



## EXTRADITION REGULATIONS 2004

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LAURENCE MURRAY GREIG, Chief Justice of the High Court of the Cook Islands

### ORDER IN EXECUTIVE COUNCIL

At Avarua, Rarotonga, this 18<sup>th</sup> day of February 2004

Present:

**HIS HONOUR THE CHIEF JUSTICE OF THE HIGH COURT OF  
THE COOK ISLANDS IN EXECUTIVE COUNCIL**

PURSUANT to Article 7(1) of the Constitution and sections 19, 31 and 40 of the Extradition Act 2003, the Chief Justice of the High Court, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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### ANALYSIS

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| 1. Title   | 4. Form                                    |
| 2. Interpretation                                  | 5. Temporary surrender warrant<br>Schedule |
| 3. Surrender determination by Attorney-<br>General |  |

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### REGULATIONS

1. Title – These regulations may be cited as the Extradition Regulations 2004.
2. Interpretation - In these regulations, unless the context otherwise requires -  
“Act” means the Extradition Act 2003.

Price \$1.50

3. Surrender determination by Attorney-General – Pursuant to section 19(1), the Attorney-General must make a final decision as to whether a person is to be surrendered within 6 days of section 19(1)(a) and (b) being satisfied.

4. Form – Where a Judge or Justice endorses a warrant received under section 31 of the Act, the Judge or Justice shall endorse such warrant in the form set out in the Schedule to these regulations.

5. Temporary surrender warrant – The Attorney-General may issue a temporary surrender warrant under section 40 of the Act, within 6 days –

- (a) after a Judge or Justice has made a determination under section 37 and the period within which the person can apply for review under section 38(3) has ended and no such application has been made; or
- (b) after the Court makes an order under section 38(6) of the Act.

**P. Arere**  
**Clerk of the Executive Council**

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These Regulations shall be administered by the Ministry of Police

**BY AUTHORITY:**  
Cook Islands Government – 2004

## Regulation 4

ScheduleTHE COOK ISLANDSENDORSEMENT OF WARRANT*Extradition Act 2003, section 31*TO ALL POLICE OFFICERS:

I, [NAME AND TITLE OF JUDGE OR JUSTICE], having received an application and original warrant under section 31(a) of the Extradition Act 2003 and being satisfied that [*name of person identified in original warrant*] is in or on his/her way to the Cook Islands, HEREBY endorse the aforesaid warrant attached hereto.

NOW THEREFORE I, [*name of Judge or Justice*] order that [*name of person*] be placed under arrest and be brought before a Judge or Justice of the Peace as soon as practicable to be dealt with according to law.

DATED this

day of

20...

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*Signature and title of Judge or Justice issuing warrant*