

SCHEDULES

SCHEDULE 5

NO IMMUNITY IN CERTAIN CIRCUMSTANCES

PART 2

NEW REQUEST FOR IMMUNITY AFTER REVOCATION OF PREVIOUS GRANT

- 6 (1) This paragraph applies where—
- (a) under section 26, a court revokes immunity from prosecution granted to a person (P) (the “revoked immunity”),
 - (b) P requests the ICRIR to grant P immunity from prosecution (the “new request”),
 - (c) the new request—
 - (i) is made before the revocation and is not concluded at the time of the revocation, or
 - (ii) is made after the revocation, and
 - (d) conditions A to C in section 19 are met in relation to the new request.
- (2) When dealing with the new request, the duty of the immunity requests panel to decide (under section 19(7)) what immunity should be granted to P has effect subject to sub-paragraphs (3) and (4).
- (3) The panel must not decide that P should be granted immunity from prosecution for any identified possible offence which was also within the scope of the revoked immunity.
- (4) When the panel is determining under section 19(9) or (11)(b) a description of offences for which P should be granted immunity from prosecution, the panel must frame the description so that it does not consist of, or include, one or more offences which were also within the scope of the revoked immunity.
- (5) If the panel decides in accordance with sub-paragraphs (3) and (4) that there are no offences for which P should be granted immunity—
- (a) the panel must decide that P should not be granted immunity from prosecution, and
 - (b) the ICRIR must not grant P immunity from prosecution (and accordingly section 19(1) does not apply).
- (6) For the purposes of this paragraph the new request is “concluded” when the ICRIR gives P written notice of the outcome of the request in accordance with section 19(13)(a).