



Criminal Justice Act 1967

1967 CHAPTER 80

PART I

CRIMINAL PROCEDURE, ETC.

Miscellaneous provisions as to evidence, procedure and trial

22 Extension of power of High Court to grant, or vary conditions of, bail.

[^{F1}(1) Where

[^{F3}a magistrates' court] withholds bail in criminal proceedings or imposes
^{F2}(a) conditions in granting bail in criminal proceedings, [^{F4}and

(b) it does so where an application to the court to state a case for the opinion of the High Court is made,]

the High Court may ^{F5} ... grant bail or vary the conditions.

[Where a magistrates' court withholds bail in extradition proceedings or imposes
^{F6}(1A) conditions in granting bail in extradition proceedings, the High Court may grant bail or vary the conditions.]

(2) Where the High Court grants a person bail under this section it may direct him to appear at a time and place which the [^{F3}magistrates' court] could have directed and the recognizance of any surety shall be conditioned accordingly.]

(3) Subsections ^{F7} ... (4) and (6) of section 37 of the ^{M1}Criminal Justice Act 1948 (ancillary provisions as to persons [^{F8}granted] to bail by the High Court under that section and the currency of sentence in the case of persons so admitted) shall apply in relation to the powers conferred by this section and persons [^{F8}granted] bail in pursuance of those powers as it applies in relation to the powers conferred by that section and persons [^{F8}granted] bail in pursuance of those powers ^{F9} ...

(4) In this section ^{F10} ... [^{F11} ... ^{F12}“bail in criminal proceedings”]^{F13}, “extradition proceedings”] and “vary” shall have the same meanings as they have in the ^{M2}Bail Act 1976.]

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice Act 1967, Section 22. (See end of Document for details)

- (5) The powers conferred on the High Court by this section shall be in substitution for the powers so conferred by paragraphs (a), (b) and (c) of section 37(1) of the ^{M3}Criminal Justice Act 1948, but except as aforesaid this section shall not prejudice any powers of the High Court to admit or direct the admission of persons to bail.

Textual Amendments

- F1** S. 22(1)(2) substituted by [Bail Act 1976 \(c. 63\)](#), **Sch. 2 para. 37(2)**
- F2** Reference in s. 22(1) inserted (5.4.2004) by [Criminal Justice Act 2003 \(c. 44\)](#), **ss. 17(1)(a)**, 336(3), 336(4) (with s. 141); [S.I. 2004/829](#), art. 2(1)(2)(b)
- F3** Words substituted by [Criminal Law Act 1977 \(c. 45\)](#), **Sch. 12**
- F4** S. 22(1)(b) and preceding word inserted (5.4.2004) by [Criminal Justice Act 2003 \(c. 44\)](#), **ss. 17(1)(b)**, 336(3), 336(4) (with s. 141); [S.I. 2004/829](#), art. 2(1)(2)(b)
- F5** Words in s. 22(1) repealed (5.4.2004) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), **Sch. 37 Pt. 2**; [S.I. 2004/829](#), art. 2(1)(2)(1)(ii)
- F6** S. 22(1A) inserted (15.1.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), **Sch. 13 para. 27(2)**; [S.I. 2006/3364](#), art. 2(e)
- F7** Reference to [Criminal Justice Act 1948 \(c. 58\)](#), **s. 37(3)**, repealed by [Bail Act 1976 \(c. 63\)](#), **Sch. 3**
- F8** Word substituted by [Bail Act 1976 \(c. 63\)](#), **Sch. 2 para. 37(3)**
- F9** Words in s. 22(3) repealed (5.4.2004) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), **Sch. 37 Pt. 2**; [S.I. 2004/829](#), art. 2(1)(2)(1)(ii)
- F10** Words repealed by [Courts Act 1971 \(c. 23\)](#), **Sch. 11 Pt. IV** and [Criminal Law Act 1977 \(c. 45\)](#), **Sch. 13**
- F11** Words added by [Bail Act 1976 \(c. 63\)](#), **Sch. 2 para. 37(4)**
- F12** Word repealed by [Criminal Law Act 1977 \(c. 45\)](#), **Sch. 13**
- F13** Words in s. 22(4) inserted (15.1.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), **Sch. 13 para. 27(3)**; [S.I. 2006/3364](#), art. 2(e)

Marginal Citations

- M1** 1948 c. 58.
- M2** 1976 c. 63.
- M3** 1948 c. 58.

Changes to legislation:

There are currently no known outstanding effects for the Criminal Justice Act 1967, Section 22.