



# International Criminal Court (Scotland) Act 2001

2001 asp 13

## PART 2

### ASSISTANCE

#### *Forms of assistance*

#### **12 Questioning**

- (1) This section applies where the Scottish Ministers receive a request from the ICC for assistance in questioning a person being investigated or prosecuted.
- (2) The person concerned shall not be questioned in pursuance of the request unless—
  - (a) the person has been informed of the rights set out in article 55 (rights of persons during an investigation under the Statute of the ICC);
  - (b) the fact that the person has been so informed has been recorded in writing; and
  - (c) the person consents to be interviewed.
- (3) The provisions of article 55 are set out in schedule 3 to this Act.
- (4) Consent for the purposes of subsection (2)(c) above may be given orally or in writing; but if given orally it shall be recorded in writing as soon as is reasonably practicable.