



# International Criminal Court (Scotland) Act 2001

2001 asp 13

## PART 3

### ENFORCEMENT OF SENTENCES AND ORDERS

#### *Sentences of imprisonment*

#### **23 Detention in Scotland of certain prisoners**

- (1) This section applies where the Scottish Ministers have agreed, in pursuance of section 42(2)(b) of the 2001 Act (duty to issue warrant where the Scottish Ministers agree that a person should be detained in Scotland), that a person on whom a sentence of imprisonment has been imposed (a “prisoner”) should be detained in Scotland.
- (2) The warrant issued by the Scottish Ministers under that section of the 2001 Act shall include provision authorising—
  - (a) the detention of the prisoner in Scotland in accordance with the sentence imposed; and
  - (b) the taking of the prisoner to a specified place where the prisoner is to be detained,(any such warrant being referred to in this section as a “Scottish warrant”).
- (3) The provisions of a Scottish warrant—
  - (a) may be varied by the Scottish Ministers; and
  - (b) shall be so varied to give effect to any variation of the sentence.
- (4) Subject to section 24 of this Act, a prisoner subject to a Scottish warrant shall be treated for all purposes as if the prisoner were subject to a sentence of imprisonment imposed in exercise of its criminal jurisdiction by a court in Scotland.

**Changes to legislation:**

There are currently no known outstanding effects for the International Criminal Court (Scotland) Act 2001, Section 23.