

BAIL ACT 1978—REGULATION

(Relating to the form of bail undertakings)

NEW SOUTH WALES



[Published in Gazette No. 142 of 24 December 1993]

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Bail Act 1978, has been pleased to make the Regulation set forth hereunder.

J. P. HANNAFORD, M.L.C.,
Attorney General and Minister for Justice.

Commencement

1. This Regulation commences on 3 January 1994.

Amendment

2. Form 5 (Bail undertaking) of Schedule 1 to the Bail Regulation 1979 is amended by omitting paragraph 3 of the undertaking and by inserting instead the following paragraph:

(3) *I further undertake pursuant to section 123 (3) or 125A (2B) of the Justices Act 1902 to do the following:

- (a) appear before the District Court as referred to in paragraph (1) and prosecute my appeal;
 - (b) notify the registrar for the proclaimed place at which the appeal is to be heard of any change in my address;
 - (c) abide the judgment of the District Court on the appeal;
 - (d) pay such costs as may be awarded by the District Court.
-

EXPLANATORY NOTE

The object of this Regulation is to include in the standard form of bail undertaking an undertaking by a person appealing to the District Court to inform the registrar of any change of address. The Regulation amends Form 5 (Bail undertaking) in Schedule 1 to the Bail Regulation 1979 accordingly.

The Regulation is consequential on changes to the Justices Act 1902 designed to eliminate the need for costly searches for appellants who fail to turn up at their own appeal proceedings. Those changes (contained in the Justices (Amendment) Act 1993) are to commence along with this Regulation on 3 January 1994.

This Regulation is made under sections 34 (general undertaking to appear), 36 (conditions of bail) and 69 (1) (e) of the Bail Act 1978.
