

International Criminal Court Act 2001

2001 Chapter 17

The legislation contained on this web site is subject to Crown Copyright protection. It may be reproduced free of charge provided that it is reproduced accurately and that the source and copyright status of the material is made evident to users.

It should be noted that the right to reproduce the text of Acts of Parliament does not extend to the Royal Arms and the Queen's Printer imprints.

The text of this Internet version of the Acts of Parliament has been prepared to reflect the text as it received Royal Assent. The authoritative version is the Queen's Printer copy published by The Stationery Office Limited as the International Criminal Court Act 2001, ISBN 0 10 541701 7. [Purchase this item](#). For details of how to obtain an official copy see [How to obtain The Stationery Office Limited titles](#).

To ensure fast access over slow connections, large documents have been segmented into "chunks". Where you see a "continue" button at the bottom of the page of text, this indicates that there is another chunk of text available.

International Criminal Court Act 2001

2001 Chapter 17

CONTENTS

Part 1

THE INTERNATIONAL CRIMINAL COURT

Section

[1 The ICC and the ICC Statute](#)

Part 2

ARREST AND DELIVERY OF PERSONS

Proceedings on request

- [2 Request for arrest and surrender](#)
- [3 Request for provisional arrest](#)
- [4 Dealing with person arrested under provisional warrant](#)
- [5 Proceedings for delivery order](#)
- [6 Supplementary provisions as to proceedings before competent court](#)
- [7 Consent to surrender](#)

Proceedings where court refuses delivery order

- [8 Procedure where court refuses order](#)
- [9 Appeal against refusal of delivery order: England and Wales](#)
- [10 Appeal against refusal of delivery order: Scotland](#)

Proceedings where court makes delivery order

- [11 Procedure where court makes order](#)
- [12 Right to review of delivery order](#)
- [13 Waiver of right to review](#)

Warrants, custody, bail and related matters

- [14 Effect of warrant of arrest](#)
- [15 Effect of delivery order](#)
- [16 Bail and custody: general](#)
- [17 Bail and custody \(England and Wales\): supplementary](#)
- [18 Bail and custody: consultation with the ICC, &c](#)
- [19 Discharge of person not delivered up](#)
- [20 Discharge of person no longer required to be surrendered](#)

Request for transit and unscheduled landing

- [21 Request for transit](#)
- [22 Unscheduled landing](#)

Supplementary provisions

- [23 Provisions as to state or diplomatic immunity](#)
- [24 Delivery up of persons subject to criminal proceedings, &c](#)
- [25 Documents having effect as warrants, &c](#)
- [26 Meaning of "appropriate judicial officer" and "competent court"](#)

Part 3
OTHER FORMS OF ASSISTANCE

Introduction

- [27 Provision of assistance](#)

Forms of assistance

- [28 Questioning](#)
- [29 Taking or production of evidence](#)
- [30 Taking or production of evidence: further provisions](#)
- [31 Service of process](#)
- [32 Transfer of prisoner to give evidence or assist in investigation](#)
- [33 Entry, search and seizure](#)
- [34 Taking of fingerprints or non-intimate sample](#)
- [35 Orders for exhumation](#)
- [36 Provision of records and documents](#)
- [37 Investigation of proceeds of ICC crime](#)
- [38 Freezing orders in respect of property liable to forfeiture](#)

National security

- [39 Production or disclosure prejudicial to national security](#)

Supplementary provisions

- [40 Verification of material](#)
- [41 Transmission of material to the ICC](#)

Part 4

ENFORCEMENT OF SENTENCES AND ORDERS

Sentences of imprisonment

- [42 Detention in the United Kingdom in pursuance of ICC sentence](#)
- [43 Temporary return or transfer of custody to another state](#)
- [44 Transfer to another part of the United Kingdom: transfer of ICC sentence](#)
- [45 Transfer to another part of the United Kingdom: transfer for temporary purposes](#)
- [46 Domestic sentence current at end of term of ICC sentence](#)
- [47 Custody of prisoner in transit, &c](#)
- [48 Interpretation of ss. 42 to 47](#)

Other orders

- [49 Power to make provision for enforcement of other orders](#)

Part 5

OFFENCES UNDER DOMESTIC LAW

Introduction

- [50 Meaning of "genocide", "crime against humanity" and "war crime"](#)

England and Wales

- [51 Genocide, crimes against humanity and war crimes](#)
- [52 Conduct ancillary to genocide, etc. committed outside jurisdiction](#)
- [53 Trial and punishment of main offences](#)
- [54 Offences in relation to the ICC](#)
- [55 Meaning of "ancillary offence"](#)
- [56 Saving for general principles of liability, etc](#)
- [57 Protection of victims and witnesses](#)

Northern Ireland

- [58 Genocide, crimes against humanity and war crimes](#)
- [59 Conduct ancillary to genocide, etc. committed outside jurisdiction](#)
- [60 Trial and punishment of main offences](#)
- [61 Offences in relation to the ICC](#)
- [62 Meaning of "ancillary offence"](#)
- [63 Saving for general principles of liability, etc](#)
- [64 Protection of victims and witnesses](#)

Supplementary provisions

- [65 Responsibility of commanders and other superiors](#)
- [66 Mental element](#)
- [67 Meaning of "UK national", "UK resident" and "person subject to UK service jurisdiction"](#)
- [68 Proceedings against persons becoming resident within the jurisdiction](#)
- [69 References to acts to include omissions, etc](#)

Consequential provisions

- [70 Offences under section 1 of the Geneva Conventions Act 1957](#)
- [71 Extradition: Orders in Council under the 1870 Act](#)
- [72 Extradition: exception to dual criminality rule under the 1989 Act](#)
- [73 Extradition: offences not regarded as of political character etc](#)
- [74 Consequential amendments of armed forces legislation](#)

Part 6
GENERAL PROVISIONS

Interpretation

- [75 Meaning of "national court" and "service court"](#)
- [76 Meaning of "British aircraft", "British hovercraft" and "British ship"](#)

Application and extent

- [77 Application of provisions in relation to other International Tribunals](#)
- [78 Crown application](#)
- [79 Extent](#)
- [80 Power to make provision in relation to Scotland](#)

Final provisions

[81 Index of defined expressions](#)

[82 Commencement](#)

[83 Repeals](#)

[84 Short title](#)

[Schedule 1 - Supplementary provisions relating to the ICC](#)

[Schedule 2 - Delivery up of persons subject to criminal proceedings, &c.](#)

[Part 1 - Criminal proceedings](#)

[Part 2 - Extradition proceedings](#)

[Part 3 - Other delivery proceedings](#)

[Schedule 3 - Rights of persons during investigation: article 55](#)

[Schedule 4 - Taking of fingerprints or non-intimate samples](#)

[Schedule 5 - Investigation of proceeds of ICC crime](#)

[Part 1 - Production or access orders](#)

[Part 2 - Search warrants](#)

[Part 3 - Supplementary provisions](#)

[Schedule 6 - Freezing orders in respect of property liable to forfeiture](#)

[Schedule 7 - Domestic provisions not applicable to ICC prisoners](#)

[Schedule 8 - Genocide, crimes against humanity and war crimes: articles 6 to 9](#)

[Schedule 9 - Offences against the ICC: article 70](#)

[Schedule 10 - Repeals International Criminal Court Act 2001](#)