



Bail Act 1976

1976 CHAPTER 63

Miscellaneous

9 Offence of agreeing to indemnify sureties in criminal proceedings.

- (1) If a person agrees with another to indemnify that other against any liability which that other may incur as a surety to secure the surrender to custody of a person accused or convicted of or under arrest for an offence, he and that other person shall be guilty of an offence.
- (2) An offence under subsection (1) above is committed whether the agreement is made before or after the person to be indemnified becomes a surety and whether or not he becomes a surety and whether the agreement contemplates compensation in money or in money's worth.
- (3) Where a magistrates' court convicts a person of an offence under subsection (1) above the court may, if it thinks—
 - (a) that the circumstances of the offence are such that greater punishment should be inflicted for that offence than the court has power to inflict, or
 - (b) in a case where it [^{F1}commits][^{F1}sends] that person for trial to the Crown Court for another offence, that it would be appropriate for him to be dealt with for the offence under subsection (1) above by the court before which he is tried for the other offence,commit him in custody or on bail to the Crown Court for sentence.
- (4) A person guilty of an offence under subsection (1) above shall be liable—
 - (a) on summary conviction, to imprisonment for a term not exceeding 3 months or to a fine not exceeding £400 or to both; or
 - (b) on conviction on indictment or if sentenced by the Crown Court on committal for sentence under subsection (3) above, to imprisonment for a term not exceeding 12 months or to a fine or to both.
- (5) No proceedings for an offence under subsection (1) above shall be instituted except by or with the consent of the Director of Public Prosecutions.

Status: Point in time view as at 05/11/2012. This version of this provision has been superseded.
Changes to legislation: Bail Act 1976, Section 9 is up to date with all changes known to be in force on or before 11 August 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)

Textual Amendments

- F1** Word in s. 9(3)(b) substituted (9.5.2005 for specified purposes, 18.6.2012 for specified purposes, 5.11.2012 for specified purposes) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 3 para. 48\(5\)](#); [S.I. 2005/1267](#), art. 2(1)(2)(a), Sch. Pt. 1; [S.I. 2012/1320](#), art. 4(1)(c)(2)(3) (with art. 5) (see [S.I. 2012/2574](#), arts. 2(1)(c)(2)(3), 4(2), Sch. (with arts. 3, 4) (as amended (4.11.2012) by [S.I. 2012/2761](#), art. 2) and [S.I. 2013/1103](#), art. 4)

Modifications etc. (not altering text)

- C1** S. 9(5) explained by [Criminal Jurisdiction Act 1975 \(c. 59\)](#), s. 12

Status:

Point in time view as at 05/11/2012. This version of this provision has been superseded.

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