

# **BAIL (FURTHER AMENDMENT) ACT 1988 No. 60**

NEW SOUTH WALES



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**BAIL (FURTHER AMENDMENT) ACT 1988 No. 60**

NEW SOUTH WALES



**Act No. 60, 1988**

An Act to amend the Bail Act 1978 with respect to presumptions in favour of bail for certain minor offences. [Assented to 21 November 1988]

**The Legislature of New South Wales enacts:****Short title**

1. This Act may be cited as the Bail (Further Amendment) Act 1988.

**Commencement**

2. This Act commences on a day to be appointed by proclamation.

**Amendment of Bail Act 1978 No. 161**

3. The Bail Act 1978 is amended as set out in Schedule 1.

**Transitional provision**

4. The amendments made by this Act apply to offences whether committed before or after the commencement of this Act.

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**SCHEDULE 1—AMENDMENTS**

(Sec. 3)

**Section 9 (Presumption in favour of bail for certain offences)—**

- (1) Section 9 (1) (a), (b)—

Omit the paragraphs, insert instead:

- (a) offences referred to in section 8A (1);
- (b) subject to subsection (1A), offences referred to in section 8 (1) or offences against section 51;

- (2) Section 9 (1A)—

After section 9 (1), insert:

- (1A) This section applies to—
  - (a) an offence referred to in section 8 (1) if the person accused of the offence is not entitled to be granted bail under section 8 merely because the person has previously failed to comply with a bail undertaking given or bail condition imposed in respect of the offence; and

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SCHEDULE 1—AMENDMENTS—*continued*

- (b) an offence against section 51 arising from a failure to comply with a bail undertaking given in respect of an offence referred to in section 8 (1) (a).
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[*Minister's second reading speech made in—  
Legislative Assembly on 31 August 1988  
Legislative Council on 15 November 1988*]

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