



International Criminal Court Act 2001

2001 CHAPTER 17

PART 4

ENFORCEMENT OF SENTENCES AND ORDERS

Sentences of imprisonment

44 Transfer to another part of the United Kingdom: transfer of ICC sentence

- (1) The relevant Minister may make an order for the transfer of the prisoner to another part of the United Kingdom to serve the whole or part of the remainder of the ICC sentence there.
- (2) No such order shall be made—
 - (a) for the transfer of the prisoner to Scotland without the agreement of the Scottish Ministers, or
 - (b) for the transfer of the prisoner from Scotland without the agreement of the Secretary of State.
- (3) An order under this section shall be subject to such conditions (if any) as the relevant Minister may impose from time to time.
- (4) If an order is made under this section the warrant authorising the prisoner's detention in the part of the United Kingdom from which he is transferred—
 - (a) shall continue to have effect, and
 - (b) shall have effect as if it were a warrant authorising his detention in the part of the United Kingdom to which he is transferred.
- (5) A prisoner transferred under this section to England and Wales or Northern Ireland shall be treated for all purposes, subject as mentioned in section 42(4), as if he were serving a sentence of imprisonment imposed in exercise of its criminal jurisdiction by a court in the part of the United Kingdom to which he is transferred.
- (6) In this section "the relevant Minister" means—

Changes to legislation: There are currently no known outstanding effects for the
International Criminal Court Act 2001, Section 44. (See end of Document for details)

- (a) in relation to a person detained in England and Wales or Northern Ireland, the Secretary of State, and
- (b) in relation to a person detained in Scotland, the Scottish Ministers.

Modifications etc. (not altering text)

- C1** S. 44 extended (with modifications) (IoM) (1.4.2004) by [S.I. 2004/714](#), **art. 2(c)**, **Sch.**
- C2** S. 44 applied (with modifications) (E.W.) (15.8.2007) by [The International Tribunals \(Sierra Leone\) \(Application of Provisions\) Order 2007 \(S.I. 2007/2140\)](#), **art. 2**
- C3** S. 44 extended (Jersey) (with modifications) (8.10.2014 coming into force in accordance with art. 1) by [The International Criminal Court Act 2001 \(Jersey\) Order 2014 \(S.I. 2014/2706\)](#), arts. 1, 2(b), **Sch.**
- C4** [Ss. 42-48](#) applied (with modifications) (8.3.2018) by [The United Nations \(International Residual Mechanism for Criminal Tribunals\) Order 2018 \(S.I. 2018/187\)](#), arts. 1(1), **33(3)** (with art. 3)
- C5** S. 44 extended (with modifications) (Guernsey) (coming into force in accordance with art. 1 of the amending S.I.) by [The International Criminal Court Act 2001 \(Guernsey\) Order 2022 \(S.I. 2022/865\)](#), art. 2(1)(b), **Sch.**

Changes to legislation:

There are currently no known outstanding effects for the International Criminal Court Act 2001, Section 44.