



International Criminal Court (Scotland) Act 2001

2001 asp 13

INTERNATIONAL CRIMINAL COURT (SCOTLAND) ACT 2001

PART 1

OFFENCES

Offences

- 1 Genocide, crimes against humanity and war crimes
- 2 Conduct ancillary to genocide etc.
- 3 Trial and punishment of main offences
- 4 Offences in relation to the ICC
- 5 Responsibility of military commanders and other superiors
- 6 Proceedings against persons becoming resident in the United Kingdom
- 7 Meaning of “ancillary offence”
- 8 Mental element
- 8A Meaning of “United Kingdom national” and “United Kingdom resident”
- 9 Application of principles of the law of Scotland, construction etc.
- 9A Retrospective application of certain offences
- 9B Provision supplemental to section 9A: modification of penalties
- 10 Amendment of Criminal Procedure (Scotland) Act 1995

PART 2

ASSISTANCE

Introduction

- 11 Provision of assistance to the ICC

Forms of assistance

- 12 Questioning
- 13 Taking or production of evidence

Status: Point in time view as at 17/12/2001.

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

- 14 Taking or production of evidence: further provisions
- 15 Service of process
- 16 Entry, search and seizure
- 17 Taking of fingerprints etc.
- 18 Provision of records and documents
- 19 Investigation of proceeds of ICC crime
- 20 Freezing orders in respect of property liable to forfeiture

Supplementary provisions

- 21 Verification of material
- 22 Transmission of material to the ICC

PART 3

ENFORCEMENT OF SENTENCES AND ORDERS

Sentences of imprisonment

- 23 Detention in Scotland of certain prisoners
- 24 Limited disapplication of certain provisions relating to sentences
- 25 Amendment of Mental Health (Scotland) Act 1984

Orders

- 26 Power to make provision for enforcement of orders

PART 4

GENERAL

- 27 Supplementary provisions relating to the ICC
- 28 Interpretation
- 29 Crown application
- 30 Short title and commencement

SCHEDULE 1 — Genocide, crimes against humanity and war crimes: articles 6 to 9

Article 6 — GENOCIDE

Article 7 — CRIMES AGAINST HUMANITY

- 1 For the purpose of this Statute, “crime against humanity” means...
- 2 For the purpose of paragraph 1— “Attack directed against any...
- 3 For the purpose of this Statute, it is understood that...

Article 8 — WAR CRIMES

- 2 For the purpose of this Statute, “war crimes” means—

Article 9 — ELEMENTS OF CRIMES

- 1 Elements of Crimes shall assist the Court in the interpretation...
- 2 Amendments to the Elements of Crimes may be proposed by—...
- 3 The Elements of Crimes and amendments thereto shall be consistent...

SCHEDULE 2 — Offences against the administration of justice: article 70

Article 70 — OFFENCES AGAINST THE ADMINISTRATION OF JUSTICE

- 1 The Court shall have jurisdiction over the following offences against...
- 4 (a) Each State Party shall extend its criminal laws penalizing...

Status: Point in time view as at 17/12/2001.

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

SCHEDULE 3 — Rights of persons during an investigation: article 55

Article 55 — RIGHTS OF PERSONS DURING AN INVESTIGATION

- 1 In respect of an investigation under this Statute, a person—...
- 2 Where there are grounds to believe that a person has...

SCHEDULE 4 — Taking of fingerprints etc.

- 1 *Nomination of court to supervise taking of evidence*
- 2 *Order to provide evidence*
- 3 *Requirement to attend and provide evidence*
- 4 *Consent to taking of evidence*
- 5 *Taking of evidence without consent*
- 6 *Record of certain matters to be made*
- 7 *Destruction of prints and samples*

SCHEDULE 5 — Investigation of proceeds of ICC crime

Part 1 — PRODUCTION OR ACCESS ORDERS

- 1 *Application for order*
- 2 *Grounds for making order*
- 3 *Production or access orders: standard orders*
- 4 *Production or access orders: special orders*
- 5 *Supplementary provision in relation to orders*
- 6 *Effect of order*
- 7 *Order in relation to material in possession of government department*

Part 2 — SEARCH WARRANTS

- 8 *Application for warrant*
- 9 *Effect of warrant*
- 10 *Grounds for issue of warrant*

Part 3 — INTERPRETATION

- 11 In this schedule, “items subject to legal privilege” and “premises”...

SCHEDULE 6 — Freezing orders in respect of property liable to forfeiture

- 1 *Application for freezing order*
- 2 *Grounds for making order*
- 3 *Effect of order*
- 4 *Variation or discharge of order*
- 5 *Power to appoint receiver*
- 6 *Inhibition of property affected by freezing order*
- 7 *Seizure to prevent removal from Scotland*
- 8 *Sequestration*
- 9 *Winding up*
- 10 *Property subject to floating charge*
- 11 *Protection of insolvency practitioners*
- 12 *Interpretation*

Status:

Point in time view as at 17/12/2001.

Changes to legislation:

There are currently no known outstanding effects for the International Criminal Court (Scotland) Act 2001.