



International Criminal Court (Scotland) Act 2001

2001 asp 13

PART 2

ASSISTANCE

Forms of assistance

13 Taking or production of evidence

- (1) This section applies where the Scottish Ministers receive a request from the ICC for assistance in the taking or production of evidence.
- (2) The Scottish Ministers may nominate a court in Scotland to receive the evidence to which the request relates.
- (3) For this purpose the nominated court—
 - (a) has the same powers with respect to—
 - (i) securing the attendance of witnesses; and
 - (ii) subject to subsection (5) below, the production of documents or other articles,
as it has for the purpose of other proceedings before the court; and
 - (b) may take evidence on oath.
- (4) Any proceedings under this section shall be conducted in private.
- (5) A person shall not be compelled to give evidence or produce anything in proceedings under this section that, under the Rules of Procedure and Evidence for the time being in force, the person could not be compelled to give or produce in proceedings before the ICC.
- (6) If in order to comply with the request it is necessary for the evidence received by the court to be verified in any manner, the notice nominating the court shall specify the nature of the verification required.
- (7) No order for expenses shall be made in proceedings under this section.

Status: This is the original version (as it was originally enacted).

(8) In subsection (5) above, the reference to the Rules of Procedure and Evidence is a reference to the rules adopted under article 51.