

**AGREEMENT BETWEEN  
THE HONG KONG SPECIAL ADMINISTRATIVE REGION OF  
THE PEOPLE'S REPUBLIC OF CHINA  
AND  
THE CZECH REPUBLIC  
ON SURRENDER OF PERSONS WANTED FOR CRIMINAL PROCEEDINGS**

**LIST OF THE OFFENCES  
FOR WHICH SURRENDER MAY BY GRANTED**

Article 3(2) of the Agreement between the Hong Kong Special Administrative Region of the People's Republic of China and the Czech Republic on Surrender of Persons Wanted for Criminal Proceedings provides that each contracting party shall provide to the other a list of the offences for which surrender may be granted under its law. The Governments of the Hong Kong Special Administrative Region and the Czech Republic have provided to each other such lists. The lists are reproduced in the Schedules One and Two to this notice.

T K Lai  
Secretary for Security

## **SCHEDULE ONE**

### **OFFENCES FOR WHICH SURRENDER OF FUGTIVES MAY BE GRANTED UNDER THE LAW OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION**

#### Fugitive Offenders Ordinance, Schedule 1

1. Murder or manslaughter, including criminal negligence causing death; culpable homicide; assault with intent to commit murder.
2. Aiding, abetting, counselling or procuring suicide.
3. Maliciously wounding; maiming; inflicting grievous or actual bodily harm; assault occasioning actual bodily harm; threats to kill; intentional or reckless endangering of life whether by means of a weapon, a dangerous substance or otherwise; offences relating to unlawful wounding or injuring.
4. Offences of a sexual nature including rape; sexual assault; indecent assault; unlawful sexual acts on children; statutory sexual offences.
5. Gross indecency with a child, a mental defective or an unconscious person.
6. Kidnapping; abduction; false imprisonment; unlawful confinement; dealing or trafficking in slaves or other persons; taking a hostage.
7. Criminal intimidation.
8. Offences against the law relating to dangerous drugs including narcotics, psychotropic substances, precursors and essential chemicals used in the illegal manufacture of narcotics and psychotropic substances; offences relating to the proceeds of drug trafficking.
9. Obtaining property or pecuniary advantage by deception; theft; robbery; burglary (including breaking and entering); embezzlement; blackmail; extortion; unlawful handling or receiving of property; false accounting; any other offence in respect of property or fiscal matters involving fraud; any offence against the law relating to unlawful deprivation of property.
10. Offences against bankruptcy law or insolvency law.
11. Offences against the law relating to companies including offences committed by officers, directors and promoters.

12. Offences relating to securities and futures trading.
13. Offences relating to counterfeiting; offences against the law relating to forgery or uttering what is forged.
14. Offences against the law relating to protection of intellectual property, copyrights, patents or trademarks.
15. Offences against the law relating to bribery, corruption, secret commissions and breach of trust.
16. Perjury and subornation of perjury.
17. Offence relating to the perversion or obstruction of the course of justice.
18. Arson; criminal damage or mischief including mischief in relation to computer data.
19. Offences against the law relating to firearms.
20. Offences against the law relating to explosives.
21. Offences against the law relating to environmental pollution or protection of public health.
22. Mutiny or any mutinous act committed on board a vessel at sea.
23. Piracy involving ships or aircraft.
24. Unlawful seizure or exercise of control of an aircraft or other means of transportation.
25. Genocide or direct and public incitement to commit genocide.
26. Facilitating or permitting the escape of a person from custody.
27. Offences against the law relating to the control of exportation or importation of goods of any type, or the international transfer of funds.
28. Smuggling; offences against the law relating to import and export of prohibited items, including historical and archaeological items.
29. Immigration offences including fraudulent acquisition or use of a passport or visa.

30. Arranging or facilitating for financial gain, the illegal entry of persons into a jurisdiction.
31. Offences relating to gambling or lotteries.
32. Offences relating to the unlawful termination of pregnancy.
33. Stealing, abandoning, exposing or unlawfully detaining a child; any other offences involving the exploitation of children.
34. Offences against the law relating to prostitution and premises kept for the purposes of prostitution.
35. Offences involving the unlawful use of computers.
36. Offences relating to fiscal matters, taxes or duties.
37. Offences relating to unlawful escape from custody; mutiny in prison.
38. Bigamy.
39. Offences relating to women and girls.
40. Offences against the law relating to false or misleading trade descriptions.
41. Offences relating to the possession or laundering of proceeds obtained from the commission of any offence described in this Schedule.
42. Impeding the arrest or prosecution of a person who has or is believed to have committed an offence described in this Schedule.
43. Offences for which persons may be surrendered under multi-lateral international conventions; offences created as a result of decisions of international organizations.
44. Conspiracy to commit fraud or to defraud.
45. Conspiracy to commit, or any type of association to commit, any offence described in this Schedule.
46. Aiding, abetting, counselling or procuring the commission of, inciting, being an accessory before or after the fact to, or attempting to commit an offence described in this Schedule.

## **SCHEDULE TWO**

### **OFFENCES FOR WHICH SURRENDER OF FUGITIVES MAY BE GRANTED UNDER THE LAW OF THE CZECH REPUBLIC**

a) under the Act No. 40/2009 of the Collection of Laws, the Penal Code, as amended:

murder under Section 140,

manslaughter under Section 141,

murder of a new born baby by its mother under Section 142,

death by negligence under Section 143,

participation in a suicide under Section 144,

grievous bodily injury under Section 145,

bodily injury under Section 146,

bodily injury by excusable motives under Section 146a(2) et sequentes,

grievous bodily injury by negligence under Section 147,

bodily injury by negligence under Section 148(2),

torture and other inhuman and cruel treatment under Section 149,

failure to provide assistance under Section 150,

failure to provide assistance by drivers of motor vehicles under Section 151,

spreading of contagious human diseases under Section 152,

spreading of contagious human diseases by negligence under Section 153(2) et sequentes,

endangering of health by defective foodstuff and other objects under Section 156,

endangering of health by defective foodstuff and other objects by negligence under Section 157(2) et sequentes,

brawl under Section 158(2) et sequentes,  
illicit abortion without consent of a pregnant woman under Section 159,  
illicit abortion with consent of a pregnant woman under Section 160,  
assistance to a pregnant woman with illicit abortion under Section 161(2) et sequentes,  
soliciting a pregnant woman to illicit abortion under Section 162,  
unauthorized removal of tissues and organs under Section 164,  
illicit disposal of tissues and organs under Section 165,  
removal of tissue and organ and performance of transplantation for a fee under Section 166,  
illicit disposal of human embryo and human genome under Section 167,  
human trafficking under Section 168,  
placing a child into another person's care under 169,  
deprivation of personal liberty under Section 170,  
restriction of personal liberty under Section 171,  
abduction under Section 172,  
robbery under Section 173,  
taking hostages under Section 174,  
extortion under Section 175,  
restriction of freedom of worship under Section 176, 12  
oppression under Section 177(2) et sequentes,  
infringement of house liberty under Section 178,  
infringement of freedom of association and assembly under Section 179(1),  
illicit handling of personal data under Section 180,

impairing another's rights under Section 181,  
infringement of secrecy of conveyed correspondence under Section 182,  
infringement of secrecy of documents and other privately kept documents under  
Section 183(2) et sequentes,  
libel under Section 184(2),  
rape under Section 185,  
sexual duress under Section 186,  
sexual abuse under Section 187,  
incestuous intercourse under Section 188,  
procuring and soliciting to prostitution under Section 189,  
prostitution endangering moral development of children under Section 190,  
spreading pornography under Section 191(2) et sequentes,  
production of and other handling with child pornography under Section 192,  
exploitation of a child to produce pornography under Section 193,  
bigamy under Section 194,  
abandoning a child or an entrusted person under Section 195,  
neglect of compulsory maintenance under Section 196(2) et sequentes,  
cruelty to a person entrusted in one's care under Section 198,  
cruelty to a person living in a common dwelling under Section 199,  
abduction of a child and a person suffering from mental disorder under Section 200,  
endangering the upbringing of child under Section 201(1) and (3),  
soliciting to sexual intercourse under Section 202,  
theft under Section 205,

embezzlement under Section 206,

illicit use of another's thing under Section 207,

illicit infringement into right to a house, flat or non-residential premises under Section 208,

fraud under Section 209,

insurance fraud under Section 210,

credit fraud under Section 211,

subvention fraud under Section 212,

operating fraudulent games and wagers under Section 213,

accessoryship under Section 214,

accessoryship by negligence under Section 215(2) et sequentes,

legalization of proceeds of crime under Section 216,

legalization of proceeds of crime by negligence under Section 217(2) et sequentes,

usury under Section 218,

concealment of a thing under Section 219(2) et sequentes,

breach of duty in administering another's property under Section 220,

breach of duty in administering another's property by negligence under Section 221(2),

causing damage to a creditor under Section 222,

favouritizing a creditor under Section 223(2) et sequentes,

causing bankruptcy under Section 224(3) and (4),

breach of duties in insolvency proceedings under Section 225,

machinations in insolvency proceedings under Section 226(3) et sequentes,

damaging another's thing under Section 228(3) and (4),



abuse of ownership under Section 229,

unauthorised access to computer system and information media under Section 230(2) et sequentes,

obtaining and possession of access device and computer system password and other such data under Section 231(2) et sequentes,

damaging computer system and information media records and interference with computer equipment by negligence under Section 232(2),

counterfeiting and alteration of money under Section 233,

unauthorised obtaining, counterfeiting and alteration of means of payment under Section 234,

presenting counterfeited and altered money under Section 235,

production and possession of counterfeiting tools under Section 236,

unauthorised production of money under Section 237,

curtailment of taxes, fees and similar mandatory dues under Section 240,

failure to pay taxes, social insurance and similar compulsory payment under Section 241,

breach of reporting duty in tax proceedings under Section 243,

violation of rules on identification of goods by stamps and other items under Section 244,

forgery and alteration of items for identification of goods for tax purposes and items proving fulfilment of fee duty under Section 245(2) et sequentes,

forgery and alteration of stamps under Section 246(2) et sequentes,

violations of prohibitions during a state of emergency in foreign exchange economy under Section 247,

violations of regulations on rules of economic competition under Section 248,

unauthorised issue of securities under Section 249,

manipulation with rate on investment instruments under Section 250,  
illicit business activity under Section 251,  
illicit operation of a lottery or a similar betting game under Section 252,  
causing damage to a consumer under Section 253(2) et sequentes,  
falsification of data on the state of management and assets under Section 254,  
abuse of information and status in trade relations under Section 255,  
negotiating advantage in commission of public contract, public tender and public auction under Section 256,  
machinations in commission of public contract and public tender under Section 257,  
machinations in public auction under Section 258,  
issuing a false certificate and report under Section 259,  
damaging financial interests of the European Union under Section 260,  
violation of regulations on circulation of goods in relation to foreign countries under Section 261,  
violation of regulations on export control of goods and technologies of dual use under Section 262,  
breach of duties in export of goods and technologies of dual use under Section 263,  
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falsification of data and non-keeping of records of exporting goods and technologies of dual use under Section 264,  
conducting foreign trade with military material without licence or permit under Section 265,  
breach of duty in connection with issuance of permit and licence for foreign trade with military material under Section 266,  
falsification of data and non-keeping of records of foreign trade with military material under Section 267,  
infringement of rights to a trademark and to other marks under Section 268,

infringement of protected industrial rights under Section 269,

infringement of copyright, rights relating to copyright and rights to a database under Section 270,

counterfeiting and imitation of work of fine art under Section 271,

endangering the safety of the public under Section 272,

endangering the safety of the public by negligence under Section 273,

endangering under the influence of an addictive substance under Section 274(2),

breach of duty in the case of extreme distress under Section 275,

damaging and endangering of operation of a device beneficial to public under Section 276,

damaging and endangering of operation of a device beneficial to public by negligence under Section 277(2),

damage to a geodetic point under Section 278,

illicit acquisition and possession of firearms under Section 279,

development, production and possession of prohibited means of combat under Section 280,

illicit production and possession of radioactive substance and highly dangerous substance under Section 281,

illicit production and possession of nuclear material and special fissionable material under Section 282,

illicit production and other disposal of narcotic and psychotropic substances and poisons under Section 283,

possession of narcotic and psychotropic substance and poison under Section 284(2) et sequentes,

illicit cultivation of plants containing narcotic and psychotropic substance under Section 285(3) and(4),

production and possession of item for illegal production of narcotic and psychotropic

substance and poison under Section 286,

spreading toxicomania under Section 287,

production and other disposal of substances with hormonal effect under Section 288(2) et sequentes,

gaining control over an aircraft, a civilian watercraft and a fixed platform under Section 290,

endangering the safety of an aircraft and a civilian watercraft under Section 291,

hijacking an aircraft to a foreign country under Section 292,

damaging and endangering the environment under Section 293,

damaging and endangering the environment by negligence under Section 294(2),

damaging water resources under Section 294a,

damaging forest under Section 295,

unauthorised discharge of polluting substances under Section 297,

unauthorised disposal of waste under Section 298(2) et sequentes,

illicit production and other disposal of substances causing damage to ozone layer under Section 298a(2),

illicit disposal of protected free-living animals and wild-grown plants under Section 299,

damage to protected parts of nature under Section 301,

cruelty to animals under Section 302,

neglect of animal care by negligence under Section 303(2),

poaching under Section 304,

illicit production, possession and other disposal of pharmaceuticals and other substances affecting productivity of livestock under Section 305(3) and (4),

spreading a contiguous animal disease under Section 306(2),

spreading a contagious disease and pest of useful plants under Section 307(2),  
terrorist attack under Section 311,  
terror under Section 312,  
abuse of representation of state or international organisation under Section 315,  
endangering classified information by negligence under Section 318,  
violence against public authority under Section 323,  
threatening with intention to affect public authority under section 324,  
violence against public official under Section 325,  
threatening with intention to affect public official under section 326,  
appropriating power of public authority under Section 328,  
abuse of power of a public official under Section 329,  
obstruction of tasks of a public official by negligence under Section 330(2) et  
sequentes,  
accepting bribe under Section 331,  
bribing under Section 332,  
indirect bribery under Section 333,  
infringing the independence of a court under Section 335,  
contempt of the court under Section 336,  
obstruction of execution of an official decision and restraining order under Section  
337(1), (2) and (3),  
setting a prisoner free under Section 338,  
forcible crossing of the State border under Section 339,  
organizing and facilitation of illicit crossing of the State borders under Section 340,  
aiding illicit residence in the territory of the Republic under Section 341(2) et

sequentes,  
illegal employment of foreigners under Section 342(4) and (5),  
violation of regulations on international flights under Section 343,  
revolt of prisoners under Section 344,  
false accusation under Section 345,  
perjured testimony and false expert report under Section 346,  
false interpretation under Section 347,  
falsification and alteration of a public document under Section 348,  
falsification of and issuing false medical report, opinion and finding under Section 350,  
obstruction of preparations and course of elections or referendum under Section 351,  
violence against a group of inhabitants and against an individual under Section 352(2)  
et sequentes,  
dangerous threatening under Section 353(2),  
dangerous pursuing under Section 354(2),  
defamation of a nation, race, ethnic or other group of persons under Section 355,  
incitement to hatred against a group of persons or to restriction of their rights and freedoms under Section 356,  
spreading hoax under Section 357,  
hooliganism under Section 358,  
disgracing human remains under Section 359,  
intoxication under Section 360,  
participation in an organised criminal group under Section 361,  
incitement to criminal offence under Section 364,  
abetting under Section 366,

failure to prevent a crime under Section 367,  
failure to report a crime under Section 368,  
genocide under Section 400,  
attack against humanity under Section 401,  
apartheid and discrimination against a group of people under Section 402,  
establishment, support and propagation of a movement directed to suppression of human rights and freedoms under Section 403,  
expression of sympathies for a movement directed to suppression of human rights and freedoms under Section 404,  
denial, impugnation, approval and justification of genocide under Section 405,  
aggression under Section 405a,  
preparation of offensive war under Section 406,  
incitement to offensive war under Section 407,  
relations endangering peace under Section 409,  
violation of international sanctions under Section 410,  
employment of forbidden means of combat and illicit conduct of combat under Section 411,  
war cruelty under Section 412,  
persecution of population under Section 413,  
pillage within a war operations area under Section 414,  
abuse of internationally recognized and state markings under Section 415,  
abuse of flag and armistice under Section 416,  
harm to a negotiator under the flag of truce under Section 417,

b) under the Act No. 140/1961 of the Collection of Laws, the Penal Law, as amended:

- terror under Section 93,
- terrorist attack under Section 95,
- endangering classified information by negligence under Section 107,
- illicit business activity under Section 118(2),
- illicit operation of a lottery or a similar betting game under Section 118a,
- causing damage to a consumer under Section 121,
- violation of regulations on circulation of goods in relation to foreign countries under Section 124,
- violation of regulations on treatment of controlled goods and technologies under Sections 124a, 124b and 124c,
- violation of regulations on foreign trade in military material under Sections 124d, 124e and 124f,
- falsification of data on the state of management and assets under Section 125,
- breach of duties in insolvency proceedings under Section 126,
- violation of binding rules of economic relations under Section 127,
- abuse of information in trade relations under Section 128,
- machinations in a public tender or a public auction under Sections 128a, 128b and 128c,
- issuing a false certificate under Section 129,
- damaging financial interests of the European Communities under Section 129a,
- counterfeiting and alteration of money under Section 140,
- presenting counterfeited and altered money under Section 141,
- production and possession of counterfeiting tools under Section 142,



forgery and alteration of stamps under Section 145(2),

forgery and alteration of duty stamps under Section 145a(2),

violations of prohibitions during a state of emergency in foreign exchange economy under Section 146,

failure to pay taxes, social insurance, injury insurance, health insurance and contribution to the State's employment policy under Section 147,

curtailment of taxes, fees and similar mandatory dues under Section 148,

violation of rules on identification of goods by stamps under Section 148a,

breach of reporting duty in tax proceedings under Section 148b,

infringement of rights to a trademark, to a commercial name and to a protected appellation of origin under Section 150,

infringement of industrial rights under Section 151,

infringement of copyright, rights relating to copyright and rights to a database under Section 152,

assault on an authority of the State under Sections 153 and 154,

assault on a public official under Sections 155 and 156,

abuse of power of a public official under Section 158,

negligent obstruction of a public official's task under Section 159(2),

accepting bribe under Section 160,

bribing under Section 161,

indirect bribery under Section 162,

participation in a criminal conspiracy under Section 163a,

incitement under Section 164,

abetting under Section 166,

failure to prevent a crime under Section 167,

failure to report a crime under Section 168,  
infringing the independence of a court under Section 169a,  
contempt of the court under Section 169b,  
obstruction of execution of an official decision and restraining order under Section 171(1), (2) and (4),  
organizing and facilitation of illicit crossing of the State borders under Section 171a,  
forcible crossing of the State border under Section 171b,  
violation of regulations on international flights under Section 171c,  
aiding illicit residence in the territory of the Republic under Section 171d(2) et sequentes,  
violation of international sanctions under Section 171e,  
revolt of prisoners under Section 172,  
false accusation under Section 174,  
perjured testimony and false expert report under Section 175,  
false interpretation under Section 175a,  
falsification of and issuing false medical reports, opinions and findings under Section 175b(3),  
falsification and alteration of a public document under Section 176,  
obstruction of preparations and course of elections or referendum under Section 177,  
illicit handling of personal data under Section 178,  
poaching under Section 178a,  
endangering the safety of the public under Sections 179 and 180(2) et sequentes,  
endangering the safety of an aircraft and a civilian watercraft under Sections 180a and 180b,

hijacking an aircraft to a foreign country under Section 180c,

breach of duty in the case of extreme distress under Section 181,

endangering and damaging the environment under Sections 181a and 181b(2) et sequentes,

damaging forest by logging under Section 181c,

disposal of waste under Section 181e,

illicit disposal of protected and free-living animals and wild-grown plants under Section 181f,

damaging and endangering of operation of a device beneficial to public under Section 182,

illicit acquisition and possession of firearms under Section 185(2) et sequentes,

development, production and possession of prohibited means of combat under Section 185a,

illicit production and possession of radioactive material and highly dangerous substance under Section 186,

illicit production and possession of narcotic and psychotropic substances and poisons under Sections 187, 187a and 188,

spreading toxicomania under Section 188a,

spreading a contagious disease under Sections 189, 191(2) and 192(2),

endangering of health by defective foodstuff and other objects under Section 193,

violence against a group of inhabitants and against an individual under Sections 196(2) et sequentes and Section 197a(2),

defamation of a nation, ethnic group, race and belief under Section 198,

incitement to hatred against a group of persons or to restriction of their rights and freedoms under Section 198a,

spreading hoax under Section 199(2) et sequentes and Section 200,

endangering under the influence of an addictive substance under Section 201(2),

intoxication under Section 201a,  
hooliganism under Section 202,  
disgracing human remains under Section 202a,  
cruelty to animals under Section 203(3),  
procuring and soliciting to prostitution under Section 204,  
spreading pornography under Section 205,  
possession of child pornography under Section 205a,  
exploitation of a child to produce pornography under Section 205b,  
libel under Section 206(2),  
failure to provide assistance under Sections 207(2) and 208,  
impairing another's rights under Section 209,  
illicit disposal of cells, tissues and organs under Section 209a,  
illicit disposal of human embryo and human genome under Section 209b,  
bigamy under Section 210,  
abandoning a child under Section 212,  
neglect of compulsory maintenance under Section 213(2) et sequentes,  
cruelty to a person entrusted in one's care under Section 215,  
cruelty to a person living in a co-habited flat or house under Section 215a,  
abduction under Section 216,  
children trafficking under Section 216a,  
endangering the upbringing of youth under Section 217(1) and (3),  
soliciting to sexual intercourse under Section 217a,

murder under Section 219,  
murder of a new born baby by its mother under Section 220,  
bodily injury under Sections 221, 222 and 224,  
brawl under Section 225(2),  
illicit abortion under Sections 227(2) and 228,  
participation in a suicide under Section 230,  
restriction of personal liberty under Section 231,  
deprivation of personal liberty under Section 232,  
human trafficking under Section 232a,  
abduction to a foreign country under Section 233,  
robbery under Section 234,  
taking hostages under Section 234a,  
extortion under Section 235,  
infringement of house liberty under Section 238,  
infringement of freedom of association and assembly under Section 238a,  
violation of secrecy of transported messages under Section 240(2),  
rape under Section 241,  
sexual abuse under Sections 242 and 243,  
incestuous intercourse under Section 245,  
theft under Section 247,  
embezzlement under Section 248,  
illicit use of another's thing under Section 249,  
illicit infringement into right to a house, flat or non-residential premises under

Section 249a,  
illicit possession of a payment card under Section 249b,  
fraud under Section 250,  
insurance fraud under Section 250a,  
credit fraud under Section 250b,  
operating fraudulent games and wagers under Section 250c,  
accessoryship under Sections 251 and 252(3) et sequentes,  
legalization of proceeds of crime under Section 252a,  
usury under Section 253,  
concealment of a thing under Section 254(2),  
breach of duty in administering another's property under Sections 255 and 255a(2),  
causing damage to a creditor under Section 256(3) et sequentes,  
favouritizing a creditor under Section 256a(2) et sequentes,  
machinations in insolvency proceedings under Section 256b(3) et sequentes,  
insolvency under Section 256c(3) et sequentes,  
damaging another's thing under Section 257(2) et sequentes and Section 257b(2) et sequentes,  
damaging and abuse of a record on a data carrier under Section 257a(2) et sequentes,  
abuse of ownership under Section 258,  
genocide under Section 259,  
torture and other inhuman and cruel treatment under Section 259a,  
support and propagation of a movement directed to suppression of human rights and freedoms under Sections 260, 261 and 261a,  
employment of forbidden means of combat and illicit conduct of combat under

Section 262,

war cruelty under Section 263,

persecution of population under Section 263a,

pillage within a war operations area under Section 264,

abuse of internationally recognized and state markings under Section 265,

c) under the Act. No. 165/1950 of the Collection of Laws, on Protection of Peace, as amended:

offence under Section 1.

The Act No. 40/2009 of the Collection of Laws, the Penal Code, as amended, has entered into force on 1 January 2010. This Penal Code, however, shall apply to offences committed before its entry into force only if it is more favourable for the perpetrator (Section 2(1) of the Penal Code). The Act No. 140/1961 of the Collection of Laws, the Penal Law, as amended, and the Act. No. 165/1950 of the Collection of Laws, on Protection of Peace, as amended, shall continue to apply to other offences committed before the entry into force of the Penal Code.

