

**38. Persons disqualified from being sureties**

- (1) A person is not qualified to be approved as a surety if —
  - (a) he is under 18 years of age; or
  - (b) subject to subsection (2), the value of his assets, after provision is made for his debts and liabilities, is less than the amount which he might become liable to forfeit under his proposed surety undertaking;  
or
  - (c) there are reasonable grounds for believing that he has been, or will be, indemnified by any person against any forfeiture referred to in paragraph (b).
- (2) Subsection (1)(b) does not apply where the applicant for approval is required to give security sufficient to cover the amount which he might become liable to forfeit.