



International Criminal Court Act 2001

2001 CHAPTER 17

PART 2

ARREST AND DELIVERY OF PERSONS

Warrants, custody, bail and related matters

18 Bail and custody: consultation with the ICC, &c

- (1) Where an application for bail is made in proceedings under this Part in England and Wales—
 - (a) the court shall notify the Secretary of State of the application,
 - (b) the Secretary of State shall consult with the ICC, and
 - (c) bail shall not be granted without full consideration of any recommendations made by the ICC.
- (2) Where an application for bail is made in proceedings under this Part in Scotland—
 - (a) the court shall notify the Scottish Ministers of the application,
 - (b) the Scottish Ministers shall notify the Secretary of State who shall consult with the ICC and shall notify the Scottish Ministers of any recommendations made by the ICC, and
 - (c) bail shall not be granted without full consideration of any such recommendations.
- (3) In considering any such application as is mentioned in subsection (1) or (2) the court shall consider—
 - (a) whether, given the gravity of the offence or offences he is alleged to have committed or, as the case may be, of which he has been convicted by the ICC, there are urgent and exceptional circumstances justifying release on bail, and
 - (b) whether any necessary measures have been or will be taken to secure that the person will surrender to custody in accordance with the terms of his bail.

Changes to legislation:

There are currently no known outstanding effects for the International Criminal Court Act 2001, Section 18.