



International Criminal Court Act 2001

2001 CHAPTER 17

PART 5

OFFENCES UNDER DOMESTIC LAW

Consequential provisions

72 Extradition: exception to dual criminality rule under the 1989 Act

- (1) Section 2 of the Extradition Act 1989 (meaning of “extradition crime”) is amended as follows.
- (2) In subsection (1)(b) (extra-territorial offences), after sub-paragraph (ii) add—
 - “, or
 - (iii) the condition specified in subsection (3A) below.”.
- (3) After subsection (3) insert—

“(3A) The condition mentioned in subsection (1)(b)(iii) above is that the conduct constituting the offence constitutes or, if committed in the United Kingdom would constitute—

 - (a) an offence under section 51 or 58 of the International Criminal Court Act 2001 (genocide, crimes against humanity and war crimes),
 - (b) an offence under section 52 or 59 of that Act (conduct ancillary to genocide etc. committed outside the jurisdiction), or
 - (c) an ancillary offence, as defined in section 55 or 62 of that Act, in relation to any such offence.”.
- (4) After subsection (4) add—

“(5) References in this section to an offence under any provision of the International Criminal Court Act 2001, or to an offence ancillary to such an offence, include any corresponding offence under the law of Scotland.”.