

## SCHEDULE

Regulation 3

### Transitional Provisions

#### **Persons at large on the date on which Schedule 10 comes into force**

1.—(1) This paragraph applies to any person (“P”) to whom paragraph 13(1) of Schedule 10 to the 2016 Act applies on 20 November 2017.

(2) From that date P is to be treated, for the purposes of the provision by virtue of which paragraph 13(1) applies, instead as having been granted immigration bail under paragraph 1 of that Schedule.

(3) Any condition or restriction that was attached to P’s admission or release is to be treated as a condition of immigration bail imposed under paragraph 2 of Schedule 10 until such time as—

(a) the condition or restriction is varied under paragraph 6 of that Schedule (whereupon it will become a condition under paragraph 2 of that Schedule), or

(b) the grant of immigration bail ends in accordance with paragraph 1(8) of that Schedule (whereupon the condition or restriction will also end).

(4) If P has been granted immigration bail by a court or tribunal, then that bail is to be deemed to be a grant of immigration bail by the First-tier Tribunal under paragraph 1(3) of Schedule 10.

(5) If sub-paragraph (4) does not apply to P then P will be deemed to have been granted immigration bail by the Secretary of State under paragraph 1(1) or (2) of Schedule 10.

#### **The treatment of existing recognizances and bail bonds**

2.—(1) This paragraph applies where, before 20 November 2017, a person—

(a) entered into a recognizance either on his own behalf or as a surety for another, or

(b) in Scotland, entered into a bail bond on his own behalf or as cautioner for another,

in respect of a grant of bail under Schedule 2 to the 1971 Act, and is thereby liable, after 20 November 2017, to forfeit a sum of money in accordance with the terms of the recognizance or bail bond if a condition of that bail is breached.

(2) The recognizance or bail bond is to be treated for the purposes of Schedule 10 to the 2016 Act as if it were a “financial condition” as defined by paragraph 5(1) of that Schedule and as if it were imposed under paragraph 2 of that Schedule, notwithstanding the fact that it may not comply with the provisions of paragraph 5(3) of that Schedule.

(3) A grant of bail which is subject to such a recognizance or bail bond may not be the subject of a direction by the First-tier Tribunal under paragraph 6(3) of Schedule 10.