

*These notes refer to the International Criminal Court Act  
2001 (c.17) which received Royal Assent on 11 May 2001*

# INTERNATIONAL CRIMINAL COURT ACT 2001

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 2: Arrest and Delivery of Persons**

##### ***Section 6: Supplementary provisions as to proceedings before competent court***

26. *Subsection (2)* enables a competent court in England and Wales hearing proceedings under section 5 to exercise certain powers relating to the conduct of the proceedings, including to adjourn the case and remand the arrested person. It provides for criminal advice and assistance, and representation under the Criminal Defence Service to be extended to the arrested person during the delivery proceedings and, in the event of a discharge, for the arrested person's costs to be paid out of central funds. *Subsection (3)* makes similar provision with regard to proceedings under section 5 in Scotland. (With respect to proceedings before the ICC, an accused is entitled under Articles 55 and 67 of the Statute to legal assistance from the ICC, including assistance free of charge if he lacks sufficient means to pay for it.)