



# Bail Act 1976

## 1976 CHAPTER 63

### *Incidents of bail in criminal proceedings*

#### **3 General provisions**

- (1) A person granted bail in criminal proceedings shall be under a duty to surrender to custody, and that duty is enforceable in accordance with section 6 of this Act.
- (2) No recognizance for his surrender to custody shall be taken from him.
- (3) Except as provided by this section—
  - (a) no security for his surrender to custody shall be taken from him,
  - (b) he shall not be required to provide a surety or sureties for his surrender to custody, and
  - (c) no other requirement shall be imposed on him as a condition of bail.
- (4) He may be required, before release on bail, to provide a surety or sureties to secure his surrender to custody.
- (5) If it appears that he is unlikely to remain in Great Britain until the time appointed for him to surrender to custody, he may be required, before release on bail, to give security for his surrender to custody.

The security may be given by him or on his behalf.

- (6) He may be required (but only by a court) to comply, before release on bail or later, with such requirements as appear to the court to be necessary to secure that—
  - (a) he surrenders to custody,
  - (b) he does not commit an offence while on bail,
  - (c) he does not interfere with witnesses or otherwise obstruct the course of justice whether in relation to himself or any other person,
  - (d) he makes himself available for the purpose of enabling inquiries or a report to be made to assist the court in dealing with him for the offence.
- (7) If a parent or guardian of a child or young person consents to be surety for the child or young person for the purposes of this subsection, the parent or guardian may be

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*Status: This is the original version (as it was originally enacted).*

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required to secure that the child or young person complies with any requirement imposed on him by virtue of subsection (6) above, but—

- (a) no requirement shall be imposed on the parent or the guardian of a young person by virtue of this subsection where it appears that the young person will attain the age of seventeen before the time to be appointed for him to surrender to custody ; and
- (b) the parent or guardian shall not be required to secure compliance with any requirement to which his consent does not extend and shall not, in respect of those requirements to which his consent does extend, be bound in a sum greater than £50.

(8) Where a court has granted bail in criminal proceedings it may on application—

- (a) by or on behalf of the person to whom it was granted, or
- (b) by the prosecutor or a constable,

vary the conditions of bail or impose conditions in respect of bail which it has granted unconditionally.

(9) This section is subject to subsection (3) of section 26 of the Magistrates' Courts Act 1952 (conditions of bail on remand for medical examination).