



International Criminal Court Act 2001

2001 CHAPTER 17

PART 2

ARREST AND DELIVERY OF PERSONS

Proceedings on request

6 Supplementary provisions as to proceedings before competent court

- (1) The following provisions apply in relation to proceedings before a competent court under section 5.
- (2) In the case of proceedings in England and Wales—
 - (a) the court has the like powers, as nearly as may be, including power to adjourn the case and meanwhile to remand the person whose surrender is sought, as if the proceedings were the summary trial of an information against that person;
 - (b) if the court adjourns the proceedings, it shall on doing so remand the person whose surrender is sought;
 - (c) the proceedings are criminal proceedings for the purposes of Part 1 of the Access to Justice Act 1999 (c. 22) (advice, assistance and representation);
 - (d) section 16(1)(c) of the Prosecution of Offences Act 1985 (c. 23) (defence costs on dismissal of proceedings) applies, reading the reference to the dismissal of the information as a reference to the discharge of the person arrested.
- (3) In the case of proceedings in Scotland—
 - (a) the court has the like powers, including power to adjourn the case and meanwhile to remand the person whose surrender is sought, and the proceedings shall be conducted as nearly as may be in the like manner, as if the proceedings were summary proceedings in respect of an offence alleged to have been committed by that person;
 - (b) the provisions of the Legal Aid (Scotland) Act 1986 (c. 47) relating to such proceedings, or any appeal proceedings following thereon, apply to that person.