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No. S 367

EXTRADITION ACT 1968

**EXTRADITION
(REPUBLIC OF KOREA)
NOTIFICATION 2026**

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement
 2. Application of Act
The Schedule
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In exercise of the powers conferred by section 4(1)(b) of the Extradition Act 1968, the Minister for Law makes the following Notification:

Citation and commencement

1. This Notification is the Extradition (Republic of Korea) Notification 2026 and comes into operation on 7 June 2026 at 12:01 a.m.

Application of Act

2. The Act (except for Parts 5 and 6) applies in relation to the Republic of Korea subject to the provisions of the Treaty on Extradition between the Government of the Republic of Singapore and the Government of the Republic of Korea which comes into force on 7 June 2026 at 12:00 a.m., the English text of which is set out in the Schedule.

THE SCHEDULE

Paragraph 2

TREATY ON EXTRADITION

BETWEEN

THE GOVERNMENT OF THE REPUBLIC OF SINGAPORE

AND

THE GOVERNMENT OF THE REPUBLIC OF KOREA

The Government of the Republic of Singapore and the Government of the Republic of Korea (hereinafter referred to singularly as the “Party” and collectively as the “Parties”),

Desiring to promote effective cooperation between their countries in the prevention and suppression of crime and in the area of extradition,

Have agreed as follows:

Article 1

Obligation to Extradite

Each Party agrees to extradite to the other Party, upon request and in accordance with the provisions of this Treaty, any person who is found in the territory of the State of the Requested Party and is wanted by the Requesting Party for the purpose of prosecution, trial, or imposition or enforcement of a sentence in respect of an extraditable offence (hereinafter referred to as the “fugitive”) as provided in Article 2.

Article 2

Extraditable Offences

1. For the purposes of this Treaty, extraditable offences are offences which are punishable under the laws of both Parties by deprivation of liberty for a period of at least two (2) years or by a more severe penalty and for which extradition can be granted under the laws of both Parties.

2. Where a request for extradition relates to a person who is wanted by the Requesting Party for the enforcement of a sentence in respect of an extraditable offence, extradition shall be granted only if a period of at least six (6) months of such sentence remains to be served.

THE SCHEDULE — *continued*

3. In determining whether an offence is an offence punishable under the laws of both Parties, it shall not matter whether:

- (a) the laws of both Parties place the offence within the same category of offences or describe the offence by the same terminology; or
- (b) under the laws of both Parties, the constituent elements of the offence differ, it being understood that the totality of the acts or omissions as presented by the Requesting Party constitutes an extraditable offence under the laws of the Requested Party.

4. For the purposes of paragraph 1 of this Article, an extraditable offence shall be an offence punishable under the laws of both Parties if the act or omission constituting the offence was an offence against the laws of both Parties both at the time it was committed and at the time the request for extradition is received.

5. Subject to paragraphs 1 and 3 of this Article, extradition may not be refused solely on the ground that the request for extradition concerns an offence which the Requested Party considers a tax offence.

6. If the request for extradition pertains to several offences, each of which is punishable under the laws of both Parties, but some of which do not fulfil the other conditions set out in paragraphs 1 and 2 of this Article, the Requested Party may, if permitted by its laws, also grant extradition for those offences, provided that the fugitive is to be extradited for at least one extraditable offence.

Article 3

Mandatory Grounds for Refusal

1. Extradition shall not be granted under this Treaty in any of the following circumstances:

- (a) when the Requested Party determines that the offence for which extradition is requested is an offence of a political character or an offence connected with an offence of a political character;
- (b) when the fugitive has undergone the punishment provided by the laws of, or of a part of, any State or territory or has been acquitted or pardoned by a competent tribunal or authority in any State or territory, in respect of that offence or another offence constituted by the same acts or omissions constituting the offence for which his or her extradition is requested;
- (c) when the Requested Party has substantial grounds for believing that the request for extradition, although purporting to be made on account of an offence for which extradition would otherwise be granted, has been made for the purpose of prosecuting or punishing the fugitive, by

THE SCHEDULE — *continued*

reason of his or her race, religion, nationality, ethnic origin, gender, or political opinions;

- (d) when the Requested Party has substantial grounds for believing that the fugitive might, if extradited, be prejudiced at his or her trial or punished, detained, or restricted in his or her personal liberty by reason of his or her race, religion, nationality, ethnic origin, gender, or political opinions;
- (e) when the offence for which extradition is requested is an offence under the military law of the Requested Party, which is not also an offence under ordinary criminal law of the Requested Party; or
- (f) when the extradition of a fugitive is requested for the purpose of carrying out a sentence, and it appears that the fugitive was convicted *in absentia*, unless:
 - (i) the fugitive had the opportunity of being present at his or her trial but deliberately absented himself or herself; or
 - (ii) the fugitive would, if surrendered, be entitled to a retrial in his or her presence.

2. For the purposes of this Treaty, the following shall not be considered as offences of a political character:

- (a) an offence against the life or person of a Head of State or Head of Government or a member of his or her immediate family;
- (b) an offence in respect of which the Parties have an obligation to submit the case without undue delay to their competent authorities for the purpose of prosecution, or to extradite the fugitive by reason of a multilateral international agreement to which they are both parties, including but not limited to, agreements relating to genocide, terrorism, or hostage-taking;
- (c) murder;
- (d) offences against laws relating to terrorist acts; and
- (e) any attempt, abetment, or conspiracy to commit any of the offences mentioned in sub-paragraphs (a) to (d) of this paragraph.

If any question arises as to whether the offence for which the fugitive is sought is an offence of a political character, the decision of the Requested Party shall be determinative.

THE SCHEDULE — *continued*

Article 4

Discretionary Grounds for Refusal

Extradition may be refused under this Treaty in any of the following circumstances:

- (a) where the fugitive is concerned in an investigation that is in progress or a prosecution that is pending or imminent in the Requested State in respect of any offence that is alleged to have been committed within the jurisdiction of the Requested State;
- (b) when the offence for which extradition is requested is regarded under the laws of the Requested Party as having been committed in whole or in part within the territory of its State. Where extradition is refused on this ground, the Requested Party shall, if the other Party so requests, submit the case to its competent authorities with a view to taking appropriate action against the fugitive for the offence for which extradition had been requested;
- (c) where by reason of:
 - (i) the trivial nature of the offence of which he or she is accused or was convicted;
 - (ii) the accusation against the fugitive not having been made in the interests of justice;
 - (iii) the passage of time since the offence is alleged to have been committed, or was committed; or
 - (iv) exceptionally serious consequences related to the fugitive's age or health,

and having regard to the circumstances of the offence, it would be unjust, oppressive, or too severe a punishment to extradite the fugitive;

- (d) where the extradition would significantly affect the interests of the Requested Party in matters of defence or foreign affairs; or
- (e) where the offence for which the extradition is requested has been committed outside the territory of either State and the laws of the Requested State do not provide for jurisdiction over such an offence committed outside its territory in comparable circumstances.

THE SCHEDULE — *continued***Article 5****Extradition of Nationals**

1. Neither Party shall be bound to extradite nationals of its State under this Treaty, but the Requested Party shall have the power to extradite such persons if, in its discretion, it deems it proper to do so.

2. If extradition is refused solely on the basis of the nationality of the fugitive, the Requested Party shall, at the request of the Requesting Party, submit the case to its competent authorities for prosecution.

3. Nationality shall be determined at the time of the commission of the offence for which extradition is requested.

Article 6**Requests for Extradition and Required Documents**

1. A request for extradition shall be made in writing through diplomatic channels.

2. A request for extradition shall, in all cases, be accompanied by:

- (a) documents, statements, or other types of information which describe the identity, including a physical description, photograph, nationality, and where available, the probable location or fingerprints, of the fugitive;
- (b) a statement of the facts of the case, including the time and place of the commission of the offence, and the procedural history of the case;
- (c) a statement of the laws of the Requesting Party describing the essential elements and the designation of the offence;
- (d) a statement of the laws of the Requesting Party describing the punishment for the offence;
- (e) a statement of the laws of the Requesting Party relating to the time limit on the prosecution or the execution of punishment of the offence;
- (f) the documents, statements, or other types of information specified in paragraph 3 or 4 of this Article, as applicable; and
- (g) a written confirmation by the Requesting Party, certifying that in its opinion, the documents, statements, or other types of information submitted disclose the existence of sufficient evidence under the laws of the Requesting Party to justify a prosecution.

THE SCHEDULE — *continued*

3. When the request for extradition relates to a person who has not yet been found guilty, it shall also be accompanied by:

- (a) a copy of the warrant of arrest or detention issued by a judge or other competent judicial authority of the Requesting Party;
- (b) information establishing that the fugitive is the person to whom the warrant of arrest or detention refers; and
- (c) a statement of the acts or omissions alleged to constitute the offence and supporting evidence thereto such as would provide reasonable grounds to suspect that the fugitive has committed the offence for which extradition is requested.

4. When the request for extradition relates to a person who has been found guilty, it shall also be accompanied by:

- (a) a copy of the judgment rendered by a court of the Requesting Party, setting out the conviction and the sentence imposed, the fact that the sentence is enforceable, and the extent to which the sentence remains to be served;
- (b) a copy of the warrant of arrest, or a statement that the fugitive is subject to detention on the basis of the judgment of conviction;
- (c) information establishing that the fugitive is the person found guilty; and
- (d) a statement of the acts or omissions constituting the offence for which the fugitive was found guilty.

5. If the fugitive has been convicted *in absentia*, the Requesting Party shall, in addition to the other information required in this Article, submit such documents describing in which manner the fugitive had been given the opportunity to be present at his or her trial and confirming that, if surrendered, he or she will be entitled to a retrial in his or her presence.

6. All the documents to be submitted by the Requesting Party in support of the request for extradition shall be duly authenticated and accompanied by a translation into the official language of the Requested Party or into the English language.

7. A document is duly authenticated for the purposes of this Treaty if it has been:

- (a) certified and signed by a judge or other officer of the Requesting Party to be the original document or a true copy of such document; and

THE SCHEDULE — *continued*

(b) either:

- (i) authenticated by the oath, declaration, or affirmation of a witness; or
- (ii) sealed with the official seal of a Minister of the Requesting Party, which shall be the Minister of Justice for the Republic of Korea, and the Minister for Law for the Republic of Singapore.

Article 7

Additional Information

1. If the Requested Party considers that the information furnished in support of a request for extradition is not sufficient in accordance with this Treaty to enable extradition to be granted, that Party may request that additional information be furnished within such reasonable time as it specifies.

2. If the fugitive is under arrest and the additional information furnished is not sufficient in accordance with this Treaty or is not received within the time specified, the fugitive may be released from custody. Such release shall not preclude the Requesting Party from making a new request for the extradition of the fugitive.

3. Where the fugitive is released from custody in accordance with paragraph 2 of this Article, the Requested Party shall so notify the Requesting Party as soon as practicable.

Article 8

Provisional Arrest

1. In case of urgency, a Party may request the provisional arrest of a fugitive pending the presentation of a request for extradition. A request for provisional arrest may be transmitted through diplomatic channels or directly between the Ministry of Justice of the Republic of Korea and the Attorney-General's Chambers of the Republic of Singapore.

2. The request for provisional arrest shall be in writing and contain:

- (a) a physical description, photograph, nationality, and where available, the probable location or fingerprints, of the fugitive;
- (b) a brief statement of the facts of the case, including, if possible, the time and place of the commission of the offence, the sentence that can be or has been imposed for the offence, and where applicable, the extent to which the sentence remains to be served;

THE SCHEDULE — *continued*

- (c) a brief description of the offence and copies of the charges against the fugitive;
- (d) original or authenticated copies of the warrant of arrest or detention, or of the conviction, of the fugitive; and
- (e) a statement that a request for extradition for the fugitive will follow.

3. The Requesting Party shall be notified without delay of the result of its request and the reasons for any refusal.

4. A fugitive who is provisionally arrested may be discharged from custody upon the expiration of forty-five (45) days from the date of provisional arrest if the Requested Party has not received the request for extradition and the supporting documents required in Article 6.

5. The fact that the fugitive has been discharged from custody pursuant to paragraph 4 of this Article shall not prejudice the subsequent re-arrest and extradition of the fugitive if the request for extradition and supporting documents are delivered at a later date.

Article 9

Simplified Extradition

When the fugitive advises a court or other competent authorities of the Requested Party that he or she consents to an order for extradition being made, the Requested Party may take all necessary measures to expedite the extradition to the extent permitted by its laws.

Article 10

Concurrent Requests

1. Where requests are received from two or more States, including the other Party, for the extradition of the same person either for the same offence or for different offences, the Requested Party shall determine to which of those States the person is to be extradited and shall notify those States of its decision.

2. In determining to which State the person is to be extradited, the Requested Party shall consider all relevant factors, including but not limited to:

- (a) the nationality and the ordinary place of residence of that person;
- (b) whether the requests were made pursuant to a treaty;
- (c) the time and place of the commission of each offence;
- (d) the respective interests of the requesting States;

THE SCHEDULE — *continued*

- (e) the gravity of the offences;
- (f) the nationality of the victim(s);
- (g) the possibility of further extradition between the requesting States; and
- (h) the respective dates of the requests.

Article 11

Decision on a Request

1. The Requested Party shall deal with a request for extradition subject to and in compliance with its laws, and shall promptly communicate its decision to the Requesting Party through diplomatic channels.

2. Reasons shall be given for any complete or partial refusal of the request for extradition.

Article 12

Surrender of the Fugitive

1. The Requested Party shall surrender the fugitive to the competent authorities of the Requesting Party at a location in the territory of the Requested State acceptable to both Parties.

2. The Requesting Party shall remove the fugitive from the territory of the Requested State within such reasonable period as the Requested Party specifies and, if the fugitive is not removed within that period, the Requested Party may release the fugitive and may refuse extradition for the same offence.

3. If circumstances beyond its control prevent a Party from surrendering or removing the fugitive, it shall so notify the other Party and the two Parties shall mutually decide upon a new date of surrender or removal under the conditions of this Article.

Article 13

Postponed Surrender

When a fugitive is being proceeded against or is serving a sentence in the territory of the Requested State for an offence other than that for which extradition is requested, the Requested Party may, after making its decision on the request for extradition, postpone the surrender of the fugitive until he or she has been discharged from custody, the proceedings against him or her have concluded, or his or her sentence has been fully executed. The Requesting Party shall be informed of such postponement.

THE SCHEDULE — *continued*

Article 14

Surrender of Property

1. To the extent permitted under the laws of the Requested Party and subject to the rights of third parties, which shall be duly respected, all property found in the territory of the Requested State that has been acquired as a result of the offence or that may be required as evidence may, if the Requesting Party so requests, be surrendered to the Requesting Party if extradition is granted.

2. Subject to paragraph 1 of this Article, the above-mentioned property may, if the Requesting Party so requests, be surrendered to the Requesting Party even if the extradition cannot be carried out owing to the death, disappearance, or escape of the fugitive.

3. The Requested Party may temporarily postpone the surrender of property referred to in paragraph 1 of this Article if it is required for proceedings in the jurisdiction of its State instituted in connection with other criminal cases, until the completion of such proceedings.

4. Where the laws of the Requested Party or the protection of the rights of third parties so require, any property so surrendered shall be returned to the Requested Party free of charge after the completion of the proceedings, if that Party so requests.

Article 15

Rule of Specialty

1. A person extradited under this Treaty shall not be detained, tried, or punished in the Requesting State for any offence that is alleged to have been committed, or was committed, before his or her surrender, except for:

- (a) the offence or offences in respect of which his or her extradition was granted; or
- (b) any other offence, however described, disclosed by the facts in respect of which his or her extradition was granted, provided that such offence is one for which he or she could be extradited under this Treaty, and provided further that such offence is punishable by a penalty no more severe than the penalty for the offence for which he or she was extradited.

2. Notwithstanding paragraph 1 of this Article, the Requested Party may, if permitted by its laws, consent to the person being detained, tried, or punished in the Requesting State for any other offence that is alleged to have been committed,

THE SCHEDULE — *continued*

or was committed, before his or her surrender, and which fulfils the conditions set out in paragraphs 1 and 2 of Article 2.

3. A person extradited under this Treaty shall not be re-extradited by the Requesting Party to a third State for an offence committed prior to the surrender of that person, unless permitted by the laws of the Requested Party.

4. Paragraphs 1 and 3 of this Article shall not apply if the extradited person:

- (a) has voluntarily returned to the territory of the Requesting State after leaving it; or
- (b) does not leave the territory of the Requesting State within forty-five (45) days from the date on which that person is free to leave, except under conditions beyond his or her control.

Article 16

Transit

Where a fugitive is to be extradited to a Party from a third State through the territory of the State of the other Party, the Party to which the fugitive is to be extradited shall request the competent authorities of the other Party to permit the transit of the fugitive through the territory of the State of the other Party. The Requested Party shall consider facilitating requests for transit, subject to its domestic laws and procedures.

Article 17

Expenses

1. The Requested Party shall meet the expenses of any proceedings in the jurisdiction of its State arising out of a request for extradition.

2. The Requested Party shall bear the expenses incurred in the territory of its State in connection with the arrest and detention of the person whose extradition is sought, or the seizure and surrender of property. If it becomes apparent that expenses of an extraordinary nature are likely to be incurred, the Parties shall consult each other to determine how these expenses will be met.

3. The Requesting Party shall bear the expenses incurred in conveying the person whose extradition is granted from the territory of the State of the Requested Party, including transit expenses.

THE SCHEDULE — *continued*

Article 18

Consultations and Settlement of Differences

1. The Parties shall consult promptly, at the request of either Party, concerning the interpretation, application, or implementation of this Treaty, either generally or in relation to a particular case.
2. Any differences that may arise out of the interpretation, application, or implementation of this Treaty shall be settled amicably through negotiations between the Parties through diplomatic channels without reference to any third party or international tribunal.

Article 19

Entry into Force, Amendment, and Termination

1. The Parties shall notify each other in writing of the completion of their respective requirements for the entry into force of this Treaty. This Treaty shall enter into force thirty (30) days after the date of the receipt of the later written notification.
2. This Treaty shall apply to any request made after its entry into force, even if the relevant offences occurred prior to the date on which it enters into force.
3. This Treaty may be amended by mutual consent in writing between the Parties. Amendments shall take effect in accordance with paragraph 1 of this Article.
4. Either Party may terminate this Treaty by giving notice in writing to the other Party through diplomatic channels at any time. Termination shall take effect six (6) months after the date on which the notice is given.

THE SCHEDULE — *continued*

IN WITNESS WHEREOF, the undersigned, being duly authorised by their respective Governments, have signed this Treaty.

DONE in duplicate at Singapore, on this eighth day of October 2024, in the English and Korean languages, all texts being equally authentic.

**FOR THE GOVERNMENT OF
THE REPUBLIC OF
SINGAPORE**

**FOR THE GOVERNMENT OF
THE REPUBLIC OF KOREA**

Made on 18 May 2026.

LUKE GOH
*Permanent Secretary,
Ministry of Law,
Singapore.*

[LAW/062/003; AG/LEGIS/SL/103/2025/1]