

ACT 22
EXTRADITION ACT, 1960

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ACT 22
EXTRADITION ACT, 1960(1)

AN ACT to consolidate and amend the law relating to extradition of persons accused or convicted of criminal offences committed within the jurisdiction of other countries.

PART ONE

Extradition Generally

Preliminary

1. Application of Part One

(1) Where an arrangement has been made with a country with respect to the surrender to that country of a fugitive criminal, the President may, by legislative instrument, order that this Act shall apply in the case of that country, subject to the conditions, exceptions and qualifications specified in the order, and this Part shall apply accordingly.

(2) An order under subsection (1) shall recite or embody the terms of the arrangement, and shall not remain in force for a longer period than the arrangement.

(3) An order under this section shall be laid before Parliament.

2. Restrictions on surrender

(1) The restrictions contained in this section shall be observed with respect to the surrender of a fugitive criminal.

(2) A fugitive criminal shall not be surrendered if the offence in respect of which the surrender is requested is one of a political character, or if it appears to the Court or the Minister that the request for the surrender has in fact been made with a view to try or punish the fugitive criminal for an offence of a political character.

(3) A fugitive criminal shall not be surrendered to a country unless provision is made by the law of that country or by arrangement

(a) that the person claimed shall not be proceeded against, sentenced or detained with a view to the carrying out of a sentence or detention order, or otherwise restricted in the personal freedom of that person for an offence committed prior to the surrender other than that for which the surrender is requested except in the following cases:

(i) with the consent of the Government, or

(ii) where that person having had an opportunity to leave the territory of that country, has not done so within thirty days of final discharge in respect of the offence for which that person was surrendered or has returned to the territory of that country after leaving it; and

(b) that where the description of the offence charged in the country requesting the surrender of the fugitive criminal is altered in the course of proceedings, the fugitive criminal shall only be proceeded against or sentenced in so far as the offence under its new description is shown by its constituent elements to be an offence which would allow the fugitive criminal to be surrendered to that country by the Republic under this Act.

(4) A fugitive criminal who has been accused of an offence within the jurisdiction of the Republic, which is not an offence for which the surrender is requested, or is undergoing sentence under a conviction in the Republic shall not be surrendered until after the fugitive criminal is discharged, whether by acquittal or on expiration of the sentence or otherwise.

(5) A fugitive criminal shall not be surrendered until the expiration of fifteen days from the date of

being committed to prison to await the surrender.

(6) Despite anything in subsection (2), the fact that the law of a country requesting the surrender of a fugitive criminal permits the taking of measures necessary to remove that fugitive from its territory or the measures necessary under its law, including proceedings by default, to prevent legal effects of lapse of time shall not of itself prevent the surrender of that fugitive.²⁽²⁾

Continuance of Existing Provisions

3. Application to Commonwealth and other countries

(1) A country to which Part One of the Fugitive Offenders Act, 1881 (which provided for the return of fugitive offenders from Commonwealth countries) applied immediately before the commencement of this Act, is a country to which this Part applies.

(2) A country with which an arrangement, in force immediately before the commencement of this Act, was made under the Extradition Acts, 1870 to 1932, is a country to which this Part applies.

(3) The President may, by legislative instrument, declare that a country specified in the instrument is a country to which, by virtue of subsection (1), this Part applies or that an arrangement to which subsection (2) applies and which is recited or embodied in the instrument is in force and the declaration is conclusive as to the matters to which it relates.

(4) The purpose of a declaration under subsection (3) is to facilitate the ascertainment of the matters to which it relates and the fact that a declaration has not been made in respect of a country shall not affect the question whether, by virtue of subsection (1) or (2), this Part applies to that country.

4. Discontinuance

Where it appears to the President that the law of a country to which section 3 (1) applies does not contain reciprocal provisions or that an arrangement with a country referred to in section 3 (2) is not in force, the President may, by legislative instrument, discontinue the application of this Part to that country.

Surrender of Criminals

5. Liability of criminal to surrender

Where this Part applies in the case of a country, a fugitive criminal of that country who is in or suspected of being in the Republic is liable to be arrested and surrendered in a manner provided by this Part, whether the criminal offence in respect of which the surrender is sought was committed before or after the commencement of this Act or the application of this Part to that country, and whether there is or is not a concurrent jurisdiction in a Court over that criminal offence.

6. Liability of accessories to be surrendered

A person who is accused or convicted of having counselled, procured, commanded, aided or abetted the commission of an extradition offence, or of being an accessory before or after the fact to an extradition offence is, for the purposes of this Part arrested an accused or a person convicted of having committed that crime, and is liable to be apprehended and surrendered accordingly.

7. Order of Minister for issue of warrant

(1) A requisition for the surrender of a fugitive criminal of a country, who is in or suspected of being in the Republic, shall be made to the Minister by a diplomatic representative or consular officer of that country.

(2) The Minister may, by order apply to a District Magistrate that a request has been made, and require the Magistrate to issue a warrant for the arrest of the fugitive criminal.

(3) Where the Minister is of opinion that the offence is one of a political character, the Minister may refuse to make an order, and may also at any time order a fugitive criminal accused or convicted of the offence to be discharged from custody.

8. Issue of warrant by District Magistrate

(1) A warrant for the arrest of a fugitive criminal, whether accused or convicted of a criminal offence, who is in or suspected of being in the Republic, may be issued by a District Magistrate

(a) on the receipt of the order of the Minister, and on the evidence that would in the opinion of the Magistrate justify the issue of the warrant if the criminal offence had been committed or the criminal is convicted in the Republic, or

(b) on an information or a complaint and the evidence or after the proceedings that would, in the opinion of the Magistrate, justify the issue of a warrant if the criminal offence had been committed or the criminal convicted is in the district in which the Magistrate exercises jurisdiction.

(2) The Magistrate issuing a warrant under this section without an order from the Minister shall send a report of the fact of the issue, together with the evidence and information or complaint, or certified copies of the evidence and information or complaint to the Minister, who may order the warrant to be cancelled, and the person who has been arrested on the warrant to be discharged.

(3) A fugitive criminal, when arrested on a warrant under this section, shall be brought before a District Magistrate within the next twenty-four hours.

(4) A fugitive criminal arrested on a warrant issued without the order of the Minister shall be discharged by the Magistrate, unless the Magistrate, within a reasonable time determined by the Magistrate, with reference to the circumstances of the case, receives from the Minister an order signifying that a request has been made for the surrender of the fugitive criminal.

9. Offences of a political character

(1) When a fugitive criminal is brought before a District Magistrate, the Magistrate shall hear the case in the same manner, and have the same jurisdiction and powers, as nearly as may be, that the Magistrate has in the exercise of criminal jurisdiction.

(2) The Magistrate shall receive evidence which may be tendered to show that the criminal offence of which the prisoner is accused or alleged to have been convicted is an offence of a political character or is not an extradition offence.

10. Committal or discharge of prisoner

(1) In the case of a fugitive criminal accused of an extradition offence, if the foreign warrant authorising the arrest of the fugitive is duly authenticated, and evidence is produced which, subject to this Act, would according to the law of the Republic, justify the committal for trial of the fugitive if the offence of which the fugitive is accused had been committed in the Republic, the Magistrate shall commit

the fugitive to prison.

(2) In the case of a fugitive criminal alleged to have been convicted of an extradition offence, if evidence is produced that, subject to this Act would, according to the law of the Republic, prove that the fugitive was convicted of the criminal offence, the Magistrate shall commit the fugitive criminal to prison.

(3) The order of the Magistrate under subsection (1) or (2) shall be to commit the fugitive criminal to prison to await the warrant of the Minister for the surrender of the fugitive criminal and the Magistrate shall send to the Minister a certificate of the committal, and an appropriate report on the case.

(4) When the fugitive criminal is committed to prison to await surrender, the committing Magistrate, if of opinion that it will be dangerous to the life or prejudicial to the health of the fugitive criminal to remove the fugitive criminal to prison, may order the fugitive criminal to be held in custody at the place in which the fugitive criminal for the time being is, or any other place named in the order to which the Magistrate thinks the fugitive criminal can be removed without danger to the life of the fugitive criminal or prejudice to the health of the fugitive criminal and while so held the fugitive criminal is in legal custody, and this Act shall apply to the fugitive criminal as if the fugitive criminal were in the prison to which the fugitive criminal was committed.

(5) The Magistrate, if not satisfied with the evidence mentioned in subsection (1) or (2), shall order the fugitive criminal to be discharged.

11. Surrender of fugitive criminal

(1) The Magistrate, on committing a fugitive criminal to prison, shall inform the fugitive criminal that the fugitive criminal will not be surrendered until after the expiration of fifteen days, and that the fugitive criminal has a right to apply for an order of habeas corpus.

(2) On the expiration of fifteen days, or, if an order of habeas corpus is issued, after the decision of the Court on the return to the order, or after a further period that the Minister may allow in either case, the Minister may by warrant order the fugitive criminal, if not delivered on the decision of the Court, to be surrendered to a person who is duly authorised to receive the fugitive criminal by the country from which the request for the surrender proceeded, and the fugitive criminal shall be surrendered accordingly.

(3) A person to whom the warrant is directed, and the person so authorised, may receive, hold in custody and convey into the jurisdiction of that country the fugitive criminal mentioned in the warrant; and if the fugitive criminal escapes out of a custody to which the fugitive criminal is delivered or in pursuance of the warrant, the fugitive criminal may be retaken in the same manner as a person accused of a criminal offence against the laws of the Republic may be retaken on an escape.

12. Discharge of persons apprehended

Where a fugitive criminal committed to prison is not surrendered and conveyed out of the Republic within two months after the committal, or, where an order of habeas corpus is issued, after the decision of the Court on the return to the order, a Justice of the High Court may, on application made by or on behalf of the fugitive criminal, and on proof that reasonable notice of the intention to make the application has been given to the Minister, order the fugitive criminal to be discharged out of custody, unless sufficient cause is shown to the contrary.

13. Execution of warrant of District Magistrate

The warrant of the District Magistrate issued in pursuance of this Part may be executed in a part of the

Republic in the same manner as if it had been originally issued or subsequently endorsed by a District Magistrate having jurisdiction in the place where it is executed.

13A. Seizure and handing over of property

- (1) A police officer executing a warrant under section 8 may seize and retain property
 - (a) which appears to the police officer to be reasonably required as evidence for the purpose of proving the offence alleged, or
 - (b) which appears to the police officer to have been acquired as a result of the alleged offence and which
 - (i) is found at the time of arrest in the possession of the person arrested under the warrant, or
 - (ii) is discovered subsequently.

(2) Subject to this section, property seized under subsection (1) shall, where a warrant is issued by the Minister under section 11 for the surrender of the person claimed, be handed over to a person who appears to the Minister to be duly authorised by the country by whom the surrender is requested to receive it immediately after the issue of the warrant and the property shall be so handed over although the surrender in question cannot be carried out by reason of the death or escape of the person claimed.

(3) A property so seized may be retained in the Republic, if criminal proceedings to which the property relates are pending in the Republic, in accordance with law until the conclusion of the proceedings or may, if the Minister so directs, be handed over on condition that the country requesting the surrender shall return the property.

(4) This section does not prejudice or derogate from the rights that have been lawfully acquired by the Republic or a person in the Republic in a property to be handed over under this section and where those rights exist the property shall not be handed over except on condition that the requesting country shall return it immediately after the trial of the person surrendered and without charge to the Republic or the person having those rights.³⁽³⁾

Crimes Committed at Sea

14. Jurisdiction as to criminal offences committed at sea

Where the criminal offence in respect of which the surrender of a fugitive criminal is sought was committed on board a vessel on the high seas which comes into a port of the Republic,

- (a) the fugitive criminal may be committed to a prison to which the person committing the fugitive criminal has power to commit persons accused of a similar criminal offence;
- (b) where the fugitive criminal is arrested on a warrant issued without the order of the Minister, the fugitive criminal shall be brought within the next twenty-four hours before the District Magistrate who issued the warrant or who has jurisdiction in the port where the vessel lies, or in the place nearest to that port.

15. Restriction on previous criminal offences

(1) This section applies to a person who is surrendered to the Republic by another country on a request made by the Republic to that country to surrender that person for prosecution or punishment for

an offence.

(2) A person so surrendered shall not be proceeded against, sentenced or imprisoned or otherwise restricted in personal freedom for an offence committed prior to the surrender, other than that for which that person was surrendered, except

- (a) with the consent of the government of the country surrendering that person; or
- (b) where that person having had an opportunity to leave the Republic has not done so within thirty days of final discharge in respect of the offence for which that person was surrendered or has returned to the Republic after leaving it.

(3) Where the description of the offence is altered in the course of proceedings, the person surrendered shall only be proceeded against or sentenced in so far as the offence under its new description is shown by its constituent elements to be an offence for which that person would be liable to be surrendered to the Republic.⁴⁽⁴⁾

PART TWO

Reciprocal Backing of Warrants

16. Application of Part Two

This Part applies to a country in respect of which the President, having regard to reciprocal provisions under the law of that country, by legislative instrument so orders and subject to the conditions, exceptions and qualifications specified in the instrument.

17. Backing of warrant

(1) Where in a country to which this Part applies a warrant is issued for the arrest of a person accused of an offence punishable by law in that country and that person is or is suspected of being in or on the way to the Republic, a District Magistrate satisfied that the warrant was issued by a person having lawful authority to issue it, may, subject to sections 22 and 23, endorse the warrant in accordance with subsection (3); and the warrant endorsed is a sufficient authority to arrest, within the jurisdiction of the endorsing Magistrate and bring that person, before the endorsing Magistrate or some other Magistrate.

(2) This Part applies whatever the date of the warrant and whether the offence is alleged to have been committed before or after the commencement of this Act or the application of this Part to that country.

(3) An endorsement of a warrant shall be signed by the District Magistrate and shall authorise

- (a) all or any of the persons named in the endorsement, and
- (b) a person to whom the warrant was originally directed, and
- (c) every police officer,

to execute the warrant by arresting the person named in it and bringing that person before that Magistrate or any other Magistrate.

18. Return of prisoner arrested under backed warrant

(1) The District Magistrate before whom a person arrested is brought,

- (a) if satisfied that the warrant is duly authenticated as directed by this Act and was issued by a

person having lawful authority to issue it, and is satisfied on oath that the prisoner is the person named or otherwise described in the warrant,

- (b) may, subject to section 23, order that person to be returned to the country in which the warrant was issued, and for that purpose to be delivered into the custody of the persons to whom the warrant is directed, or any one or more of them, and to be held in custody and conveyed into that country.

(2) A person to whom the warrant is directed, and the person so authorised, may receive, hold in custody and convey into the jurisdiction of that country the prisoner mentioned in the warrant; and if the prisoner escapes out of a custody to which the prisoner is delivered on or in pursuance of the warrant, the prisoner may be retaken in the same manner as a person accused of a criminal offence against the laws of the Republic may be retaken on an escape.

(3) A District Magistrate shall, so far as is requisite for the exercise of the powers of this section, have the same power, including the power to remand and admit to bail a prisoner, as the Magistrate has in the case of a person arrested under a warrant issued by the Magistrate.

19. Provisional warrant

(1) A District Magistrate before the endorsement in pursuance of this Part of a warrant for the arrest of a person, may issue a provisional warrant for that arrest on the information and under the circumstances that would in the opinion of the Magistrate justify the issue of a warrant if the offence of which that person is accused were an offence punishable by the law of the Republic, and had been committed within the jurisdiction of the Magistrate and the warrant may be backed and executed accordingly.

(2) A person arrested under a provisional warrant shall be discharged unless the original warrant is produced and endorsed within the time that the Magistrate thinks reasonable in the circumstances.

20. Discharge of prisoner

(1) Where a prisoner whose return is authorised in pursuance of this Part is not conveyed out of the Republic within one month after the date of the warrant ordering the return, a District Magistrate on an application by or on behalf of the prisoner, and on proof that reasonable notice of the intention to make the application has been given to the person holding the warrant and to the Inspector-General of Police or chief officer of the police of the Region or town where the prisoner is in custody, may, unless sufficient cause is shown to the contrary, order the prisoner to be discharged out of custody.

(2) An order or a refusal to make an order of discharge under subsection (1) is subject to appeal.

21. Refusal to return prisoner for trivial offence

(1) Where the return of a prisoner is sought or ordered under this Part, and it appears to a District Magistrate that by reason of the trivial nature of the case, or by reason of the application for the return of the prisoner not being made in good faith in the interests of justice or otherwise, it would, having regard to the distance, to the facilities of communication, and to all the circumstances of the case, be unjust or oppressive, or too severe a punishment, to return the prisoner at all or until the expiration of a certain period, the Magistrate may

- (a) discharge the prisoner absolutely or on bail, or
- (b) order that the prisoner shall not be returned until after the expiration of the period named in the order, or

- (c) make any other appropriate order in the matter.
- (2) An order or a refusal to make an order of discharge under subsection (1) is subject to appeal.

22. Procedure

A requisition for the endorsement of a warrant under this Part shall be made in the first instance by a diplomatic representative, consular officer or any other appropriate authority of the country concerned to the Minister who may transmit it to a District Magistrate to proceed in accordance with this Part.

23. Exclusion of political offences

The Minister shall not transmit a requisition under section 22 and a warrant shall not be endorsed under this Part for the arrest of a person if the offence is one of a political character or it appears to the Minister or a Court that the requisition has in fact been made with a view to try or punish that person for an offence of a political character.

PART THREE

Miscellaneous Provisions

Proof of Warrants, Depositions

24. Depositions as evidence

Depositions or statements on oath or affirmation taken in the country concerned and copies of the original depositions or statements or affirmations and foreign certificates or judicial documents stating the fact of conviction, may, if duly authenticated, be received in evidence in proceedings under this Act.

25. Authorisation of depositions and warrants

(1) Warrants and depositions or statements on oath or affirmation and copies of those documents, and certificates or judicial documents stating the fact of a conviction, are duly authenticated for the purposes of this Act if authenticated in manner provided by law or

- (a) if the warrant purports to be signed by a Judge, Magistrate, or an officer of the country where it was issued,
- (b) if the depositions or statements or affirmations or the copies of those documents purport to be certified and signed personally by a Judge, Magistrate or an officer of the country where they were taken to be the original depositions or statements, or to be true copies of those documents, and
- (c) if the certificate or judicial document stating the fact of conviction purports to be certified by a Judge, Magistrate, or an officer of the country where the conviction took place; and

if in every case the warrants, depositions, statements, affirmations, copies, certificates and judicial documents are authenticated by the oath of a witness or by being sealed with the official seal of the Minister of Justice or any other Minister of State.

(2) The Courts and Magistrates shall take judicial notice of the official seal, and shall admit the documents so authenticated to be received in evidence without further proof.

26. Power to obtain evidence in the Republic

(1) The testimony of a witness may be obtained in the Republic in relation to a criminal matter pending in a Court or tribunal in another country in like manner as it may be obtained in relation to a civil matter under the Rules of Court or an enactment for the taking of evidence in the Republic in relation to civil and criminal matters pending before foreign tribunals.

(2) Subsection (1) does not apply in the case of a criminal matter of a political character.

27. Taking evidence in the Republic for foreign criminal matters

(1) The Minister may by order require a District Magistrate to take evidence for the purposes of a criminal matter pending in a Court or tribunal in any other country.

(2) The Magistrate on the receipt of the order, shall take down in writing the evidence of a witness appearing before the Magistrate for the purpose and shall certify at the foot of the deposition so taken that the evidence was taken before that Magistrate, and shall transmit it to the Minister.

(3) The evidence may be taken in the presence or absence of the person charged and the fact of the presence or absence shall be stated in the deposition.

(4) A person may, after payment or tender to that person of a reasonable sum of money for costs and expenses, be compelled, for the purposes of this section, to attend and give evidence and answer questions and produce documents in like manner and subject to the like conditions as that person may in the case of a trial for an offence.

Supplementary

28. Repeals

Spent.5(5)

29. Extradition offences

(1) In this Act, “**extradition offence**” means a criminal offence which, if committed within the jurisdiction of the Republic, would be an indictable offence described in the First Schedule.

(2) The President may, by legislative instrument, amend the First Schedule by the insertion of further offences, the deletion of an offence or the alteration of the description of an offence.

30. Interpretation

In this Act, unless the context otherwise requires,

“**conviction**” and “**convicted**” do not include or refer to a conviction which under foreign law is a conviction for contumacy, that is, a judgment given in default of appearance, the accused having the right to have it set aside and the case re-tried in the presence of the accused, but the term “**accused person**” includes a person so convicted for contumacy;

“**Court**” means a court of competent jurisdiction in the Republic;

“**detention order**” in relation to a country other than Ghana means an order involving deprivation of liberty which is made by a criminal Court in that country in addition to or instead of a prison

sentence;6(6)

“**fugitive criminal**” means a person accused or convicted of an extradition offence committed within the jurisdiction of any other country who is in or is suspected of being in the Republic;

“**Government**” means the Government of the Republic;

“**Minister**” means the Minister to whom functions under this Act are assigned by the President;

“**offence**” means a criminal offence;

“**Republic**” means the Republic of Ghana;

“**warrant**” in the case of a country, includes a judicial document authorising the arrest of a person accused of a criminal offence.

31. Commencement

Spent.7(7)

SCHEDULES

First Schedule EXTRADITION OFFENCES

[Section 15, 29]

Criminal Homicide and Similar Offences

An offence under section 46, 48, 49 or 50 of the Criminal Offences Act, 1960.

Abduction, Rape and Similar Offences

An offence under sections 89, 91, 93, 97, 101 to 108, or 273 to 275 of the Criminal Offences Act, 1960, or an attempt to commit any of those offences.

Misappropriations, Fraud and similar Offences

An offence under Chapter 1 of Part Three of the Criminal Offences Act, 1960.

Forgery and Similar Offences

An offence under section 158, 159 or 169 of the Criminal Offences Act, 1960.

Damage to Property and Similar Offences

An offence under Chapter 3 of Part Three of the Criminal Offences Act, 1960.

Piracy and Similar Offences

An offence under section 193 of the Criminal Offences Act, 1960.

Perjury and Similar Offences

An offence under section 210 or 213 of the Criminal Offences Act, 1960.

Slave Dealings

An offence under section 314 of the Criminal Offences Act, 1960.

Dangerous Drugs

An offence under the Pharmacy Act, 1994 (Act 489).

Falsification of Currency and Similar Offences

An offence under the Currency Act, 1964 (Act 242).

GENERAL

Any other offence punishable on indictment.

Second Schedule
REPEALS

UNITED KINGDOM STATUTES

[Section 28]

Extradition Act, 1870 (33 and 34 Vict. c. 52).

Extradition Act, 1873 (36 and 37 Vict. c. 60).

Fugitive Offenders Act, 1881 (44 and 45 Vict. c. 69).

Extradition Act, 1906 (6 Ed. 7, c. 15).

Extradition Act, 1932 (22 and 23 Geo. 5, c. 39).

STATUTES OF GHANA

Extradition (Southern Ghana) Ordinance (Cap. 12).

Extradition Act, 1959 (No. 56).

Endnotes

1 (Popup - Footnote)

1. The Act was assented to on 16th December, 1960 and came into force on 22nd April, 1961.

2 (Popup - Footnote)

2. Substituted by section 1 of the Extradition Act, 1960 (Amendment) Decree, 1968 (N.L.C.D. 65) made on the 16th day of July, 1960.

The previous provision reads,

“2. The following restrictions shall be observed with respect to the surrender of fugitive criminal:

- (a) a fugitive criminal shall not be surrendered if the offence in respect of which a surrender is demanded is one of a political character, or if it appears to a Court or the Minister that the requisition for surrender has in fact been made with a view to try or punish for an offence of a political character;
- (b) a fugitive criminal shall not be surrendered to a country unless provision is made by the law of that country, or by arrangement, that the fugitive criminal shall not, until the fugitive has been restored or had an opportunity of returning to Ghana, be detained or tried in that country for an offence committed before his surrender other than the extradition crime proved by the facts on which the surrender is grounded;
- (c) a fugitive criminal who has been accused of some offence within the jurisdiction of Ghana, not being the offence for which surrender is asked, or is undergoing sentence under a conviction in Ghana, shall not be surrendered until after the fugitive has been discharged, whether by acquittal or on expiration of sentence or otherwise;
- (d) a fugitive criminal shall not be surrendered until the expiration of fifteen days from the date of

being committed to prison to await the surrender.”

3 (Popup - Footnote)

3. Inserted by section 2 of the Extradition Act, 1960 (Amendment) Decree, 1968 (N.L.C.D. 65) made on the 16th day of July, 1968.

4 (Popup - Footnote)

4. Substituted by section 3 of the Extradition Act, 1960 (Amendment) Decree, 1968 (N.L.C.D. 65) made on the 16th day of July, 1968.

The previous provision reads,

“15. Where, in pursuance of an arrangement with any country, any person accused or convicted of any crime described in the [First Schedule](#) to this Act, is surrendered by that country, that person shall not, until he has been restored or had an opportunity of returning to that country, be triable or tried for any offence committed prior to the surrender in Ghana other than such of the crimes as may be proved by the facts on which the surrender is grounded.”

5 (Popup - Footnote)

5. The section repealed the enactment specified in the [Second Schedule](#).

6 (Popup - Footnote)

6. Inserted by section 4 of the Extradition Act, 1960 (Amendment) Decree, 1966 (N.R.C.D. 65).

7 (Popup - Footnote)

7. The section provided for the making of a legislative instrument to appoint the day on which the Act was to come into operation. The Extradition Act, 1960 (Commencement) Order, 1961 appointed the 22nd day of April, 1961 as the day for the coming into force of this Act.