



International Criminal Court Act 2001

2001 CHAPTER 17

PART 4

ENFORCEMENT OF SENTENCES AND ORDERS

Sentences of imprisonment

46 Domestic sentence current at end of term of ICC sentence

- (1) Where a person who completes a term of imprisonment imposed by the ICC—
- (a) is still subject to a domestic sentence of imprisonment, whether imposed before or during his imprisonment in pursuance of the sentence of the ICC, and
 - (b) has been transferred to another part of the United Kingdom under section 44 or 45,

he shall be treated as if he had been transferred from the part of the United Kingdom in which the domestic sentence was imposed, by order under Schedule 1 to the Crime (Sentences) Act 1997 (c. 43), on a restricted transfer subject to such conditions as the relevant Minister may consider appropriate.

- (2) In subsection (1)—
- (a) a “domestic sentence” means a sentence imposed by a court in the United Kingdom, and
 - (b) “the relevant Minister” means—
 - (i) where the domestic sentence was imposed in England and Wales or Northern Ireland, the Secretary of State, and
 - (ii) where the domestic sentence was imposed in Scotland, the Scottish Ministers.

Modifications etc. (not altering text)

- C1** S. 46 applied (with modifications) (E.W.) (15.8.2007) by [The International Tribunals \(Sierra Leone\) \(Application of Provisions\) Order 2007 \(S.I. 2007/2140\)](#), **art. 2**

Changes to legislation: *There are currently no known outstanding effects for the International Criminal Court Act 2001, Section 46. (See end of Document for details)*

C2 Ss. 42-48 applied (with modifications) (8.3.2018) by The United Nations (International Residual Mechanism for Criminal Tribunals) Order 2018 (S.I. 2018/187), arts. 1(1), **33(3)** (with art. 3)

Changes to legislation:

There are currently no known outstanding effects for the International Criminal Court Act 2001, Section 46.