

36. Authority to approve sureties

- (1) The decision whether an applicant should be approved as a surety in any case shall be made, on notice to the prosecutor in the prescribed manner —
 - (a) where a judicial officer imposed the requirement for a surety in that case, by that judicial officer or by a judicial officer whose jurisdiction is co-extensive with that judicial officer's;
 - (b) where an authorised officer imposed the requirement for a surety in that case, by that or any other authorised officer; or
 - (c) where subsection (2) applies, by an officer of the court authorised under that subsection.
- (2) A judicial officer when granting bail to an accused subject to a requirement for a surety or sureties may authorise a justice, a registrar of any court or an associate of a Judge of the Supreme Court or of the District Court or of the Children's Court, by name or office, to decide whether any applicant should be approved as a surety in that case.

[Section 36 amended by No. 15 of 1988 s. 14; No. 49 of 1988 s. 88; No. 59 of 2004 s. 141; No. 84 of 2004 s. 82.]