



# International Criminal Court Act 2001

## 2001 CHAPTER 17

### PART 2

#### ARREST AND DELIVERY OF PERSONS

##### *Warrants, custody, bail and related matters*

#### **16 Bail and custody: general**

- (1) Where under this Part a court has power to remand a person, the court may—
  - (a) remand him in custody, that is, commit him for the period of the remand to prison or to the custody of a constable, or
  - (b) if an application for bail is made to the court, remand him on bail, that is, direct him to surrender himself into the custody of the officer in charge of a specified police station at the time appointed for him to do so.
- (2) The provisions of the Bail Act 1976 (c. 63) apply to proceedings under this Part in England and Wales as to proceedings against a fugitive offender.
- (3) The time appointed under subsection (1)(b) for a person to surrender to custody—
  - (a) shall be a time appointed by the officer in charge of the specified police station and notified in writing to the person remanded, and
  - (b) shall not be more than 24 hours before the time at which it appears to that officer that the period of remand is likely to end.
- (4) Where under this Part a court in Scotland has power to remand a person and the person makes an application to the court for bail, the court may admit him to bail and shall have the like powers in doing so as it has in proceedings in respect of an offence alleged to have been committed by him.
- (5) Nothing in this Part shall be taken as authorising a court to grant bail to a person who is serving a sentence of imprisonment or detention to which he has been sentenced by a national court, or who is in custody awaiting trial or sentence by a national court.