



International Criminal Court Act 2001

2001 CHAPTER 17

PART 5

OFFENCES UNDER DOMESTIC LAW

England and Wales

53 Trial and punishment of main offences

- (1) The following provisions apply in relation to—
 - (a) offences under section 51 (genocide, crimes against humanity and war crimes),
 - (b) offences under section 52 (conduct ancillary to genocide, etc. committed outside jurisdiction), and
 - (c) offences ancillary to an offence within paragraph (a) or (b) above.
- (2) The offence is triable only on indictment.
- (3) Proceedings for an offence shall not be instituted except by or with the consent of the Attorney General.
- (4) If the offence is not committed in England or Wales—
 - (a) proceedings may be taken, and
 - (b) the offence may for incidental purposes be treated as having been committed, in any place in England or Wales.
- (5) A person convicted of—
 - (a) an offence involving murder, or
 - (b) an offence ancillary to an offence involving murder,shall be dealt with as for an offence of murder or, as the case may be, the corresponding ancillary offence in relation to murder.

In this subsection “murder” means the killing of a person in such circumstances as would, if committed in England or Wales, constitute murder.

Changes to legislation: There are currently no known outstanding effects for the International Criminal Court Act 2001, Section 53. (See end of Document for details)

(6) In any other case a person convicted of an offence is liable to imprisonment for a term not exceeding 30 years.

[^{F1}(7) Subsections (5) and (6) are subject to section 65B (restriction of penalties in relation to retrospective application of certain offences).]

Textual Amendments

F1 S. 53(7) added (6.4.2010) by Coroners and Justice Act 2009 (c. 25), ss. 70(2), 182(5) (with s. 180, Sch. 22); S.I. 2010/816, art. 2, Sch. para. 3

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