

Notes

¹ This is a compilation of the *Bail Act 1982* and includes the amendments effected by the other Acts referred to in the following Table ^{1a}.

Table of Acts

Act	Number and Year	Assent	Commencement	Miscellaneous
<i>Bail Act 1982</i>	86 of 1982	18 November 1982	6 February 1989 (see <i>Gazette</i> 27 January 1989 p.263)	
<i>Acts Amendment (Abolition of Capital Punishment) Act 1984, Part III</i>	52 of 1984	5 September 1984	3 October 1984	
<i>Bail Amendment Act 1984</i>	74 of 1984	29 November 1984	6 February 1989 (see section 2 and <i>Gazette</i> 27 January 1989 p.263)	Amended by the <i>Bail Amendment Act 1988</i> (Act No. 15 of 1988 section 20)
<i>Bail Amendment Act 1988</i>	15 of 1988	6 September 1988	6 February 1989 (see section 2 and <i>Gazette</i> 27 January 1989 p.263)	
<i>Acts Amendment (Children's Court) Act 1988, Part 13</i>	49 of 1988	22 December 1988	1 December 1989 (see <i>Gazette</i> 24 November 1989 p.4327)	
<i>Criminal Law Amendment Act 1988, Part 4 section 45</i>	70 of 1988	15 December 1988	6 February 1989 (see section 2 (2) (a) and (b) and <i>Gazette</i> 27 January 1989 p.263)	
<i>Justices Amendment Act 1989, section 18 (item 1 of Schedule)</i>	33 of 1989	22 December 1989	1 June 1991 (see <i>Gazette</i> 17 May 1991 p.2455)	
<i>Community Corrections Legislation Amendment Act 1990, Part 2</i>	61 of 1990	17 December 1990	3 April 1991 (see <i>Gazette</i> 22 March 1991 p.1209)	
<i>Child Welfare Amendment Act (No. 2) 1990, section 15</i>	83 of 1990	22 December 1990	1 August 1991 (see <i>Gazette</i> 1 August 1991 p.3983)	
<i>Children's Court of Western Australia Amendment</i>	15 of 1991	21 June 1991	9 August 1991 (see section 2 (2) and <i>Gazette</i>	

Act	Number and Assent Year	Commencement	Miscellaneous	
<i>Act (No. 2) 1991, Part 3 section 21</i>		9 August 1991 p.4101)		
<i>Acts Amendment (Sexual Offences) Act 1992, Part 3</i>	14 of 1992	17 June 1992	1 August 1992 (see <i>Gazette</i> 28 July 1992 p.3671)	
<i>Acts Amendment (Ministry of Justice) Act 1993, Part 3</i>	31 of 1993	15 December 1993	Deemed operative 1 July 1993 (see section 2)	Part 19 sections 68 and 69 transitional
<i>Criminal Procedure Amendment Act 1993, Part 2 sections 3 to 13</i>	45 of 1993	20 December 1993	Sections 7, 8, 9, 10 (2) (b): 4 March 1994 (see section 2 and <i>Gazette</i> 4 March 1994 p. 915); balance: 17 January 1994 (see section 2 (2))	Section 13 transitional
<i>Criminal Law Amendment Act 1994, section 13 (1) and (2)</i>	82 of 1994	23 December 1994	Section 13: 20 January 1995 (see section 2 (2))	
<i>Acts Amendment (Fines, Penalties and Infringement Notices) Act 1994, Part 3 sections 4 to 7</i>	92 of 1994	23 December 1994	1 January 1995 (see section 2 and <i>Gazette</i> 30 December 1994 p.7211)	
<i>Sentencing (Consequential Provisions) Act 1995, Part 5 sections 6 to 8</i>	78 of 1995	16 January 1996	4 November 1996 (see section 2 and <i>Gazette</i> 25 October 1996 p.5632)	
<i>Coroners Act 1996, section 61</i>	2 of 1996	24 May 1997	7 April 1997 (see section 2 and <i>Gazette</i> 18 March 1997 p.1529)	
<i>Mental Health (Consequential Provisions) Act 1996, Part 2</i>	69 of 1996	13 November 1996	13 November 1997 (see section 2)	
<i>Statutes (Repeals and Minor Amendments) Act 1997, section 21</i>	57 of 1997	15 December 1997	15 December 1997 (see section 2)	
<i>Criminal Law Amendment Act (No. 1) 1998, section 4(2)</i>	38 of 1998	25 September 1998	23 October 1998	
<i>Bail Amendment Act 1998,</i>	54 of 1998	11 January 1999	15 May 1999 (see section 2 and	

Act	Number and Assent Year	Commencement	Miscellaneous
Parts 4 and 7		<i>Gazette</i> 11 May 1999 p.1905)	

1a As at the date of this reprint Part 2 of the *Mental Health (Consequential Provisions) Act 1996* (Act No. 69 of 1996) was not in operation. Part 2 reads as follows —

“

PART 2 — BAIL ACT 1982

3. Schedule amended

(1) The *Bail Act 1982** is amended in Schedule 1 in Part D in clause 2 (1) by inserting after “(3)” the following —

“, (3a) ”.

(2) The *Bail Act 1982** is amended in Schedule 1 in Part D by deleting clause 2 (3) and substituting the following subclauses —

“

(3) Where a judicial officer who grants bail to a defendant is of the opinion that the defendant’s physical condition ought to be examined the officer may, under subclause (1), impose any condition which the officer considers desirable for the purpose of ensuring that the defendant is examined by a medical practitioner.

(3a) Where a judicial officer who grants bail to a defendant is of the opinion that the defendant’s mental condition ought to be examined the officer may, under subclause (1), impose any condition which the officer considers desirable for the purpose of ensuring that the defendant’s mental condition is examined including a condition —

(a) that the defendant be examined by a medical practitioner or an authorized mental health practitioner (as defined in the *Mental Health Act 1996*) for the purpose of deciding whether to make a referral under section 29 of that Act;

(b) that the defendant be admitted to an authorized hospital (as defined in the *Mental Health Act 1996*);

(c) that the defendant be examined by a psychiatrist. ”.

(3) The *Bail Act 1982** is amended in Schedule 1 in Part D in clause 2 (5) by inserting after “(3)” the following —

“, (3a) ”.

(4) The *Bail Act 1982** is amended in Schedule 1 in Part D in clause 2 (7) by deleting the definition of “psychiatrist” and substituting the following definition —

“ “**psychiatrist**” has the same meaning as it has in the *Mental Health Act 1996*..”.

”.

² Repealed by the *Young Offenders Act 1994* (Act No. 104 of 1994) section 212.

³ Repealed by the *Young Offenders Act 1994* (Act No. 104 of 1994) section 209.