
Status: Point in time view as at 01/09/2001.

Changes to legislation: There are currently no known outstanding effects for the International Criminal Court Act 2001, Paragraph 12. (See end of Document for details)

SCHEDULES

SCHEDULE 2

DELIVERY UP OF PERSONS SUBJECT TO CRIMINAL PROCEEDINGS, &C.

PART 3

OTHER DELIVERY PROCEEDINGS

Delivery proceedings in England and Wales

- 12 (1) Where—
- (a) the Secretary of State receives a request from the ICC for the arrest and surrender, or provisional arrest, of a person, and
 - (b) other delivery proceedings against that person are pending or in progress before a court in England and Wales,
- the Secretary of State shall consult the ICC and the relevant International Tribunal.
- (2) The Secretary of State shall inform the court of the request and of the outcome of the consultations.
- (3) The court shall (if necessary) adjourn the proceedings before it, for such period or periods as it thinks fit, so as to enable proceedings to be taken to determine whether a delivery order should be made under this Part of this Act.
- (4) If a delivery order is made under this Part of this Act and the other delivery proceedings are still pending or in progress, the Secretary of State—
- (a) shall consult the ICC before giving directions for the execution of the order, and
 - (b) may direct that the other delivery proceedings shall be discontinued.
- (5) Where the Secretary of State directs that the other delivery proceedings shall be discontinued, the court before which the proceedings are pending or in progress shall—
- (a) order their discontinuance, and
 - (b) make any other order necessary to enable the delivery order under this Part of this Act to be executed (including any necessary order as to the custody of the person concerned).
- (6) The discontinuance under this paragraph of other delivery proceedings in respect of an offence does not prevent the institution of fresh proceedings for a delivery order in respect of the offence.

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