

SCHEDULES

SCHEDULE 2

BAIL UNDER TERRORISM ACT 2000

Arrest for absconding or breaking conditions of bail

- 2 (1) This paragraph applies to a person who—
- (a) has been admitted to bail; and
 - (b) is under a duty to surrender into the custody of a court.
- (2) If a person to whom this paragraph applies fails to surrender to custody at the time appointed for him to do so, the court may issue a warrant for his arrest.
- (3) If a person to whom this paragraph applies—
- (a) surrenders into the custody of a court; but
 - (b) absents himself (otherwise than in accordance with permission given by or on behalf of the court) from the court at any time before the court is ready to begin or to resume the hearing of the proceedings,
- that court may issue a warrant for his arrest.
- (4) A constable may arrest without warrant any person to whom this paragraph applies—
- (a) if the constable has reasonable grounds for believing that that person is not likely to surrender to custody;
 - (b) if the constable has reasonable grounds for believing that that person is likely to break any of the conditions of his bail or has reasonable grounds for suspecting that that person has broken any of those conditions; or
 - (c) in a case where that person was admitted to bail with one or more surety or sureties, if a surety notifies a constable in writing that that person is unlikely to surrender to custody and that for that reason the surety wishes to be relieved of his obligations as a surety.
- (5) If, on an application made by a constable, a justice of the peace is satisfied that—
- (a) there are reasonable grounds for believing that a person who is liable to arrest under sub-paragraph (4) is to be found on premises specified in the application; and
 - (b) any of the conditions specified in sub-paragraph (6) is satisfied, he may issue a warrant authorising a constable to enter those premises (if need be by force) and search them for the purpose of arresting that person.
- (6) The conditions mentioned in sub-paragraph (5) are—
- (a) that it is not practicable to communicate with any person entitled to grant entry to the premises;
 - (b) that entry to the premises will not be granted unless a warrant is produced;

Status: This is the original version (as it was originally enacted).

- (c) that the purpose of a search of the premises may be frustrated or seriously prejudiced unless a constable arriving at the premises can secure immediate entry to them.