

PROTOCOL AMENDING THE TREATY ON EXTRADITION BETWEEN
CANADA AND THE UNITED STATES OF AMERICA SIGNED
AT WASHINGTON ON DECEMBER 3, 1971, AS AMENDED BY
AN EXCHANGE OF NOTES ON JUNE 28 AND JULY 9, 1974

The Government of Canada and the Government of
the United States of America;

Desiring to make more effective the Extradition
Treaty between the Contracting Parties, signed at
Washington on December 3, 1971, as amended by the
agreement effected by an Exchange of Notes on June 28 and
July 9, 1974 (hereinafter referred to as "the Extradition
Treaty");

Have agreed as follows:

ARTICLE 1

Article 2 of the Extradition Treaty is deleted
and replaced by the following:

"Article 2

- (1) Extradition shall be granted for conduct which
constitutes an offense punishable by the laws of
both Contracting Parties by imprisonment or other
form of detention for a term exceeding one year
or any greater punishment.
- (2) An offense is extraditable notwithstanding
 - (i) that conduct such as interstate
transportation or use of the mails or of
other facilities affecting interstate or
foreign commerce, required for the purpose
of establishing jurisdiction, forms part of
the offense in the United States, or
 - (ii) that it relates to taxation or revenue or is
one of a purely fiscal character."

ARTICLE II

The SCHEDULE to the Extradition Treaty, as
amended, is deleted.

ARTICLE III

Paragraph (2) of Article 3 of the Extradition
Treaty is deleted. Paragraph (3) of Article 3 of the
Extradition Treaty is amended to read as follows:

- "(2) When the offense for which extradition is
requested was committed outside the territory of
the requesting State, the executive or other
appropriate authority of the requested State
shall grant extradition if the laws of the
requested State provide for jurisdiction over
such an offense committed in similar
circumstances. If the laws in the requested
State do not so provide, the executive authority
in the requested State may, in its discretion,
grant extradition."