

---

STATUTORY INSTRUMENTS

---

**1998 No. 2168 (L.8)**

**SUPREME COURT OF ENGLAND AND WALES**

**The Crown Court (Amendment) Rules 1998**

*Made* - - - - - *27th August 1998*  
*Laid before Parliament* *3rd September 1998*  
*Coming into force* - - - *30th September 1998*

We, the Crown Court Rule Committee, in exercise of the powers conferred on us by section 8(4) of the Bail Act 1976(1) and sections 84(1) and 86 of the Supreme Court Act 1981(2), hereby make the following Rules:

**Citation and commencement**

1. These Rules may be cited as the Crown Court (Amendment) Rules 1998 and shall come into force on 30th September 1998.

**Amendment of Crown Court Rules 1982**

2.—(1) The Crown Court Rules 1982(3) shall be amended as follows.

(2) In rule 21(1), after the words “conditions of the recognizance”, there shall be inserted the words “, other than by failing to appear before the Court in accordance with any such condition”.

(3) After rule 21, there shall be added the following rule:

“**21A.**—(1) Where a recognizance is conditioned for the appearance of an accused before the Crown Court and the accused fails to appear in accordance with the condition, the Court shall declare the recognizance to be forfeited.

(2) Where the Crown Court declares a recognizance to be forfeited under paragraph (1) above, the appropriate officer of the Court shall issue a summons to the person by whom the recognizance was entered into requiring him to appear before the Court at a time and place specified in the summons to show cause why the Court should not order the recognizance to be estreated.

---

(1) 1976 c. 63.  
(2) 1981 c. 54.  
(3) S.I.1982/1109.

---

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

(3) At the time specified in the summons the Court may proceed in the absence of the person by whom the recognizance was entered into if it is satisfied that he has been served with the summons”.

Dated 27th August 1998

*Irvine of Laird, C.  
Charles Harris  
Geoffrey Rivlin  
Joanna Corner  
L. E. Dickinson*

---

## EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules amend the Crown Court Rules 1982 to require the Crown Court to declare a recognizance conditioned for the appearance of an accused before it to be forfeited where he fails so to appear. Where the Court declares such a recognizance to be forfeited it is required to issue a summons to the person by whom the recognizance was entered into to show cause why the recognizance should not be ordered to be estreated.