
STATUTORY INSTRUMENTS

2012 No. 1726

The Criminal Procedure Rules 2012

PART 19

BAIL AND CUSTODY TIME LIMITS

SECTION 2: BAIL

Forfeiture of a recognizance given by a surety

19.15.—(1) This rule applies where the court imposes as a condition of bail a requirement that a surety enter into a recognizance and, after the defendant is released on bail,—

- (a) the defendant fails to surrender to custody as required, or
- (b) it appears to the court that the surety has failed to comply with a condition or direction.

(2) The court officer must serve notice on—

- (a) the surety; and
- (b) each party to the decision to grant bail,

of the hearing at which the court will consider the forfeiture of the recognizance.

(3) The court must not forfeit the recognizance less than 5 business days after service of notice under paragraph (2).

[Note. If the purpose for which a recognizance is entered is not fulfilled, that recognizance may be forfeited by the court. If the court forfeits a surety's recognizance, the sum promised by that person is then payable to the Crown. See also section 120 of the Magistrates' Courts Act 1980(1).]

(1) 1980 c. 43; section 120 was amended by section 55 of the Crime and Disorder Act 1998 (c. 37). It is further amended by section 62 of, and paragraphs 45 and 56 of Schedule 13 to, the Tribunals, Courts and Enforcement Act 2007 (c. 15) with effect from a date to be appointed.