



War Crimes Act 1991

1991 CHAPTER 13

1 Jurisdiction over certain war crimes

- (1) Subject to the provisions of this section, proceedings for murder, manslaughter or culpable homicide may be brought against a person in the United Kingdom irrespective of his nationality at the time of the alleged offence if that offence—
 - (a) was committed during the period beginning with 1st September 1939 and ending with 5th June 1945 in a place which at the time was part of Germany or under German occupation; and
 - (b) constituted a violation of the laws and customs of war.
- (2) No proceedings shall by virtue of this section be brought against any person unless he was on 8th March 1990, or has subsequently become, a British citizen or resident in the United Kingdom, the Isle of Man or any of the Channel Islands.
- (3) No proceedings shall by virtue of this section be brought in England and Wales or in Northern Ireland except by or with the consent of the Attorney General or, as the case may be, the Attorney General for Northern Ireland.
- (4) The Schedule to this Act provides a procedure for use instead of committal proceedings where a person is charged in England, Wales or Northern Ireland with an offence to which this section applies.

2 Expenses

There shall be paid out of money provided by Parliament—

- (a) such sums as the Secretary of State may with the consent of the Treasury determine in respect of expenditure by the Receiver for the Metropolitan Police District on the investigation by officers of the Metropolitan Police (with or without other officers) of offences to which section 1 above applies; and
- (b) any increase attributable to this Act in the sums payable out of such money under any other Act.

3 Short title, consequential amendments, commencement and extent

- (1) This Act may be cited as the War Crimes Act 1991.
- (2) In section 20(4) of the Legal Aid Act 1988 (power of magistrates' court to grant legal aid for Crown Court proceedings) the word “or” at the end of paragraph (b) shall be omitted and after that paragraph there shall be inserted—
 - “(bb) which has been given a notice of transfer under Part I of the Schedule to the War Crimes Act 1991, or”.
- (3) In Article 29(2) of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 (free legal aid in Crown Court) after sub-paragraph (c) there shall be inserted “or
 - (d) where a notice of transfer is given under Part II of the Schedule to the War Crimes Act 1991, by the magistrates' court before which the person to whom the notice relates is brought.”
- (4) Section 1(4) above and the Schedule to this Act shall not come into force until a day appointed by the Secretary of State by an order made by statutory instrument.
- (5) This Act extends to Northern Ireland.
- (6) Her Majesty may by Order in Council direct that the provisions of this Act shall extend, with such exceptions and modifications as appear to Her Majesty to be appropriate, to the Isle of Man, any of the Channel Islands or any colony.