclosure received from His Majesty's Secretary of State for Dominion Affairs are published for general information.

JOHN G. COBBE,  
Minister in Charge of Police Department.

New Zealand: Circular despatch C. No. 222.

Downing Street, 16th August, 1933.

MY LORD,

With reference to my despatch Circular C. No. 172 of the 6th July, I have the honour to transmit, for the information of His Majesty's Government in New Zealand, the accompanying copies of Statutory Rules and Orders, 1933, No. 678, containing the Portugal (Extradition) Order in Council, 1933.

I have the honour to be,  
My Lord,

Your Lordship's most obedient humble servant,  
J. H. THOMAS.

Governor-General His Excellency the Right Honourable Lord Bledisloe, G.C.M.G., K.B.E., &c.

STATUTORY RULES AND ORDERS, 1933, No. 678.

*FUGITIVE CRIMINAL.*

*The Portugal (Extradition) Order in Council, 1933.*

At the Court at Buckingham Palace, the 26th day of June, 1933.

Present:

The King's Most Excellent Majesty.

Lord President. Mr. Douglas Hacking.  
Earl of Desart. Sir Dennis Herbert.  
Lord Irwin.

WHEREAS by the Extradition Acts, 1870 (33 and 34 Vict., c. 52) to 1906 (6 Edw. VII, c. 15) it was amongst other things enacted that, where an arrangement has been made with any foreign State with respect to the surrender to such State of any fugitive criminals, His Majesty may, by Order in Council, direct that the said Acts shall apply in the case of such foreign State; and that His Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in or suspected of being in the part of His Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions, and qualifications as may be deemed expedient:

And whereas a Treaty was signed on the 17th day of October, 1892, and was subsequently ratified, between Her late Majesty Queen Victoria and His late Majesty the King of Portugal for the mutual extradition of fugitive criminals:

And whereas a further Convention was signed on the 20th January, 1932, between His Majesty and the President of the Portuguese Republic, which Convention is in the terms following:—

His Majesty the King of Great Britain, Ireland, and the British Dominions beyond the Seas, Emperor of India, and the President of the Portuguese Republic,

Being desirous of amending Article 3 of the Treaty for the Extradition of Fugitive Criminals which was signed at Lisbon on the 17th October, 1892,

Have resolved to conclude a supplementary Convention for that purpose and to that end have appointed as their plenipotentiaries:

His Majesty the King of Great Britain, Ireland, and the British Dominions beyond the Seas, Emperor of India,

For Great Britain and Northern Ireland, His Excellency Sir Claud Russell, his Ambassador Extraordinary and Plenipotentiary to the Portuguese Republic;

For the Commonwealth of Australia, His Excellency Sir Claud Russell, his Ambassador Extraordinary and Plenipotentiary to the Portuguese Republic;

For the Dominion of New Zealand, His Excellency Sir Claud Russell, his Ambassador Extraordinary and Plenipotentiary to the Portuguese Republic;

For the Union of South Africa, His Excellency Sir Claud Russell, his Ambassador Extraordinary and Plenipotentiary to the Portuguese Republic;

For India, His Excellency Sir Claud Russell, his Ambassador Extraordinary and Plenipotentiary to the Portuguese Republic;

The President of the Portuguese Republic;

His Excellency Commander Fernando Augusto Branco, Minister for Foreign Affairs;

Who, having communicated to each other their full powers, found in good and due form, have agreed as follows:—

*Article 1.*

Article 3 of the Extradition Treaty of the 17th October, 1892, is hereby cancelled and the following provisions are substituted in lieu thereof:—

“The High Contracting Parties shall not in any case or under any pretext be compelled to surrender their own subjects or citizens, whether by birth or by naturalization, provided that the naturalization took place previous to the commission of the crime or offence giving rise to the application for extradition.”

*Article 2.*

The present Convention shall be ratified and the ratifications shall be exchanged at Lisbon as soon as possible.

It shall come into force ten days after its publication in conformity with the forms prescribed by the laws of the High Contracting Parties, and shall have the same force and duration as the Treaty to which it relates.

In witness whereof the respective Plenipotentiaries have signed the present Convention, and have affixed thereto their seals.

Done in duplicate at Lisbon, the 20th day of January, 1932.

For Great Britain and Northern Ireland—

CLAUD RUSSELL.

For the Commonwealth of Australia—

CLAUD RUSSELL.

For the Dominion of New Zealand—

CLAUD RUSSELL.

For the Union of South Africa—

CLAUD RUSSELL.

For India—

CLAUD RUSSELL.

For Portugal—

FERNANDO AUGUSTO BRANCO.

And whereas the ratifications of the said Convention were exchanged at Lisbon on the 29th day of December, 1932:

And whereas His Majesty has ratified the said Convention in respect of, and the said Convention thereby extends to, the United Kingdom of Great Britain and Northern Ireland (including for this purpose the Channel Islands and the Isle of Man), and all British Colonies, and also the following Dominions, to wit: The Commonwealth of Australia, New Zealand, the Union of South Africa, and Newfoundland; and India:

And whereas His Majesty has been advised by His Ministers in the aforementioned Dominions to take the necessary steps to cause the said recited Acts to be applied in the case of Portugal in respect of the aforementioned Dominions in accordance with the said Treaty as modified by the said Convention:

Now, therefore, His Majesty, by and with the advice of His Privy Council, and in virtue of the authority committed to him by the said recited Acts, doth order, and it is hereby ordered, as follows:—

- (1) From and after the 10th day of July, 1933, the Extradition Acts, 1870–1906, shall apply in the case of Portugal, in respect of the above-mentioned parts of His Majesty's Dominions, under and in accordance with the said Treaty of the 17th October, 1892, as modified by the Convention of the 20th January, 1932.
- (2) This Order may be cited as the “Portugal (Extradition) Order in Council, 1933.”

COLIN SMITH.

*Customs Tariff Commission, 1933.*

Christchurch, 3rd October, 1933.

IT is hereby notified for public information that the Customs Tariff Commission, 1933, appointed (*inter alia*) to inquire into the Customs Tariff of New Zealand, will resume its sittings at Wellington in the office of the Comptroller of Customs, Customs Building, Customhouse Quay, at 10 a.m. on Tuesday, 17th October, 1933, for the purpose of hearing evidence from persons desiring to make representations respecting the Customs Tariff.

Applications for appointments from persons intending to appear should be addressed to “The Chairman, Customs Tariff Commission, 1933, Wellington.”

GEO. CRAIG, Chairman.

*Public Trust Office: Murchison Agency.*

IT is notified for public information that the agency of the Public Trust Office at Murchison has been closed. Communications in respect of Public Trust Office business in the Murchison District should in future be addressed to the District Public Trustee, Nelson.

Dated at Wellington, this 29th day of September, 1933.

J. W. MACDONALD, Public Trustee.