



**EXTRADITION (EXEMPTED COUNTRY: CANADA) ORDER 1999**

---

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 6th day of September 1999

Present:

THE RIGHT HON JENNY SHIPLEY PRESIDING IN COUNCIL

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

---

ANALYSIS

1. Title and commencement | 2. Canada exempted
- 

ORDER

**1. Title and commencement**—(1) This order may be cited as the Extradition (Exempted Country: Canada) Order 1999.

(2) This order comes into force on 8 October 1999.

**2. Canada exempted**—Canada is an exempted country to which section 25 of the Extradition Act 1999 applies.

MARIE SHROFF,  
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 8 October 1999, provides that Canada is an exempted country to which section 25 of the Extradition Act 1999 applies.

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*: 9 September 1999.

This order is administered in the Ministry of Justice.