



# Extradition (Cybercrime) Regulation 2013

## Select Legislative Instrument No. 3, 2013

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I, Quentin Bryce, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation under the *Extradition Act 1988*.

Dated            14 February 2013

Quentin Bryce  
Governor-General

By Her Excellency's Command

Mark Dreyfus  
Attorney-General

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## 1 Name of regulation

This regulation is the *Extradition (Cybercrime) Regulation 2013*.

## 2 Commencement

This regulation commences on 1 March 2013.

Note: The commencement day is the day the Convention enters into force for Australia.

## 3 Authority

This regulation is made under the *Extradition Act 1988*.

## 4 Definitions

In this regulation:

*Act* means the *Extradition Act 1988*.

*Convention* means the Council of Europe Convention on Cybercrime, done at Budapest on 23 November 2001.

Note: In 2013, the text of the Convention was accessible through the Australian Treaties Library on the AustLII website ([www.austlii.edu.au](http://www.austlii.edu.au)).

## 5 Extradition countries

For the definition of *extradition country* in section 5 of the Act, a country for which the Convention is in force is an extradition country.

Note 1: Articles 36 and 37 of the Convention set out when the Convention enters into force for a country.

Note 2: In 2013, a list of the countries for which the Convention was in force was on the Council of Europe website (<http://hub.coe.int/>).

## 6 Application of Act in relation to extradition countries

For subsection 11(1A) of the Act, the Act applies, subject to the Convention, to an extradition country mentioned in section 5.

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