

JM301*

Bail Act 1982

Bail Amendment Regulations 1999

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Bail Amendment Regulations 1999*.

2. Commencement

These regulations come into operation on the day on which Parts 2, 3 and 5, other than section 12, of the *Bail Amendment Act 1998* come into operation.

3. Schedule amended

The Schedule to the *Bail Regulations 1988** is amended as follows:

- (a) in Form 1 in paragraph 3 by deleting “except where the arrest is made under a warrant or for the offence of murder or wilful murder.” and inserting instead —

“

except —

- (a) for the offence of murder or wilful murder;
 - (b) where the arrest is made under a warrant;
 - (c) where the arrest is made in an urban area (as defined) for a serious offence (as defined) alleged to have been committed while you were —
 - (i) on bail for another serious offence; or
 - (ii) at liberty under an early release order in respect of another serious offence;
- or
- (d) for an offence that involves breach of a violence restraining order.

”;

- (b) in Form 1 in paragraph 3 by deleting “except for the offence of murder or wilful murder.” and inserting instead —

“

except —

- (a) for the offence of murder or wilful murder;
 - (b) where the arrest is made in an urban area (as defined) for a serious offence (as defined) alleged to have been committed while you were —
 - (i) on bail for another serious offence; or
 - (ii) at liberty under an early release order in respect of another serious offence;
- or
- (c) for an offence that involves breach of a violence restraining order.

”;

- (c) in Form 5 by deleting paragraph 5A(a) and inserting instead —

“

- (a) the defendant is charged with a serious offence (as defined) committed while —
 - (i) on bail for another serious offence; or
 - (ii) at liberty under an early release order in respect of another serious offence;

”;

- (d) in Form 7 in paragraph 2 by inserting below
“undertaking.” —

“

If you fail to comply with a condition set out in your undertaking imposed for the purposes mentioned in clause 2(2)(c) or (d) of Part D of Schedule 1 to the Act you commit an offence. The penalty for the offence is a fine of up to \$10 000 or imprisonment for up to 3 years, or both.

”;

- (e) in Form 7 in paragraph 5 by deleting “\$3 000” and inserting instead —

“ \$10 000 ”.

[* *Published in Gazette 30 December 1988, pp. 5043-80.*
For amendments to 25 November 1999 see 1998 Index to Legislation of Western Australia, Table 4, p. 24.]

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.