

JU302

Bail Act 1982

Bail Amendment Regulations 2020

SL 2020/235

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Bail Amendment Regulations 2020*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Bail Regulations 1988*.

4. Schedule Form 8 amended

Delete the Schedule Form 8 Part B item 7 and insert:

7. Character

Do you have any convictions? (tick appropriate box)

YES NO

If yes, give details.....

.....

.....

.....

Do you have any criminal proceedings pending against you?
(tick appropriate box)

YES NO

If yes, give details.....

.....

.....

.....

5. Schedule Form 9 amended

(1) In the Schedule Form 9 item 5:

(a) in paragraph (c) delete “surety for any loss he incurs.” and insert:

proposed surety for any loss the proposed surety incurs; or

(b) after paragraph (c) insert:

(d) there is a current restraining order between the person and the accused under the *Restraining Orders Act 1997*; or

(e) the person is in a family relationship with the accused and was a victim of an offence for which the accused has been convicted within the last 10 years; or

(f) the person is in a family relationship with the accused and is an alleged victim of the offence of which the accused has been charged.

If the accused is a child, a person may be approved as a surety even if the circumstances in paragraphs (d), (e) or (f) apply.

- (2) In the Schedule Form 9 item 6 delete “concerned.” and insert:

concerned, unless the *Bail Act 1982* section 40(3) applies.

- (3) Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. Form 9 NOTE	he	the proposed surety
Sch. Form 9 NOTE and it. 3	him.	the proposed surety.
Sch. Form 9 it. 4	He	The proposed surety
Sch. Form 9 it. 5(a) and (b) and 7	he (each occurrence)	the person
Sch. Form 9 it. 5(b) and 6(a), (b) and (c)	his	the person’s
Sch. Form 9 it. 7	himself his (1 st occurrence) his (2 nd occurrence)	the person the officer’s their
Sch. Form 9 it. 8 and 12	his	their
Sch. Form 9 it. 9	his	the accused’s
Sch. Form 9 it. 11 and 12	However	However,
Sch. Form 9 it. 11	he (1 st occurrence) he (2 nd occurrence) him so taken	the accused the surety the accused taken

Provision	Delete	Insert
Sch. Form 9 it. 13	his him he (each occurrence)	the surety's the surety the surety
Sch. Form 9 it. 15	he	the prosecutor or police officer
Sch. Form 9 it. 16	a proposed he the proposed	proposed the surety or proposed surety proposed

V. MOLAN, Clerk of the Executive Council.