



Immigration and Asylum Act 1999

1999 CHAPTER 33

PART III

BAIL

Routine bail hearings

47 Powers exercisable on granting bail

- (1) Before releasing a person on bail under section 46, the court may require—
 - (a) a recognizance or, in Scotland, a bail bond to be entered into; or
 - (b) security to be given by the person bailed or on his behalf.
- (2) The court may impose a requirement under subsection (1) only if it considers that its imposition is necessary to secure compliance with any condition to which bail granted under section 46 will be subject as a result of subsection (3), (4) or (5).
- (3) Bail granted under section 46 by the Commission is subject to a condition requiring the person bailed to appear before it at a specified time and place.
- (4) Bail granted under section 46 by a court or other appellate authority (other than the Commission) dealing with an appeal by the person bailed is subject to a condition requiring him—
 - (a) to appear before the court or authority at a time and place specified by it; and
 - (b) if the appeal is dismissed, withdrawn or abandoned, to appear before an immigration officer at such time and place as may be notified to him in writing by an immigration officer.
- (5) In any other case, bail granted under section 46 is subject to a condition requiring the person bailed to appear before an immigration officer—
 - (a) at a time and place specified by the court; or
 - (b) at such other time and place as may be notified to him in writing by an immigration officer.

Status: This is the original version (as it was originally enacted).

- (6) Bail granted under section 46 may be subject to such other conditions as appear to the court to be likely to result in the appearance of the person bailed at the required time and place.
- (7) A recognizance taken under this section may be with or without sureties, as the court may determine.
- (8) Subsections (9) and (10) apply if, on a reference under section 44, the court has power to release the detained person on bail but is not required to do so by section 46.
- (9) The court may, instead of releasing him—
 - (a) fix the amount of any recognizance, bail bond or security to be taken on his release on bail (including the amount in which any sureties are to be bound); and
 - (b) settle the terms of any conditions to be imposed on his release on bail.
- (10) The person concerned must be released on bail on the recognizance or bond being taken, or the security being given.
- (11) A person released on bail under section 46 is to be subject to such restrictions (if any) as to his employment or occupation while he is in the United Kingdom as may from time to time be notified to him in writing by an immigration officer.
- (12) Any restriction imposed on a person under subsection (11) has effect for the purposes of this Part as a condition of his bail.