

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE  
ATTORNEY-GENERAL'S DEPARTMENT

**Output 2.1**

**Question No. 68**

**Senator Ludwig asked the following question at the hearing on 24 May 2006:**

- a) Is it a case under the Extradition Act, the Attorney-General or the Minister for Justice and Customs must form the opinion that the offence is not only a military offence?
- b) Was this assessment made in regards to the Vasiljkovic case?

**The answer to the honourable senator's question is as follows:**

- a) The Attorney-General or the Minister for Justice and Customs must decide whether to accept an extradition request. If a request is accepted, a notice to a magistrate that the request has been received is issued. In addition to other criteria, to accept a request, the Attorney-General or the Minister for Justice and Customs must form the opinion that the offence is not only a military offence.
- b) Yes.