

Changes to legislation: Bail Act 1976, Cross Heading: Restriction of conditions of bail is up to date with all changes known to be in force on or before 05 April 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) View outstanding changes

SCHEDULES

SCHEDULE 1

PERSONS ENTITLED TO BAIL: SUPPLEMENTARY PROVISIONS

PART I

DEFENDANTS ACCUSED OR CONVICTED OF IMPRISONABLE OFFENCES

Restriction of conditions of bail

- 8 (1) Subject to sub-paragraph (3) below, where the defendant is granted bail, no conditions shall be imposed under subsections [F¹(4) to (6B) or (7)] [F²(except subsection (6)(d) [F³ or (e)])] of section 3 of this Act unless it appears to the court [F⁴that it is necessary to do so—
- (a) for the purpose of preventing the occurrence of any of the events mentioned in paragraph 2(1) of this Part of this Schedule, or
 - (b) for the defendant’s own protection or, if he is a child or young person, for his own welfare or in his own interests.]
- [F⁵(1A) No condition shall be imposed under section 3(6)(d) of this Act unless it appears to be necessary to do so for the purpose of enabling inquiries or a report to be made.]
- (2) [F⁶Sub-paragraphs (1) and (1A) above also apply] on any application to the court to vary the conditions of bail or to impose conditions in respect of bail which has been granted unconditionally.
- (3) The restriction imposed by [F⁷sub-paragraph (1A)] above shall not [F⁸apply to the conditions required to be imposed under section 3(6A) of this Act or] operate to override the direction in [F⁹section 11(3) of the Powers of Criminal Courts (Sentencing) Act 2000] to a magistrates’ court to impose conditions of bail under section 3(6)(d) of this Act of the description specified in [F¹⁰the said section 11(3)] in the circumstances so specified.

Textual Amendments

- F1** Words in Sch. 1 para. 8(1) substituted (5.4.2004) by [Criminal Justice Act 2003 \(c. 44\), ss. 19\(4\)\(b\), 336\(3\)\(4\)](#) (with s. 141); [S.I. 2004/829, art. 2\(1\)\(2\)\(b\)](#)
- F2** Words in Sch. 1 para. 8 inserted (1.10.1992) by [Criminal Justice Act 1991 \(c. 53, SIF 39:1\), s. 100, Sch. 11, para. 22\(2\)](#); [S.I. 1992/333, art. 2\(2\), Sch. 2](#).
- F3** Words in Sch. 1 para. 8(1) inserted (30.9.1998) by [1998 c. 37 s. 119, Sch. 8 para. 38](#); [S.I. 1998/2327, art. 2\(2\)\(m\)](#).
- F4** Sch. 1 para. 8(1)(a)(b) substituted for words (5.4.2004) by [Criminal Justice Act 2003 \(c. 44\), ss. 13\(3\), 336\(3\)\(4\)](#) (with s. 141); [S.I. 2004/829, art. 2\(1\)\(2\)\(b\)](#)

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- F5** Sch. 1 para. 8(1A) inserted (1.10.1992) by Criminal Justice Act 1991 (c. 53, SIF 39:1), s. 100, **Sch. 11 para. 22(3)**; S.I. 1992/333, art. 2(2), **Sch. 2**.
- F6** Words in Sch. 1 para. 8(2) substituted (1.10.1992) by Criminal Justice Act 1991 (c. 53, SIF 39:1), s. 100, **Sch. 11 para. 22(4)**; S.I. 1992/333, art. 2(2), **Sch. 2**.
- F7** Words in Sch. 1 para. 8(3) substituted (1.10.1992) by Criminal Justice Act 1991 (c. 53, SIF 39:1), s. 100, **Sch. 11 para. 22(5)**; S.I. 1992/333, art. 2(2), **Sch. 2**.
- F8** Words inserted by Mental Health (Amendment) Act 1982 (c. 51, SIF 85), **s. 34(4)**
- F9** Words in Sch. 1 Pt. I para. 8(3) substituted (25.8.2000) by 2000 c. 6, ss. 165(1), 168(1), **Sch. 9 para. 54(2)(a)**
- F10** Words in Sch. 1 Pt. I para. 8(3) substituted (25.8.2000) by 2000 c. 6, ss. 165(1), 168(1), **Sch. 9 para. 54(2)(b)**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act words substituted by [2005 c. 4 Sch. 11 para. 4](#)
- Blanket Amendment words substituted by [2005 c. 4 Sch. 11 para. 1\(2\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 5(6A)(a)(iia) inserted by [2003 c. 44 Sch. 36 para. 2\(3\)](#)
- s. 5(6A)(a)(iiia) and word inserted by [2003 c. 44 Sch. 36 para. 2\(4\)](#)