



STATUTORY INSTRUMENTS.

S.I. No. 117 of 2013



RULES OF THE SUPERIOR COURTS (INTERNATIONAL CRIMINAL
COURT ACT 2006) 2013

S.I. No. 117 of 2013

RULES OF THE SUPERIOR COURTS (INTERNATIONAL CRIMINAL
COURT ACT 2006) 2013

We, the Superior Courts Rules Committee, constituted pursuant to the provisions of the Courts of Justice Act 1936, section 67, by virtue of the powers conferred upon us by The Courts of Justice Act 1924, section 36, and the Courts of Justice Act 1936, section 68 (as applied by the Courts (Supplemental Provisions) Act 1961, section 48), the Courts (Supplemental Provisions) Act 1961, section 14, and of all other powers enabling us in this behalf, do hereby make the following Rules of Court.

Dated this 12th day of July, 2012.

Susan Denham
Nicholas Kearns
William McKechnie
Elizabeth Dunne
Paul McGarry
Patrick Groarke
Patrick O'Connor
Noel Rubotham
John Mahon

I concur in the making of the following Rules of Court.

Dated this 18th day of March 2013.

ALAN SHATTER
Minister for Justice and Equality

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 5th April, 2013.*

S.I. No. 117 of 2013

RULES OF THE SUPERIOR COURTS (INTERNATIONAL CRIMINAL COURT ACT 2006) 2013

1.—(1) These Rules, which may be cited as the Rules of the Superior Courts (International Criminal Court Act 2006) 2013, shall come into operation on the 15th day of April 2013.

(2) These Rules shall be construed together with the Rules of the Superior Courts.

(3) The Rules of the Superior Courts as amended by these Rules may be cited as the Rules of the Superior Courts 1986 to 2013.

2. The Rules of the Superior Courts are amended:

(i) by the substitution for the title and rule 1 of Order 98 of the following title and rule:

“Order 98

European Arrest Warrant Act 2003
Extradition Acts 1965 to 2001
International Criminal Court Act 2006, Part 3

I. Preliminary

1. (1) In this Order—

the “1965 Act” means the Extradition Act 1965, as amended;

the “2003 Act” means the European Arrest Warrant Act 2003;

the “2006 Act” means the International Criminal Court Act 2006;

“Convention country” shall have the same meaning as in the 1965 Act;

“ICC” means the International Criminal Court established by Article 1 of the Statute of the International Criminal Court, done at Rome on 17 July 1998;

“Minister” means the Minister for Justice and Equality;

“Rome Statute” means the Rome Statute of the International Criminal Court, done at Rome on 17 July 1998.

(2) Words and expressions contained in rules 2 to 9 inclusive of this Order shall, where the context so admits, have the same meaning as in the 2003 Act.

(3) Words and expressions contained in rules 18 to 25 inclusive of this Order shall, where the context so admits, have the same meaning as in the 2006 Act.”;

(ii) by the insertion immediately following rule 17 of Order 98 of the following title and rules:

“IX. Requests by International Criminal Court for Arrest and Surrender of Persons under Part 3 of the 2006 Act

18. (1) In this rule, “surrender proceedings” has the same meaning as in section 18 of the 2006 Act.

(2) A notification by the Minister under section 18(2), section 18(3) or section 18(4) of the 2006 Act shall be in writing addressed to the Registrar.

(3) Where a notification under section 18(2) of the 2006 Act is received, the Registrar shall cause the surrender proceedings concerned to be listed before the Court on notice to the applicant in the surrender proceedings and to the person to whom the surrender proceedings and the request relates for the purpose of considering the making of an order in accordance with section 18(2) of the 2006 Act pending a decision by the Minister in accordance with Article 90 of the Rome Statute.

(4) Where a notification under section 18(3) of the 2006 Act is received, the Registrar shall cause the surrender proceedings concerned to be listed before the Court on notice to the applicant in the surrender proceedings and to the person to whom the surrender proceedings and the request relates for the purpose of considering the making of an order in accordance with section 18(3) of the 2006 Act.

(5) Where a notification under section 18(4) of the 2006 Act is received, the Registrar shall copy the notification to the applicant in the surrender proceedings and to the person to whom the surrender proceedings relates.

19. A warrant of the Court issued pursuant to section 20 of the 2006 Act for a person’s arrest shall be in writing in the Form No. 14, Appendix AA. Where the Court issues a warrant pursuant to section 20 of the 2006 Act, the Registrar shall forthwith notify the Minister in writing of the issue of the warrant.

20. (1) The sworn information of a member of the Garda Síochána for the purposes of an application for a provisional arrest warrant pursuant to section 22 of the 2006 Act shall be in writing in the Form No. 15, Appendix AA.

(2) A provisional arrest warrant issued pursuant to section 22 of the 2006 Act for a person’s arrest shall be in writing in the Form No. 16,

Appendix AA. Where the Court issues a provisional arrest warrant pursuant to section 22 of the 2006 Act, the Registrar shall forthwith notify the Minister in writing of the issue of the warrant.

(3) A notification by the Minister under section 22(3) of the 2006 Act shall be in writing addressed to the Registrar.

(4) Where in any case the Court remands a person in custody in accordance with the provisions of section 24(1) of the 2006 Act, the committal warrant shall be in writing in the Form No. 17, Appendix AA.

Surrender under the 2006 Act

21. (1) Where a person has been arrested in accordance with a warrant issued under section 20 or section 22 of the 2006 Act and:

- (a) the person consents to being surrendered to the custody of the International Criminal Court or, as the case may be, the person shall notify the Registrar in writing of his or her intention to consent to surrender, or
- (b) the consent to surrender is given by a person who is deemed appropriate for that purpose by the Court in accordance with section 29(4) of the 2006 Act,

the consent to surrender shall be recorded in writing before the Court in the Form No. 18, Appendix AA.

(2) The Registrar shall forthwith notify the Minister in writing of any notification pursuant to sub-rule (1)(a) and shall forthwith provide the Minister with a copy of every consent given before the Court pursuant to sub-rule (1).

(3) Where a person who has consented to his or her surrender withdraws his or her consent to surrender, such withdrawal shall be notified in writing by or on behalf of the person as soon as may be to the governor or person in charge of the prison or other place where the person is detained or to the Minister and thereafter the person shall be brought before the Court on the date fixed for the purposes of section 25 of the 2006 Act or, if no such date has yet been fixed, shall be brought before the Court as soon as practicable for the purpose of fixing such a date.

22. (1) Where a person arrested under section 23 of the 2006 Act is brought before the Court in accordance with section 23 of the 2006 Act, and the Court is satisfied that the requirements of section 23(4) and section 23(5) of that Act have been satisfied, the Court:

- (a) may receive a consent referred to in rule 21 and make a surrender order accordingly, or

(b) in any other case, shall fix a date for the purposes of section 25 of the 2006 Act not later than 21 days from the date of the person's arrest, and shall remand the person in custody or on bail to that date or to such earlier date as the Court shall direct.

(2) Where a person does not consent to his or her surrender to the custody of the International Criminal Court (or, as the case may be, of the state of enforcement) in accordance with section 29(1) of the 2006 Act, or withdraws his or her consent under section 29(6)(a) of the 2006 Act before a surrender order has been made by the Court:

(a) he shall be at liberty, not later than 4 days before the date fixed for the purposes of section 25 of the 2006 Act, to deliver to the Minister and file in the Central Office, Points of Objection to his or her surrender, and

(b) where he or she intends to make a challenge to admissibility before the Court on the basis of the principle of *ne bis in idem* as provided for in Article 89(2) of the Rome Statute (and as referred to in section 25(2)(a)(ii) of the 2006 Act), he shall immediately notify the Minister and the Registrar in writing of such intention, and the Registrar shall forthwith copy such written notification to the Minister.

(3) Points of Objection shall:

(a) contain a statement in summary form of the grounds and the material facts on which the person relies to resist the making of a surrender order under section 25 of the 2006 Act, but not the evidence by which such material facts are to be proved, and

(b) where any determination or declaration under section 25(3) of the 2006 Act is sought, specify the determination or declaration sought by the person.

(4) Without prejudice to the generality of sub-rule (3):

(a) where the person has made a challenge before the International Criminal Court to the admissibility of a case on grounds referred to in Article 17 or 89(2) of the Rome Statute or to the International Criminal Court's jurisdiction in the case, the Points of Objection shall include particulars of the challenge (or supplementary Points of Objection shall be delivered and lodged including such particulars), and

(b) where the person intends to make a challenge to admissibility before the Court on the basis of the principle of *ne bis in idem*, as provided for in Article 89(2), the Points of Objection shall contain a summary statement of the grounds for

such challenge and the material facts on which the person relies in support of such challenge, but not the evidence by which such material facts are to be proved (or supplementary Points of Objection shall be delivered and lodged including such statement).

23. (1) On the date fixed pursuant to rule 22(1), or any adjournment from that date, the Court may:

- (a) receive a consent referred to in rule 21 and make a surrender order accordingly;
- (b) where Points of Objection have been delivered, fix a date for the purpose of a hearing of the Points of Objection and in such case, shall remand the person for that purpose and shall make such directions as to the delivery of affidavits and otherwise as seem appropriate;
- (c) whether or not Points of Objection have been delivered, adjourn the proceedings in any case in which it is satisfied that a challenge referred to in section 25(2)(a)(i) of the 2006 Act has been made and not determined;
- (d) whether or not Points of Objection have been delivered, hear and determine a challenge referred to in section 25(2)(a)(ii) of the 2006 Act, or adjourn the proceedings pending the determination by the Court of such a challenge;
- (e) hear and determine an application for any determination or declaration under section 25(3) of the 2006 Act;
- (f) make a surrender order for the surrender of the person into the custody of the International Criminal Court or, as the case may be, of the state of enforcement.

(2) The Registrar shall forthwith send a written notification to the Minister of the making of any determination or declaration in accordance with section 25(3) of the 2006 Act.

(3) The Registrar shall forthwith send a copy of any surrender order made by the Court to the Minister in accordance with section 25(4)(c) of the 2006 Act.

24. An application pursuant to section 33(2) of the 2006 Act by or on behalf of a person awaiting surrender who has not been surrendered and conveyed out of the State in accordance with section 33(1) of the 2006 Act shall, unless the Court otherwise directs or permits, be by motion on two clear days' notice to the Minister.

25. (1) An application for bail by a person in custody pursuant to the 2006 Act shall be by motion on notice to the Minister grounded on the affidavit of the applicant.

(2) The Registrar shall send a copy of any motion lodged for issue under sub-rule (1) to the Pre-Trial Chamber of the International Criminal Court for the purposes of section 26(2)(a)(i) of the 2006 Act.

(3) The application shall be entitled:

THE HIGH COURT

IN THE MATTER OF A REQUEST BY THE
INTERNATIONAL CRIMINAL COURT FOR THE
SURRENDER OF

BAIL APPLICATION

or to the appropriate effect.

(4) Where an applicant has no solicitor, the Court may dispense with the necessity for a notice of motion (provided it is satisfied that notice of the application has been given to the Minister and the Pre-Trial Chamber) and affidavit, and in lieu thereof shall give all appropriate directions including a direction that the applicant be brought before the Court on a date and at a time to be specified, of which the Minister and the Pre-Trial Chamber shall be notified, and for the purpose of giving such directions, the Court may hear the applicant.”;

(iii) by the substitution for Part VI of Order 136 of the following Parts:

“VI. Proceedings under Part 4 of the International Criminal Court
Act 2006

48. In this Part:

the “2006 Act” means the International Criminal Court Act 2006;

“enforcement order” has the same meaning as in section 40 of the 2006 Act;

“freezing order” has the same meaning as in section 38 of the 2006 Act;

“ICC” means the International Criminal Court established by Article 1 of the Statute of the International Criminal Court, done at Rome on 17 July 1998;

unless the context otherwise requires, words and phrases have the same meaning as in the 2006 Act.

49. (1) An application by a member of the Garda Síochána not below the rank of inspector for a freezing order under section 38(4) of the 2006 Act shall be made by originating motion *ex parte*. The said originating motion shall be entitled:

“The High Court

In the Matter of the International Criminal Court Act
2006, Part 4

and in the Matter of an Application affecting property
alleged to be in the possession or control of [C.D.]

On the Application of [A.B.]”

and shall, in the body thereof, specify the relief sought under section 38 of the 2006 Act and any property in respect of which such relief is sought.

(2) An application under section 38(4) of the 2006 Act shall be grounded upon an affidavit or affidavits sworn by or on behalf of the applicant.

(3) Notwithstanding sub-rule (2), the Court may, in cases of urgency, hear an application under section 38(4) of the 2006 Act on oral evidence. Where any oral evidence is heard by the Court in the course of any such application *ex parte*, a note of such evidence shall be prepared by the applicant or the applicant’s solicitor and approved by the Court and shall, unless otherwise directed by the Court, be served upon the person affected by the making of the order, together with a copy of any order made.

(4) On the hearing of any application for an order under section 38(4) of the 2006 Act, the Court may give such directions as seem appropriate:

- (a) as to the service of any document by substituted or other service or for the substitution for the service of notice by advertisement or otherwise in accordance with Order 10;
- (b) as to the service of any document outside the jurisdiction in accordance with Order 11.

(5) An application under section 38(11) of the 2006 Act to appoint a receiver may be made by motion *ex parte* in the proceedings commenced by the originating motion referred to in sub-rule (1), grounded upon an affidavit sworn by or on behalf of the applicant. In addition to any other order which may be made on the hearing of the motion, the Court may direct the service of notice of the application upon, or the delivery of copies of the notice of motion and affidavit(s) to, such other person or persons as it considers appropriate.

(6) Where the Court, having appointed a receiver under section 38(11) of the 2006 Act, directs the receiver to account to any person in respect of the receivership, the account shall, subject to any modifications which may be necessary or as the Court may direct, be in the Form No. 20 in Appendix G and the affidavit verifying the account shall, subject to any modifications which may be necessary, be in the Form No. 24 in Appendix G.

50. Any application:

- (a) under section 38(7)(c) of the 2006 Act to discharge or vary a freezing order in relation to any property;
- (b) under section 38(7)(d) by or on behalf of the International Criminal Court or on the conclusion of the proceedings before that Court in relation to which the freezing order was made, to discharge a freezing order;
- (c) under section 38(9) of the 2006 Act by a person affected by a freezing order to discharge or vary a freezing order;
- (d) under section 38(10) of the 2006 Act to discharge a freezing order; or
- (e) under section 38(13) of the 2006 Act for directions as to any dealing in property seized under section 38(12) of that Act;

shall, unless the Court otherwise directs or permits, be made by notice of motion in the proceedings commenced by the originating motion referred to in rule 48, and may be grounded upon an affidavit or affidavits sworn by or on behalf of the moving party. Save in cases where the Court is satisfied that it is not reasonably possible to ascertain the whereabouts of the respondent or of any other person who appears to be affected by the making of the order under section 38(4), notice of such application shall be given by delivering copies of the said notice of motion and of any grounding affidavit and any exhibits thereto to each person affected by the freezing order (so far as it relates to any property which is the subject of the application) and to the person on whose application the freezing order was made not later than four clear days (or, in cases of urgency, such lesser period as the Court may allow) before the return date for the motion.

51. (1) An application on behalf of the Minister under section 40(2)(a) of the 2006 Act for enforcement of an ICC order shall be made by originating notice of motion. The originating notice of motion shall be entitled:

“The High Court

In the Matter of the International Criminal Court Act
2006, Part 4

And in the Matter of an Application by [A.B.],
Applicant

for the enforcement of an ICC order made against
[C.D.], Respondent”

and shall, in the body thereof, specify whether the enforcement sought relates to part or all of the ICC order concerned, and whether the ICC order concerned provides for the payment of a fine or other sum or relates to the forfeiture of property.

(2) An application referred to in sub-rule (1) shall be grounded upon an affidavit or affidavits sworn by or on behalf of the applicant, which shall:

- (a) where the ICC order concerned is in writing, exhibit a copy of the order (together, where necessary, with a translation of the order into an official language of the State);
- (b) where the relief sought includes forfeiture, include sufficient particulars of the property to which the application for forfeiture relates, and
- (c) include evidence that the ICC order (or, as the case may be, the conviction in respect of which the ICC order was made) to which the application relates is in force and not subject to further appeal.

(3) Save in cases where the Court is satisfied that it is not reasonably possible to ascertain the whereabouts of the respondent or of any other person who appears to hold an interest in any property concerned in the application, notice of the application shall be given by delivering copies of the said originating notice of motion and of any grounding affidavit and any exhibits thereto to the respondent and to each person who appears to hold an interest in any property concerned in the application not later than four clear days before the return date for the originating notice of motion.

(4) On the hearing of any application for an enforcement order, the Court may give such directions for the further conduct of the application as seem appropriate, including:

- (a) as to the service of any document by substituted or other service or for the substitution for the service of notice by advertisement or otherwise in accordance with Order 10;

- (b) as to the service of any document outside the jurisdiction in accordance with Order 11;
- (c) as to the delivery of affidavits;
- (d) as to the delivery of written submissions.

(5) Where an enforcement order made on an application commenced in accordance with this rule is served upon the respondent, there shall be endorsed upon the copy of the order served upon that person a memorandum in the following words or to the following effect: "If at any time after the making of this enforcement order, it is reported to the High Court that any such sum payable under the ICC order to which this enforcement order relates remains unpaid, the High Court may order that you be imprisoned for a period not exceeding that set out in the Table to section 40 of the International Criminal Court Act 2006."

52. (1) An application for any order under section 41(2) of the 2006 Act in relation to an enforcement order mentioned in section 41(1) of the 2006 Act shall be made by notice of motion in the proceedings commenced by the originating notice of motion referred to in rule 50, and may be grounded upon an affidavit sworn by or on behalf of the moving party.

(2) Notice of such application shall be given to the respondent and to every other person holding or claiming to hold an interest in the property concerned, by delivering copies of the said notice of motion and of any grounding affidavit and any exhibits thereto to each such person not later than four clear days (or, in cases of urgency, such lesser period as the Court may allow) before the return date for the motion.

(3) In addition to any other order which may be made on the hearing of the motion referred to in sub-rule (1), the Court may, at such hearing, direct the service of notice of the application upon, or the delivery of copies of the notice of motion and affidavit to, such other person or persons as it considers appropriate.

53. (1) Where an enforcement order has been made, any application to the Court by or on behalf of the Minister for an order that the respondent be imprisoned under section 40(9) of the 2006 Act shall be made by notice of motion in the proceedings commenced by the originating notice of motion referred to in rule 50.

(2) Such application shall be grounded upon an affidavit sworn by or on behalf of the moving party. Notice of such application shall be given by delivering copies of the said notice of motion and grounding affidavit and any exhibits thereto to the respondent, not later than 21 days before the return date for the motion.

(3) The respondent may deliver a replying affidavit within two weeks of the delivery to him or her of copies of the notice of motion, grounding affidavit and any exhibits thereto and the applicant may deliver a further affidavit within two weeks of the delivery of any replying affidavit.

VII. General

54. A respondent or defendant in any proceedings commenced by originating notice of motion pursuant to this Order, and to whom notice of such motion has been given, shall enter an appearance to such notice of motion in the Form No. 1 in Appendix A, Part II, with such modifications as may be necessary, within eight days after service upon him of the originating notice of motion or notice thereof. Where a respondent or defendant is given notice of such motion after the date first fixed for the hearing of the notice of motion, he shall enter an appearance thereto within the time fixed by the Court for that purpose.

55. Save as otherwise provided by this Order or directed by the Court, all proceedings under this Order shall be heard and determined upon affidavit.”;

(iv) by the substitution for the title to Appendix AA of the following title:

“Appendix AA

European Arrest Warrant Act 2003
Extradition Acts 1965 to 2001
International Criminal Court Act 2006, Part 3”, and

(v) by the insertion of the Forms in the Schedule to Appendix AA, immediately following Form No. 13.

Schedule

No. 14

O. 98, r. 19. (1)

THE HIGH COURT

WARRANT OF ARREST

International Criminal Court Act 2006, section 20

..... day the day of 20.....

BEFORE MR/MS JUSTICE

WHEREAS there have been produced to me, a Judge of the High Court-

a certificate of the Minister for Justice and Equality under section 19 of the International Criminal Court Act 2006 stating that a request has been duly made by the International Criminal Court for the arrest and surrender of [also known as] of

copies of the said request made by the International Criminal Court, of the accompanying documents *[and of other related documents]

THIS IS TO COMMAND any member of the Garda Síochána to arrest the said and in accordance with the provisions of section 20 to bring him/her as soon as may be before a Judge of the High Court.

Dated this day of 20.....

Signed

Judge of the High Court

To the Commissioner of the Garda Síochána, at

*and the Governor of

* Delete if not applicable

No. 15

O.98, r. 20(1)

THE HIGH COURT

INFORMATION
(provisional arrest)

International Criminal Court Act 2006, section 22

THE INFORMATION of of who says on oath:-

I am a member of the Garda Síochána not below the rank of inspector.

I have reason to believe—

(a) that the International Criminal Court has made a request under Article 92 of the Rome Statute of the International Criminal Court for the provisional arrest of a person, namely, *[also known as] of on grounds of urgency,

(b) that the said *[is in the State, at] *[is on the way to the State]

(c) that the said—

*[is accused or suspected by the International Criminal Court of having committed *[an ICC offence, within the meaning of section 9(1) of the International Criminal Court Act 2006] *[an offence under section 11(1)(a) of the International Criminal Court Act 2006], namely,]

*[has been convicted by the International Criminal Court of *[an ICC offence, within the meaning of section 9(1) of the International Criminal Court Act 2006] *[an offence under section 11(1)(a) of the International Criminal Court Act 2006], namely.....,]

and

(d) that a request for the arrest and surrender of the said will be duly made.

My reasons for so believing are the following:

.....
.....

I therefore apply under section 22(1) of the said Act for the issue of a provisional arrest warrant for the arrest of the said

Signed
Informant

SWORN before me this day of 20.....

Signed
Judge of the High Court

*Delete if not applicable

No. 16

O.98, r. 20(2)

THE HIGH COURT

WARRANT OF PROVISIONAL ARREST

International Criminal Court Act 2006, section 22

..... day the day of 20.....

BEFORE MR/MS JUSTICE

WHEREAS on application by information on oath and in writing of of, a member of the Garda Síochána not below the rank of inspector pursuant to section 22 of the International Criminal Court Act 2006 for the issue of a provisional arrest warrant in respect of a person namely, *[also known as] of

The Court being satisfied that said member has reason to believe-

(a) that the International Criminal Court has made a request under Article 92 of the Rome Statute of the International Criminal Court for the provisional arrest of the said person on grounds of urgency,

(b) that the said person is in, or on the way to, the State,

(c) that the said person-

*[is accused or suspected by the International Criminal Court of having committed *[an ICC offence, within the meaning of section 9(1) of the International Criminal Court Act 2006] *[an offence under section 11(1)(a) of the International Criminal Court Act 2006], namely

*[has been convicted by the International Criminal Court of *[an ICC offence, within the meaning of section 9(1) of the International Criminal Court Act 2006] *[an offence under section 11(1)(a) of the International Criminal Court Act 2006], namely, and

(d) that a request for the arrest and surrender of the said person will be duly made.

THIS IS TO COMMAND any member of the Garda Síochána to arrest the said and in accordance with the provisions of section 22 of the International Criminal Court Act 2006 to bring him/her as soon as may be before a Judge of the High Court.

Dated this..... day of 20.....

Signed
Judge of the High Court

*Delete if not applicable

THE HIGH COURT
COMMITTAL WARRANT
(Remand in custody)

INTERNATIONAL CRIMINAL COURT ACT 2006

Pursuant to an order of the High Court dated the day of 20.....

WHEREAS a person named *[also known as] of was this day before me, a Judge of the High Court, in pursuance of the above mentioned Act, he/she being the person named or described in a request by the International Criminal Court in accordance with Articles 87, 89 and 91 of the Rome Statute of the International Criminal Court, done at Rome on 17 July 1998

AND WHEREAS the hearing of the proceedings under the said Act has been adjourned to the sitting of the High Court to be held at on the day of 20..... at a.m./p.m.

THIS IS TO COMMAND YOU to whom this warrant is addressed to lodge the said in the *(prison) *(remand institution, he/she being not more than twenty-one years of age) at there to be detained by the *(governor)*(person in charge) thereof until the above time of adjournment when you shall have him/her at the said sitting to be further dealt with according to law

AND it shall be lawful for you to lodge the said forthwith in the Garda Síochána station at in the custody of the member of the Garda Síochána in charge of such station to be there detained for a period not exceeding forty-eight hours.

Dated this..... day of 20.....

Signed
Judge of the High Court

To the Superintendent of the Garda Síochána,
at

*Delete if not applicable

No. 18

O.98, r. 21(1)

THE HIGH COURT

CONSENT TO BE SURRENDERED

International Criminal Court Act 2006, Section 29

I,, *[also known as] of

HAVING BEEN BROUGHT BEFORE THE HIGH COURT in pursuance of the above mentioned Act on the day of 20.... and

HAVING obtained, or been given the opportunity of obtaining or being provided with professional legal advice and representation

AND HAVING ALSO BEEN INFORMED of my right to make a complaint under the provisions of Article 40.4.2 of the Constitution at any time before my surrender

VOLUNTARILY and in full awareness of the consequences of my consenting to surrender

DO NOW HEREBY CONSENT TO BE SURRENDERED to the custody of *[the International Criminal Court] *[the State of (being the state of enforcement in relation to my conviction by the International Criminal Court)].

Signed

[or]

..... *[also known as] of

HAVING BEEN BROUGHT BEFORE THE HIGH COURT in pursuance of the above mentioned Act on the day of 20.... and

HAVING obtained, or been given the opportunity of obtaining or being provided with professional legal advice and representation

AND HAVING ALSO BEEN INFORMED of his/her right to make a complaint under the provisions of Article 40.4.2 of the Constitution at any time before his/her surrender

AND by reason of a physical or mental condition, it being inappropriate for the said to consent to his/her surrender

AND THE COURT BEING SATISFIED that I, the undersigned, am an appropriate person to give a consent for the said

VOLUNTARILY and in full awareness of the consequences

I DO NOW HEREBY CONSENT FOR THE SAID TO HIS/HER SURRENDER to the custody of *[the International Criminal Court] *[the State of (being the state of enforcement in relation to my conviction by the International Criminal Court)].

Signed

The above was given before

M..... Justice at

This day of 20.....

Signed
Registrar

* Delete if not applicable

EXPLANATORY NOTE

(This does not form part of the Instrument and does not purport to be a legal interpretation.)

These Rules amend the title and rule 1 and insert a new Part IX into Order 98; substitute Part VI of Order 136; insert Forms Nos 14 to 18 inclusive and amend the title of Appendix AA; of the Rules of the Superior Courts to regulate the procedure in the High Court under Part 3 of the International Criminal Court Act 2006 for the issue of arrest warrants under section 20, provisional arrest warrants under section 22 and surrender orders under section 25 and to provide for procedure under Part 4 of the International Criminal Court Act 2006 in relation to applications to the High Court for the issue of a freezing order under section 38 and the discharge or variation of such an order under that section, for the issue of an enforcement order under section 40, and for the appointment of a receiver under sections 38 and 41.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,
nó tríd an bpost ó
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,
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