



## Statutory Rules

1974 No. 130

### REGULATIONS UNDER THE EXTRADITION (FOREIGN STATES) ACT 1966-1974.\*

WHEREAS I, the Governor-General of Australia, acting with the advice of the Executive Council, am satisfied that, if the *Extradition (Foreign States) Act* 1966-1974 applied in relation to the Federative Republic of Brazil, the law of that State would, with or without any limitations, conditions, exceptions or qualifications, permit the surrender to Australia of persons accused or convicted of extraditable crimes within the meaning of Part IV who are found in that State, or within the jurisdiction of, or of a part of, that State:

NOW THEREFORE I, the Governor-General of Australia, acting with the advice of the Executive Council, hereby make the following Regulations under the *Extradition (Foreign States) Act* 1966-1974.

Dated this thirty-first day of July, 1974.

JOHN R. KERR  
Governor-General.

By His Excellency's Command,

LIONEL MURPHY  
Attorney-General.

#### EXTRADITION (BRAZIL) REGULATIONS

1. These Regulations may be cited as the Extradition (Brazil) Regulations. Citation.
2. The *Extradition (Foreign States) Act* 1966-1974 applies to the Federative Republic of Brazil subject to the limitations, conditions, exceptions or qualifications specified in regulation 3. Application of Act to Brazil.
3. The extradition of a person to the Federative Republic of Brazil shall not be granted—Limitations, &c., in relation to the application of the Act to Brazil.
  - (a) unless the penalty for the offence for which extradition of the person is requested is imprisonment for more than one year; or
  - (b) unless, in the case where the offence for which extradition of the person is requested is punishable by death, assurances satisfactory to Australia are given by the Federative Republic of Brazil that the penalty of death will not be imposed or, if the law of the Federative

\* Notified in the *Australian Government Gazette* on 31 July 1974.

*Extradition (Brazil) Regulations*

Republic of Brazil provides that no penalty other than the penalty of death shall be imposed, that penalty will not be carried out and will be commuted into a penalty depriving the person of liberty,

and unless an undertaking is given to Australia by the Federative Republic of Brazil that the person whose extradition is requested will not be surrendered to another State by the Federative Republic of Brazil without the permission of Australia.