

*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

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 5: Offences under Domestic Law

Section 74: Consequential amendments of armed forces legislation

114. This section deals with restrictions on the exercise of Service jurisdiction. In recognition of the primacy of civil courts, Service courts are prevented by law from exercising jurisdiction over certain serious offences when they are committed in the UK. The list currently includes murder, manslaughter and rape as well as certain offences relating to international law such as genocide and any offence under section 1 of the Biological Weapons Act 1974. Consistent with this approach, this section provides that offences under this Act may not be dealt with by Service courts if committed in the UK. This does not affect the jurisdiction of Service courts to deal with offences committed overseas.