

## SCHEDULES

### SCHEDULE 2

#### DELIVERY UP OF PERSONS SUBJECT TO CRIMINAL PROCEEDINGS, &C.

##### PART 1

##### CRIMINAL PROCEEDINGS

###### *Criminal proceedings in Scotland*

- 3 (1) Where—
- (a) the Secretary of State receives a request from the ICC for the arrest and surrender, or provisional arrest, of a person, and
  - (b) criminal proceedings against that person are pending or in progress before a court in Scotland,
- the Secretary of State shall inform the Scottish Ministers of the request and they shall inform the court.
- (2) The court shall (if necessary) adjourn the proceedings before it, for such period or periods as it thinks fit, so as to enable proceedings to be taken to determine whether a delivery order should be made.
- (3) If a delivery order is made and the criminal proceedings are still pending or in progress, the Secretary of State shall consult the ICC before giving directions for the execution of the order.