

**28. Bail undertaking**

- (1) A person shall not be released on bail for an appearance in court unless he has entered into a bail undertaking for that appearance or is deemed to have done so under section 31(3).
- (2) A bail undertaking is an undertaking in writing by an accused in the prescribed form —
  - (a) that he will appear at a time and place specified, or deemed by section 31(3) to be specified, in the undertaking;
  - (b) that if he fails to appear at that time and place he will as soon as is practicable —
    - (i) notify the registrar of the court at which he is required to appear of the cause of his failure; and
    - (ii) appear at that court when the court is sitting;
  - (c) that he will comply with such conditions as may be imposed on him under clause 2 of Part D of Schedule 1;
  - (d) that he will comply with any home detention condition which may be imposed as a condition on a grant of bail to him pursuant to clause 3 of Part D of Schedule 1,

and containing any agreement as to forfeiture of money by the accused which may be required pursuant to clause 1 of that Part.

- (3) A bail undertaking for any appearance may be entered into in respect of more than one offence.
- (4) The undertakings mentioned in subsection (2)(a) and (b) are, subject to section 34, enforceable under sections 51, 57 and 58.

*[Section 28 amended by No. 61 of 1990 s. 9; No. 45 of 1993 s. 12; No. 59 of 2004 s. 141; No. 84 of 2004 s. 82.]*