

8. Notification to prosecutor of application for approval as surety

- (1) For the purposes of section 36(1) of the Act, whenever an officer referred to in that subsection (in this regulation referred to as “**the approving officer**”) is called upon to decide whether an applicant should be approved as a surety he shall notify, or cause to be notified, or satisfy himself that there has been notification to, the prosecutor of the name, address, and occupation of the applicant, for the purpose of allowing the prosecutor a reasonable opportunity to make representations as to the suitability of the applicant to be a surety.
- (2) The prosecutor shall respond to a notification under subregulation (1) as soon as possible, but in no case shall the period allowed to the prosecutor to make representations exceed 24 hours from the time of notification.
- (3) It is sufficient compliance with subregulation (1) if the notification —
 - (a) where the prosecutor is the Director of Public Prosecutions, is given to the Director; or
 - (b) where the prosecutor is a police officer, is given to a police officer having knowledge of the defendant’s case or the officer in charge of the police station or lock-up nearest to the place at which the approving officer performs his duties.
- (4) the notification under subregulation (1) and any representations resulting therefrom shall be made orally (which includes by telephone), unless there is a special reason for the same being made in writing.

[Regulation 8 amended in Gazette 19 Apr 2005 p. 1295.]