

*These notes relate to the International Criminal Court (Scotland) Act 2001 (asp 13) which received Royal Assent on 24 September 2001*

# **INTERNATIONAL CRIMINAL COURT (SCOTLAND) ACT 2001**

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## **EXPLANATORY NOTES**

### **THE ACT**

#### ***Background***

#### **Part 2 – Assistance**

#### ***Section 20 – Freezing orders in respect of property liable to forfeiture***

35. These sections together make provision for providing assistance requested under article 93.1(k). This article provides that the ICC may request assistance in the identification, tracing and freezing or seizure of proceeds, property and assets and instruments of crimes, for the purpose of eventual forfeiture. Where the ICC requests assistance in determining whether a person has benefited from an ICC crime, or in identifying property derived from such a crime, section 19 provides that the Scottish Ministers may arrange for an order or warrant to be issued under schedule 5. Where the ICC requests assistance in the freezing or seizure of property for possible forfeiture, section 20 provides that the Scottish Ministers may make arrangements for a freezing order under schedule 6.