

## 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	the person
	his	the officer’s

<b>Provision</b>	<b>Delete</b>	<b>Insert</b>
	(1 <sup>st</sup> occurrence)  his (2 <sup>nd</sup> occurrence)	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 <sup>st</sup> occurrence)  he (2 <sup>nd</sup> occurrence)  him  so taken	the accused  the surety  the accused  taken
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.