



# Police and Criminal Evidence Act 1984

## 1984 CHAPTER 60

### PART IV

#### DETENTION

##### *Detention—miscellaneous*

#### **[<sup>F1</sup>46ZA Persons granted live link bail**

- (1) This section applies in relation to bail granted under this Part subject to the duty mentioned in section 47(3)(b) (“live link bail”).
- (2) An accused person who attends a police station to answer to live link bail is not to be treated as in police detention for the purposes of this Act.
- (3) Subsection (2) does not apply in relation to an accused person if—
  - <sup>F2</sup>(a) [ at any time before the beginning of proceedings in relation to a live link direction under section 57C of the Crime and Disorder Act 1998 in relation to him, he informs a constable that he does not intend to give his consent to the direction;]
  - (b) [<sup>F3</sup>at any time before the beginning of [<sup>F4</sup>the proceedings referred to in section 47(3)(b)(i)],] a constable informs him that a live link will not be available for his use for the purposes of [<sup>F5</sup>those proceedings];
  - <sup>F6</sup>(c) [ proceedings in relation to a live link direction under that section have begun but he does not give his consent to the direction; or]
  - (d) the court determines for [<sup>F7</sup>any reason] not to give [<sup>F8</sup>a direction of the sort referred to in section 47(3)(b)(ii)].
- (4) If [<sup>F9</sup>paragraph (b) or (d) of subsection (3) applies] in relation to a person, he is to be treated for the purposes of this Part—
  - (a) as if he had been arrested for and charged with the offence in connection with which he was granted bail, and
  - (b) as if he had been so charged at the time when that paragraph first applied in relation to him.

*Changes to legislation: Police and Criminal Evidence Act 1984, Section 46ZA is up to date with all changes known to be in force on or before 11 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (5) An accused person who is arrested under section 46A for failing to attend at a police station to answer to live link bail, and who is brought to a police station in accordance with that section, is to be treated for the purposes of this Part—
- (a) as if he had been arrested for and charged with the offence in connection with which he was granted bail, and
  - (b) as if he had been so charged at the time when he is brought to the station.
- (6) Nothing in subsection (4) or (5) affects the operation of section 47(6).]

### Textual Amendments

- F1** S. 46ZA inserted (1.4.2007 for specified purposes, 14.11.2008 for specified purposes, 3.10.2011 for specified purposes, 8.10.2012 in so far as not already in force) by [Police and Justice Act 2006 \(c. 48\)](#), [ss. 46\(3\)](#), 53(1); [S.I. 2007/709](#), [art. 3\(n\)](#) (with [art. 6](#)); [S.I. 2008/2785](#), [art. 2](#); [S.I. 2011/2144](#), [art. 2\(1\)\(b\)](#); [S.I. 2012/2373](#), [art. 2\(b\)](#)
- F2** S. 46ZA(3)(a) repealed (14.12.2009 for specified purposes, 6.4.2010 for specified purposes, 3.10.2011 for specified purposes, 8.10.2012 in so far as not already in force) by [Coroners and Justice Act 2009 \(c. 25\)](#), [ss. 107\(2\)\(a\)\(i\)](#), 182(5), [Sch. 23 Pt. 3](#) (with [s. 180](#)); [S.I. 2009/3253](#), [art. 3\(1\)\(b\)](#) (with [art. 4](#)); [S.I. 2010/816](#), [art. 4](#); [S.I. 2011/2148](#), [art. 2](#); [S.I. 2012/2374](#), [art. 3\(b\)\(e\)](#)
- F3** Words in s. 46ZA(3)(b) substituted (14.12.2009 for specified purposes, 3.10.2011 for specified purposes, 8.10.2012 in so far as not already in force) by [Coroners and Justice Act 2009 \(c. 25\)](#), [ss. 107\(2\)\(a\)\(ii\)](#), 182(5) (with [s. 180](#)); [S.I. 2009/3253](#), [art. 3\(1\)\(b\)](#) (with [art. 4](#)); [S.I. 2011/2148](#), [art. 2](#); [S.I. 2012/2374](#), [art. 3\(b\)](#)
- F4** Words in s. 46ZA(3)(b) substituted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), [s. 208\(5\)\(y\)](#), [Sch. 20 para. 4\(2\)\(a\)\(i\)](#)
- F5** Words in s. 46ZA(3)(b) substituted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), [s. 208\(5\)\(y\)](#), [Sch. 20 para. 4\(2\)\(a\)\(ii\)](#)
- F6** S. 46ZA(3)(c) repealed (14.12.2009 for specified purposes, 6.4.2010 for specified purposes, 3.10.2011 for specified purposes, 8.10.2012 in so far as not already in force) by [Coroners and Justice Act 2009 \(c. 25\)](#), [ss. 107\(2\)\(a\)\(iii\)](#), 182(5), [Sch. 23 Pt. 3](#) (with [s. 180](#)); [S.I. 2009/3253](#), [art. 3\(1\)\(b\)](#) (with [art. 4](#)); [S.I. 2010/816](#), [art. 4](#); [S.I. 2011/2148](#), [art. 2](#); [S.I. 2012/2374](#), [art. 3\(b\)\(e\)](#)
- F7** Words in s. 46ZA(3)(d) substituted (14.12.2009 for specified purposes, 3.10.2011 for specified purposes, 8.10.2012 in so far as not already in force) by [Coroners and Justice Act 2009 \(c. 25\)](#), [ss. 107\(2\)\(a\)\(iv\)](#), 182(5) (with [s. 180](#)); [S.I. 2009/3253](#), [art. 3\(1\)\(b\)](#) (with [art. 4](#)); [S.I. 2011/2148](#), [art. 2](#); [S.I. 2012/2374](#), [art. 3\(b\)](#)
- F8** Words in s. 46ZA(3)(d) substituted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), [s. 208\(5\)\(y\)](#), [Sch. 20 para. 4\(2\)\(b\)](#)
- F9** Words in s. 46ZA(4) substituted (14.12.2009 for specified purposes, 3.10.2011 for specified purposes, 8.10.2012 in so far as not already in force) by [Coroners and Justice Act 2009 \(c. 25\)](#), [ss. 107\(2\)\(b\)](#), 182(5) (with [s. 180](#)); [S.I. 2009/3253](#), [art. 3\(1\)\(b\)](#) (with [art. 4](#)); [S.I. 2011/2148](#), [art. 2](#); [S.I. 2012/2374](#), [art. 3\(b\)](#)

**Changes to legislation:**

Police and Criminal Evidence Act 1984, Section 46ZA is up to date with all changes known to be in force on or before 11 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 17(1)(cza) inserted by [2021 c. 17 s. 26\(9\)](#)
- s. 47A(3A) substituted by [2022 c. 35 Sch. 2 para. 7](#)
- s. 61(6BA) inserted by [2008 c. 28 s. 10\(1\)](#) (This amendment not applied to legislation.gov.uk. S. 10 omitted (14.12.2011) by virtue of 2011 c. 23, ss. 29, 31(2), Sch. 7 para. 5(3))
- s. 63(3D) inserted by [2008 c. 28 s. 10\(2\)](#) (This amendment not applied to legislation.gov.uk. S. 10 omitted (14.12.2011) by virtue of 2011 c. 23, ss. 29, 31(2), Sch. 7 para. 5(3))
- s. 64(1AA) inserted by [2008 c. 28 s. 10\(4\)](#) (This amendment not applied to legislation.gov.uk. S. 10 omitted (14.12.2011) by virtue of 2011 c. 23, ss. 29, 31(2), Sch. 7 para. 5(3))
- s. 64A(1B)(cb) inserted by [2022 c. 32 Sch. 11 para. 18\(a\)](#)
- Sch. 1A para. 21A added by 1995 c. 32, s. 8B(1) (as inserted) by [2006 c. 12 Sch. 3 para. 13](#)