



# International Criminal Court Act 2001

## 2001 CHAPTER 17

### PART 2

#### ARREST AND DELIVERY OF PERSONS

##### *Proceedings where court makes delivery order*

#### **13 Waiver of right to review**

- (1) A person in respect of whom a delivery order has been made may waive his right to review of the order.
- (2) Waiver of the right to review may be made—
  - (a) by the person himself, or
  - (b) in circumstances in which it is inappropriate for the person to act for himself, by reason of his physical or mental condition or his youth, by an appropriate person acting on his behalf.
- (3) Waiver of the right to review must—
  - (a) be made in writing in the prescribed form or a form to the like effect, and
  - (b) be signed in the presence of a justice of the peace or, in Scotland, a sheriff.

The “prescribed form” means that prescribed by [<sup>F1</sup>Criminal Procedure Rules] or, in Scotland, by the High Court of Justiciary by Act of Adjournal.
- (4) Where a person has waived his right to review of the delivery order—
  - (a) no such application as is mentioned in section 12 may be made, and
  - (b) the order shall be taken for all purposes to be validly made.
- (5) Where a person has waived his right to review, notice of that fact shall be given—
  - (a) if the person is in custody, to the prison governor, constable or other person in whose custody he is;
  - (b) if the person is on bail in England and Wales, to the officer in charge of the police station at which he is required to surrender to custody.

---

*Changes to legislation: There are currently no known outstanding effects for the International Criminal Court Act 2001, Section 13. (See end of Document for details)*

---

(6) For the purposes of subsection (5)(b) notice shall be treated as given if it is sent by registered post, or recorded delivery, addressed to the officer mentioned.

---

**Textual Amendments**

**F1** Words in s. 13(3) substituted (1.4.2005) by Courts Act 2003 (c. 39), s. 109(1), **Sch. 8 para. 403(a)**; S.I. 2005/910, **art. 3**

---

**Commencement Information**

**II** Act wholly in force at 1.9.2001; Act not in force at Royal Assent see s. 82; Act in force for specified purposes at 13.6.2001 and otherwise 1.9.2001 by S.I. 2001/2161, **arts. 2, 3** (as amended (25.6.2001) by S.I. 2001/2304, **art. 2**)

**Changes to legislation:**

There are currently no known outstanding effects for the International Criminal Court Act 2001, Section 13.