

39. Matters relevant to approval of sureties

In determining whether an applicant is suitable to be a surety an officer referred to in section 36(1) shall have regard to all matters which appear to him to be relevant including, as well as any others, the following —

- (a) the character and antecedents of the applicant;
- (b) his proximity to or connection with the accused, whether by kinship, place of residence or otherwise; and
- (c) his ability to pay, or give security for, the amount which he might become liable to forfeit under his proposed surety undertaking, without excessive hardship to himself or his dependants.

[Section 39 amended by No. 84 of 2004 s. 82.]