
STATUTORY INSTRUMENTS

1995 No. 2993

The Police (Amendment) (Northern Ireland) Order 1995

PART II

Police Powers

Power for police to arrest for failure to answer police bail

7.—(1) After Article 47 of the 1989 Order there shall be inserted the following Article—

“Power of arrest for failure to answer to police bail

47A.—(1) A constable may arrest without a warrant any person who, having been released on bail under this Part subject to a duty to attend at a police station, fails to attend at that police station at the time appointed for him to do so.

(2) A person who is arrested under this Article shall be taken to the police station appointed as the place at which he is to surrender to custody as soon as practicable after the arrest.

(3) For the purposes of—

- (a) Article 32 (subject to the obligation in paragraph (2), and
- (b) Article 33,

an arrest under this Article shall be treated as an arrest for an offence.”

(2) In Article 35 of the 1989 Order (limitations on police detention) after paragraph (7) there shall be added the following paragraph—

“(8) For the purposes of this Part a person who returns to a police station to answer to bail or is arrested under Article 47A shall be treated as arrested for an offence and the offence in connection with which he was granted bail shall be deemed to be that offence.”

(3) In consequence of the foregoing amendments the 1989 Order shall be amended as follows—

- (a) in Article 38(1), sub-paragraph (b) shall be omitted;
- (b) in Articles 42(7), 43(10) and 44(18), at the end, there shall be inserted the words “; but this paragraph does not prevent an arrest under Article 47A.”; and
- (c) in Article 48(11), at the end, there shall be inserted the words “; but this paragraph does not apply to a person who is arrested under Article 47A or has attended a police station in accordance with the grant of bail (and who accordingly is deemed by Article 35(8) to have been arrested for an offence).”

(4) This Article applies whether the person released on bail was granted bail before or after the coming into operation of this Article.