

**7A. Bail for appeal under *Justices Act 1902***

- (1) A person who is in custody may apply for bail —
- (a) to a Judge of the Supreme Court, where an application for leave to appeal has been made to, or has been granted by, a Judge; or
  - (b) to the Full Court of the Supreme Court, where an appeal is made to, or an application for leave to appeal has been made to, or has been granted by, that Court,

under Part VIII of the *Justices Act 1902* and the appeal is in connection with the decision by virtue of which the person is in custody.

- (2) Bail shall not be granted to an applicant for bail under subsection (1) until he has given notice of his application for bail to —
- (a) the State Solicitor; or
  - (b) the Deputy Director of Public Prosecutions (Commonwealth) in Perth,

as the case may require, and that official has been given an opportunity to be heard on the application.

*[Section 7A inserted by No. 33 of 1989 s.18; amended by No. 65 of 2003 s. 88(2).]*