

(e) The Director-General of the Territorial Army shall be responsible to the Secretary of State for the administration of business affecting the Territorial Army Associations, and for so much of the other business of the Army Council as may be assigned to him from time to time by the Secretary of State.

(f) The Permanent Under-Secretary of State shall be a Member, and Secretary, of the Army Council and responsible to the Secretary of State for the preparation of all official communications of the Council and for the interior economy of the War Office: he shall also be responsible, on his appointment as Accounting Officer of Army Votes, Funds and Accounts, for the control of expenditure, and for advising the Secretary of State and the Administrative Officers at the War Office and in Commands on all questions of Army expenditure.

He shall further be charged with such other duties as may be assigned to him, from time to time, by the Secretary of State.

2. This Order in Council shall be substituted for the Order in Council dated 22nd October, 1937.

M. P. A. Hankey.

At the Court at *Buckingham Palace*, the 24th day of *February*, 1938.

PRESENT,

The KING's Most Excellent Majesty in Council.

WHEREAS by the Extradition Acts, 1870 to 1935 (33 & 34 Vict. c. 52; 36 & 37 Vict. c. 60; 58 & 59 Vict. c. 33; 6 Edw. 7. c. 15; 22 & 23 Geo. 5. c. 39; 25 & 26 Geo. 5. c. 25), it was, amongst other things, enacted that, where an arrangement has been made with any foreign State with respect to the surrender to such State of any fugitive criminals, His Majesty may, by Order in Council, direct that the said Acts shall apply in the case of such foreign State; and that His Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in or suspected of being in the part of His Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions and qualifications as may be deemed expedient:

And whereas a Treaty was signed on the 3rd day of December, 1873, between Her late Majesty Queen Victoria and His late Majesty the Emperor of Austria and King of Hungary for the mutual extradition of fugitive criminals which Treaty was amended by a Declaration signed on the 26th day of June, 1901:

And whereas the said Treaty and Declaration were duly ratified (See S.R. & O. 1874 and 1902, No. 707).

And whereas under the provisions of Article 3 of the supplementary Treaty signed on the 18th day of September, 1936, between His former Majesty King Edward VIII and His Serene Highness the Regent of the Kingdom of Hungary, for the mutual extradition of fugitive criminals, the terms whereof were

recited in the Hungary (Extradition) Order in Council, 1937, and are as follows:—

TREATY BETWEEN HIS MAJESTY IN RESPECT OF THE UNITED KINGDOM AND HIS SERENE HIGHNESS THE REGENT OF HUNGARY, SUPPLEMENTARY TO THE TREATY OF DECEMBER 3, 1873, REGARDING EXTRADITION.

Budapest, September 18, 1936.

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India and His Serene Highness the Regent of the Kingdom of Hungary, desiring to make further provision for the reciprocal extradition of fugitive criminals, have resolved to conclude a Supplementary Treaty to this end and for this purpose have appointed as their plenipotentiaries:

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

For Great Britain and Northern Ireland:

Sir Geoffrey George Knox, K.C.M.G., His Majesty's Envoy Extraordinary and Minister Plenipotentiary at Budapest;

His Serene Highness the Regent of the Kingdom of Hungary:

M. Kálmán Kánya de Kánya, Royal Hungarian Minister for Foreign Affairs,

Who, having communicated to each other their full powers, found in good and due form, have agreed as follows:—

ARTICLE I.

Article 2 of the Extradition Treaty signed at Vienna on the 3rd December, 1873, shall be amended by the addition of the following clause:—

“ Extradition may also be granted at the discretion of the High Contracting Party applied to in respect of any act, not being one in respect of which there is an obligation to grant extradition under the preceding provisions of this Article, but which is a crime or offence which is punishable, according to the laws of both of the High Contracting Parties for the time being in force, by not less than two years' imprisonment, and for which, according to the said laws, the grant may be made.”

ARTICLE 2.

The foregoing amendment shall apply to extradition proceedings between Hungary on the one hand and, on the other hand, the following territories of His Majesty, that is to say, the United Kingdom of Great Britain and Northern Ireland, the Channel Islands, the Isle of Man, Newfoundland, British Colonies, British Protectorates to which the Extradition Treaty of the 3rd December, 1873, applies, and mandated territories to which the said Treaty has been or may be extended, and in respect of which the mandate is exercised by His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland.

ARTICLE 3.

The High Contracting Parties agree that His Majesty the King may accede to the present Treaty in respect of any other Member of the British Commonwealth of Nations, whose Government may desire that such accession be effected, by a notice given to that effect by