



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 Conditions for the imposition of electronic monitoring requirements: children and young persons released on bail other than in extradition proceedings
- 3AAA Conditions for the imposition of electronic monitoring requirements: children and young persons released on bail in extradition proceedings
- 3AB Conditions for the imposition of electronic monitoring requirements: other persons
- 3AC Electronic monitoring: general provisions
- 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.

Status: Point in time view as at 03/12/2014.

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Miscellaneous

- 9 Offence of agreeing to indemnify sureties in criminal proceedings.
- 9A Bail decisions relating to children or young persons who are accused of offences mentioned in Schedule 2 to the Magistrates' Courts Act 1980
- 10
- 11
- 12 Amendments, repeals and transitional provisions.
- 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

Application of Part 1

- 1 (1) Subject to sub-paragraph (2), and paragraph 1A the following...
- 1A (1) The paragraphs of this Part of this Schedule mentioned...

Exceptions to right to bail

- 2 (1) The defendant need not be granted bail if the...
- 2ZA (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 previously...
- 6ZA If the defendant is charged with murder, the defendant may...

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...

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- 9AA (1) This paragraph applies if— (a) the defendant is a...
- 9AB (1) Subject to sub-paragraph (2) below, this paragraph applies if—...
- 9A

Cases under section 128A of Magistrates' Courts Act 1980

- 9B Where the court is considering exercising the power conferred by...
Part 1A — DEFENDANTS ACCUSED OR CONVICTED OF IMPRISONABLE
OFFENCES TO WHICH PART 1 DOES NOT APPLY

Application of Part 1A

- 1 Subject to paragraph 1A, the following provisions of this Part...
- 1A (1) The paragraphs of this Part of this Schedule mentioned...

Exceptions to right to bail

- 2 The defendant need not be granted bail if—
- 3 The defendant need not be granted bail if—
- 4 (1) The defendant need not be granted bail if the...
- 5 The defendant need not be granted bail if the court...
- 6 The defendant need not be granted bail if he is...
- 7 The defendant need not be granted bail if —
- 8 The defendant need not be granted bail where the court...

Application of paragraphs 6A to 6C of Part 1

- 9 Paragraphs 6A to 6C of Part 1 (exception applicable to...
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...

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—
- 6 (1) 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 include—...
- 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

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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...
32

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...

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- 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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