

Republic of Nauru

EXTRADITION GUIDE

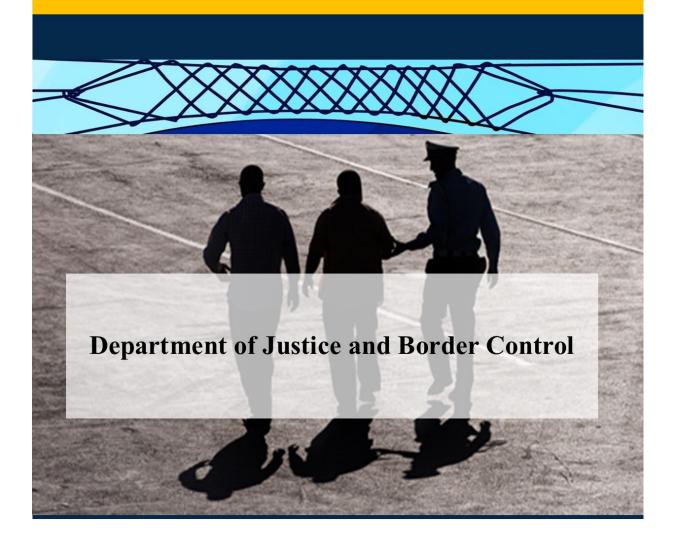


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The Extradition Guide was published on 6 October 2023.

Revision Date	Published
23 February 2024	20 March 2024

EXTRADITION GUIDE

1. Introduction

This Guide, issued by the Secretary for Justice and Border Control, is designed to give a broad overview to persons of the essential procedures to be followed in dealing with requests for extradition in accordance with the *Extradition Act 1973* ['Act']. This is to further domesticate the Financial Action Task Force (FATF) Standards.

2. Procedure

The procedure for extradition in accordance with the Act is provided in the Schedule. Applications can be made to the Minister.

[Clause 2, am per FATF R39, 20 Feb 2024]

3. Forms

The forms to be completed for the procedure are set out under the Act. [http://ronlaw.gov.nr/Nauru_lpms/index.php]

[Clause 3, insrt per FATF R39, 20 Feb 2024]

4. Designated countries pursuant to Sections 2(1) and 4(1) of the Extradition Act 1973

- (1) Australia
- (2) Cook Islands
- (3) Kingdom of Tonga
- (4) Kiribati
- (5) New Caledonia
- (6) New Zealand
- (7) Niue
- (8) Marshall Islands
- (9) Republic of the Fiji Islands
- (10) Palau
- (11) Papua New Guinea
- (12) Samoa
- (13) Solomon Islands
- (14) Tokelau
- (15) Tuvalu
- (16) Vanuatu

[Clause 4, insrt per FATF R39, 20 Feb 2024]

5. Responsible Nauruan authority

If you require assistance with Nauru's extradition procedure, you may contact the Secretary for Justice and Border Control.

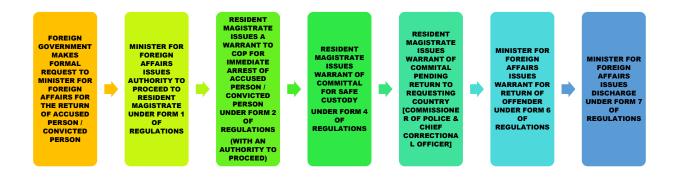
Mr. Jay Udit Secretary for Justice and Border Control Department of Justice and Border Control Government Offices Yaren District Republic of Nauru

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SCHEDULE

OPTION 1

AUTHORITY FROM MINISTER FOR FOREIGN AFFAIRS TO PROCEED



OPTION 2

ISSUANCE OF PROVISIONAL WARRANT OF ARREST BY RESIDENT MAGISTRATE

RESIDENT
MAGISTRATE
ISSUES A
PROVISIONAL
WARRANT TO
COP FOR
IMMEDIATE
ARREST OF
ACCUSED
PERSON /
CONVICTED
PERSON UNDER
FORM 3 OF
REGULATIONS
(WITHOUT AN
AUTHORITY TO
PROCEED)

RESIDENT
MAGISTRATE
IMMEDIATELY
INFORM
MINISTER FOR
FOREIGN
AFFAIRS OF
PROVISIONAL
WARRANT
ISSUED,
INCLUDING
INFORMATION
AND EVIDENCE
RECEIVED IN
SUPPORT OF
THE WARRANT

MINISTER FOR FOREIGN AFFAIRS CAN AGREE TO PROCEED OR CANCEL THE WARRANT ISSUED BY THE RESIDENT MAGISTRATE

IF MINISTER
FOR FOREIGN
AFFAIRS
AGREES,
RESIDENT
MAGISTRATE
ISSUES
WARRANT OF
COMMITTAL
FOR SAFE
CUSTODY
UNDER FORM 4
OF
REGULATIONS

RESIDENT
MAGISTRATE
ISSUES
WARRANT OF
COMMITAL
PENDING
RETURN TO
REQUESTING
COUNTRY
[COMMISSIONE
R OF POLICE &
CHIEF
CORRECTIONAL
OFFICER]

MINISTER FOR FOREIGN AFFAIRS ISSUES WARRANT FOR RETURN OF OFFENDER UNDER FORM 6 OF REGULATIONS

MINISTER FOR FOREIGN AFFAIRS ISSUES DISCHARGE UNDER FORM 7 OF REGULATIONS