

BAIL (AMENDMENT) ACT 1992 No. 16

NEW SOUTH WALES



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Act No. 16, 1992

An Act to amend section 44 of the Bail Act 1978 with respect to the review of bail determinations made by the Supreme Court. [Assented to 11 May 1992]

Bail (Amendment) Act 1992 No. 16

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Bail (Amendment) Act 1992.

Commencement

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

Amendment of Bail Act 1978 No. 161, s 44

3. The Bail Act 1978 is amended by inserting after section 44 (5) the following subsection:

(6) A decision of the Supreme Court (however constituted) in relation to bail may be reviewed by the Land and Environment Court, the Industrial Court, the District Court or a magistrate if:

- (a) the person to whom the decision relates is appearing before the Court or magistrate in proceedings for an offence; and
- (b) the Court or magistrate is satisfied that special facts or special circumstances justify the review.

This subsection has effect subject to any exceptions or other limitations prescribed by the regulations and to the other provisions of this Part.

Transitional

4. The Bail Act 1978, as amended by this Act, applies to a decision of the Supreme Court (however constituted) in relation to bail made before or after the commencement of this Act.

*[Minister's second reading speech made in—
Legislative Assembly on 29 April 1992
Legislative Council on 6 May 1992]*