
STATUTORY INSTRUMENTS

2014 No. 1610

The Criminal Procedure Rules 2014

PART 68

APPEAL TO THE COURT OF APPEAL ABOUT CONVICTION OR SENTENCE

Forfeiture of a recognizance given as a condition of bail

68.10.—(1) This rule applies where—

- (a) the court grants a party bail pending appeal or retrial; and
- (b) the bail is subject to a condition that that party provides a surety to guarantee that he will surrender to custody as required; but
- (c) that party does not surrender to custody as required.

(2) The Registrar must serve notice on—

- (a) the surety; and
- (b) the prosecutor,

of the hearing at which the court may order the forfeiture of the recognizance given by that surety.

(3) The court must not forfeit a surety's recognizance—

- (a) less than 7 days after the Registrar serves notice under paragraph (2); and
- (b) without giving the surety an opportunity to make representations at a hearing.

[Note. If the purpose for which a recognizance is entered is not fulfilled, that recognizance may be forfeited by the court. If the court forfeits a surety's recognizance, the sum promised by that person is then payable to the Crown.]