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**Changes to legislation:** *Criminal Law Act 1977, BAIL ACT 1976 (c. 63) is up to date with all changes known to be in force on or before 28 May 2023. 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*

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## SCHEDULES

### <sup>XI</sup>SCHEDULE 12

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### **Editorial Information**

- X1** The text of ss. 15(3), 37, 44, 53, 58, Schs. 1, 5, 6, 7, 9, 11, 12 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### **BAIL ACT 1976 (C. 63)**

- 1 In section 2(2), in the definition of “court”, for “a justice of the peace or a coroner” substitute “or a justice of the peace”.
- 2 In section 3(8) (power of the court granting bail to vary conditions of bail or impose conditions in respect of bail granted unconditionally)—
  - (a) for “it may” substitute “that court or, where that court has committed a person on bail to the Crown Court for trial or to be sentenced or otherwise dealt with, that court or the Crown Court may”;
  - (b) for “it was” substitute “bail was”;
  - (c) for “it has” substitute “has been”.
- 3 (1) Section 5 (supplementary provisions about bail) shall be amended as follows.
  - (2) After subsection (8) insert—
    - “(8A) An order under subsection (7) above shall, unless previously revoked, take effect at the end of twenty-one days beginning with the day on which it was made.
    - (8B) A court which has ordered the forfeiture of a security under subsection (7) above may, if satisfied on an application made by or on behalf of the person who gave it that he did after all have reasonable cause for his failure to surrender to custody, by order remit the forfeiture or declare that it extends to such amount less than the full value of the security as it thinks fit to order.
    - (8C) An application under subsection (8B) above may be made before or after the order for forfeiture has taken effect, but shall not be entertained unless the court is satisfied that the prosecution was given reasonable notice of the applicant’s intention to make it.”
  - (3) After subsection (9) insert—
    - “(9A) Where an order is made under subsection 8(B) above after the order for forfeiture of the security in question has taken effect, any money which would have fallen to be repaid or paid by over to the person who gave the

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security if the order under subsection (8B) has been made before the order for forfeiture took effect shall be repaid or paid over to him.”

F14 .....

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**Textual Amendments**

**F1** Sch. 12: entry repealed (1.1.2004) by [Extradition Act 2003 \(c. 41\)](#), s. 221, [Sch. 4](#); S.I. 2003/3103, art. 2 (with [arts. 3-5](#)) (as amended (11.12.2003) by S.I. 2003/3258, art. 2 and (18.12.2003) by S.I. 2003/3312, art. 2)

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

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

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

- s. 38A(5)(ia) by [2000 c. 43 Sch. 7 para. 55](#)
- s. 38B(5)(a) by [2000 c. 43 Sch. 7 para. 56](#)