



Bail Act 1976

CHAPTER 63

BAIL ACT 1976

Preliminary

- 1 Meaning of “bail in criminal proceedings”.
- 2 Other definitions.

Incidents of bail in criminal proceedings

- 3 General provisions.
- 3AA AElectronic monitoring of compliance with bail conditions
- 3A Conditions of bail in case of police bail.

Bail for accused persons and others

- 4 General right to bail of accused persons and others.

Supplementary

- 5 Supplementary provisions about decisions on bail.
- 5A Supplementary provisions in cases of police bail.
- 5B Reconsideration of decisions granting bail.
- 6 Offence of absconding by person released on bail.
- 7 Liability to arrest for absconding or breaking conditions of bail.
- 8 Bail with sureties.

Miscellaneous

- 9 Offence of agreeing to indemnify sureties in criminal proceedings.
- 10
- 11
- 12 Amendments, repeals and transitional provisions.

Status: Point in time view as at 01/09/2004.

Changes to legislation: Bail Act 1976 is up to date with all changes known to be in force on or before 04 October 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)

13 Short title, commencement, application and extent.

SCHEDULES

SCHEDULE 1 — Persons Entitled to Bail: Supplementary Provisions
Part I — DEFENDANTS ACCUSED OR CONVICTED OF IMPRISONABLE OFFENCES

Defendants to whom Part I applies

1 The following provisions of this Part of this Schedule apply...

Exceptions to right to bail

- 2 (1) The defendant need not be granted bail if the...
- 2A The defendant need not be granted bail if—
- 2B The defendant need not be granted bail in connection with...
- 3 The defendant need not be granted bail if the court...
- 4 The defendant need not be granted bail if he is...
- 5 The defendant need not be granted bail where the court...
- 6 The defendant need not be granted bail if, having been...

Exception applicable to drug users in certain areas

6A Subject to paragraph 6C below, a defendant who falls within...

Exception applicable to drug users in certain areas

6B (1) A defendant falls within this paragraph if—

Exception applicable to drug users in certain areas

6C Paragraph 6A above does not apply unless—

Exception applicable only to defendant whose case is adjourned for inquiries or a report

7 Where his case is adjourned for inquiries or a report,...

Restriction of conditions of bail

8 (1) Subject to sub-paragraph (3) below, where the defendant is...

Decisions under paragraph 2

- 9 In taking the decisions required by paragraph 2(1), or in...
- 9A

Cases under section 128A of Magistrates' Courts Act 1980

9B Where the court is considering exercising the power conferred by...
Part II — DEFENDANTS ACCUSED OR CONVICTED OF NON-IMPRISONABLE OFFENCES

Defendants to whom Part II applies

1 Where the offence or every offence of which the defendant...

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Exceptions to right to bail

- 2 The defendant need not be granted bail if—
- 3 The defendant need not be granted bail if the court...
- 4 The defendant need not be granted bail if he is...
- 5 The defendant need not be granted bail if—
 - Part IIA — DECISIONS WHERE BAIL REFUSED ON PREVIOUS HEARING
 - 1 If the court decides not to grant the defendant bail,...
 - 2 At the first hearing after that at which the court...
 - 3 At subsequent hearings the court need not hear arguments as...
 - Part III — INTERPRETATION
 - 1 For the purposes of this Schedule the question whether an...
 - 2 References in this schedule to previous grants of bail in...
 - 3 References in this Schedule to a defendant’s being kept in...
 - 4 In this Schedule— “court”, in the expression “sentence of a...

SCHEDULE 2 — CONSEQUENTIAL AND OTHER AMENDMENTS OF ACTS

Habeas Corpus Act 1679

- 1 In section 2 of the Habeas Corpus Act 1679 (bail...
- 2

Criminal Law Amendment Act 1867

- 3 In section 10 of the Criminal Law Amendment Act 1867...
- 4
- 5
- 6

Criminal Justice Administration Act 1914

- 7 In section 19 of the Criminal Justice Administration Act 1914...

Indictments Act 1915

- 8 In section 5(5)(c) of the Indictment Act 1915 (bail where...

Children and Young Persons Act 1933

- 9 In section 13(2) of the Children and Young Persons Act...

Public Order Act 1936

- 10 In section 1(2) of the Public Order Act 1936 (right...

Criminal Justice Act 1948

- 11 (1) Section 37 of the Criminal Justice Act 1948 (powers...
- 12
- 13
- 14—29

Administration of Justice Act 1960

- 30 In section 4(2) of the Administration of Justice Act 1960...
- 31 In section 6(1) of the Administration of Justice Act 1960...

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Backing of Warrants (Republic of Ireland) Act 1965

33 (1) Section 5 of the Backing of Warrants (Republic of...

Criminal Justice Act 1967

34 Section 18 of the Criminal Justice Act 1967 (restrictions on...

35

36 Section 21 of the Criminal Justice Act 1967 (power to...

37 (1) Section 22 of the Criminal Justice Act 1967 (extension...

Criminal Appeal Act 1968

38 In section 8(2) and (3) of the Criminal Appeal Act...

39

40—42

43 In section 36 of the Criminal Appeal Act 1968 (bail...

44 In section 43(1) of the Criminal Appeal Act 1968 (computation...

45 In Schedule 2 to the Criminal Appeal Act 1968 (provisions...

Courts-Martial (Appeals) Act 1968

46 In section 45(2) of the Courts-Martial (Appeals) Act 1968
(computation...

Children and Young Persons Act 1969

47 In section 29 of the Children and Young Persons Act...

48

SCHEDULE 3 — REPEALS

SCHEDULE 4 — Transitional Provisions

1 (1) Without prejudice to section 38(2) of the Interpretation Act...

2 Where, before the appointed day, a court has—

3 Where a person has been granted bail before the appointed...

4 In this Schedule “the appointed day” means the day appointed...

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