

**40. Decision on application by proposed surety**

- (1) Upon receipt of the duly completed declaration referred to in section 37(1)(c), the officer shall, after making any enquiries which he thinks desirable, make a decision, as soon as is practicable, either to approve or not to approve of the applicant as a surety in that case.
- (2) If the officer does not approve of the applicant as a surety he shall record the reasons for his doing so and inform the applicant and the defendant thereof, or cause them to be so informed.

*[Section 40 amended by No. 15 of 1988 s. 15.]*