

**LAWS OF BRUNEI**

**CHAPTER 154**

**EXTRADITION (MALAYSIA AND  
SINGAPORE)**

**ARRANGEMENT OF SECTIONS**

**Section**

1. Citation
2. Extradition to and from Malaysia and Singapore

**FIRST SCHEDULE**

**SECOND SCHEDULE**

S.13/84  
S.16/93

## EXTRADITION (MALAYSIA AND SINGAPORE) ACT

**An Act to make provision in relation to the extradition of fugitive  
criminals to and from Malaysia and Singapore**

S.15/84  
S.37/84

*Commencement : as to Singapore – 19th May 1984  
as to Malaysia – 1st November 1984*

Citation

**1.** This Act may be cited as the Extradition (Malaysia and Singapore) Act.

Extradition to  
and from  
Malaysia and  
Singapore  
First  
Schedule

**2.** (1) The Rules set out in the First Schedule to this Act applies in relation to the extradition of a fugitive criminal to and from Malaysia.

Second  
Schedule

(2) The Rules set out in the Second Schedule to this Act applies in relation to the extradition of a fugitive criminal to and from Singapore.

## FIRST SCHEDULE

## EXTRADITION TO AND FROM MALAYSIA

1. These Rules may be cited as the Extradition (Malaysia) Rules. Citation
  
2. Where, under the provisions of any law in force in Malaysia, a judicial authority has issued a warrant authorising the arrest of a person accused or convicted of an offence and that person is or is believed to be in Brunei Darussalam, a Magistrate in Brunei Darussalam may, if satisfied that the warrant was duly issued in Malaysia, endorse the warrant, and the warrant may then be executed on that person as if it were a warrant lawfully issued in Brunei Darussalam under the provisions of the Criminal Procedure Code. Endorsement of warrant issued in Malaysia
  
3. Where, under the provisions of any law in force in Malaysia corresponding to rule 2, a warrant issued by a Magistrate or a Magistrate's Court in Brunei Darussalam has been endorsed by a Magistrate in Malaysia and executed on the person named in the warrant, the warrant shall for the purposes of these Rules be deemed to have been as validly executed as if the execution had been effected in Brunei Darussalam. Warrant executed in Malaysia deemed to be validly executed in Brunei Darussalam
  
4. Where a warrant has been executed in Brunei Darussalam pursuant to rule 2, the person arrested shall be produced as soon as possible before a Magistrate in Brunei Darussalam, who shall, if satisfied that he is the person specified in the warrant, direct that the arrested person be transferred forthwith in custody to the appropriate court in Malaysia ; and any such person shall, while in such custody, be deemed for all purposes to be in lawful custody : Transfer of persons to Brunei Darussalam or Singapore
  
- Provided that such Magistrate may, if for reasons to be recorded by him he is satisfied that it is in the interests of justice to do so and if the case is one in which bail may lawfully be granted, release the person arrested on bail conditional on his appearing before the appropriate court in Malaysia at a time to be specified in the bond and bail bond.
  
5. In these Rules, "offence" means a seizable offence or an offence punishable, on conviction, with imprisonment for a term exceeding six months under the laws of Brunei Darussalam or Malaysia. Interpretation

## SECOND SCHEDULE

## EXTRADITION TO AND FROM SINGAPORE

1. These Rules may be cited as the Extradition (Singapore) Rules. Citation

Service of  
summons :  
reciprocal  
arrangements  
with  
Singapore

2. (1) Where under the provisions of any law in force in Singapore a Magistrate or a Magistrate's Court has issued a warrant or summons authorising the arrest of a person or requiring any person to appear before any court in Singapore, and such person is or is believed to be in Brunei Darussalam, a Magistrate in Brunei Darussalam, if satisfied that such warrant or summons was duly issued in Singapore, may endorse the warrant or summons, and such warrant or summons may then be executed or served, as the case may be, on such person as if it were a warrant or summons lawfully issued in Brunei Darussalam under the provisions of the Criminal Procedure Code.

Cap. 7

(2) Where, under the provisions of any law in force in Singapore corresponding to subsection (1), a warrant or summons issued by a Magistrate or a Magistrate's Court in Brunei Darussalam has been endorsed by a Magistrate in Singapore and executed or served on the person named in the warrant or summons, such warrant or summons shall for the purposes of the Criminal Procedure Code be deemed to have been as validly executed or served as if such execution or service had been effected in Brunei Darussalam.

Cap. 7

(3) Where a warrant has been executed in Brunei Darussalam pursuant to subsection (1), the person arrested shall be produced as soon as possible before a Magistrate in Brunei Darussalam, who shall, if satisfied that he is the person specified in the warrant, direct that the arrested person be transferred forthwith in custody to the appropriate court in Singapore ; and any such person shall, while in such custody, be deemed for all purposes to be in lawful custody :

Provided that such Magistrate may, if for reasons to be recorded by him he is satisfied that it is in the interests of justice to do so, and if the case is one in which bail may lawfully be granted, release the person arrested on bail conditional on his appearing before the appropriate court in Singapore at a time to be specified in the bond and bail bond.

(4) Where any person has been served with a summons pursuant to subsection (1), he shall attend at the appropriate court at the time specified in the summons, unless he can satisfy such court that he cannot reasonably do so.

Detention of  
offenders  
attending in  
court

3. Any person attending a criminal court, although not under arrest or upon a summons, may be detained by such court for the purpose of examination for any offence of which such court can take cognizance and which from the evidence he appears to have committed and may be proceeded against as though he had been arrested or summoned.

Interpretation

4. For the purposes of these Rules, "Magistrate" in relation to Singapore includes a District Judge.