

Status: Point in time view as at 23/03/2015.

Changes to legislation: Anti-social Behaviour, Crime and Policing Act 2014, Cross Heading: Remand in custody or on bail is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 1

REMANDS UNDER SECTIONS 9 AND 10

Remand in custody or on bail

- 2 (1) The judge or the court may remand the person—
- (a) in custody, or
 - (b) on bail.

But a person aged under 18 may not be remanded in custody unless paragraph 6 applies.

- (2) A reference in this Schedule to remanding a person in custody is a reference to committing the person to custody to be brought before the court at the end of the period of remand or at whatever earlier time the court may require.
- (3) The judge or the court may remand the person on bail—
- (a) by taking from the person a recognizance, with or without sureties, conditioned as provided in paragraph 3, or
 - (b) by fixing the amount of the recognizances with a view to their being taken subsequently and, in the meantime, committing the person to custody as mentioned in sub-paragraph (2).
- (4) Where a person is brought before the court after remand, the court may further remand the person.

Commencement Information

II Sch. 1 para. 2 in force at 23.3.2015 by S.I. 2015/373, art. 4(c)

- 3 (1) Where a person is remanded on bail, the judge or the court may direct that the person's recognizance be conditioned for his or her appearance—
- (a) before the court at the end of the period of remand, or
 - (b) at every time and place to which during the course of the proceedings the hearing may from time to time be adjourned.
- (2) Where a recognizance is conditioned for a person's appearance as mentioned in sub-paragraph (1)(b), the fixing of a time for the person next to appear is to be treated as a remand.
- (3) Nothing in this paragraph affects the power of the court at any subsequent hearing to remand the person afresh.

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Commencement Information

I2 Sch. 1 para. 3 in force at 23.3.2015 by S.I. 2015/373, art. 4(c)

- 4 (1) The judge or the court may not remand a person for a period exceeding 8 clear days unless—
- (a) paragraph 5 or 6 applies, or
 - (b) the person is remanded on bail and both that person and the person who applied for the injunction consent to a longer period.
- (2) Where the judge or the court has power to remand a person in custody, the person may be committed to the custody of a constable if the remand is for a period not exceeding 3 clear days.

Commencement Information

I3 Sch. 1 para. 4 in force at 23.3.2015 by S.I. 2015/373, art. 4(c)

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Changes to legislation:

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